

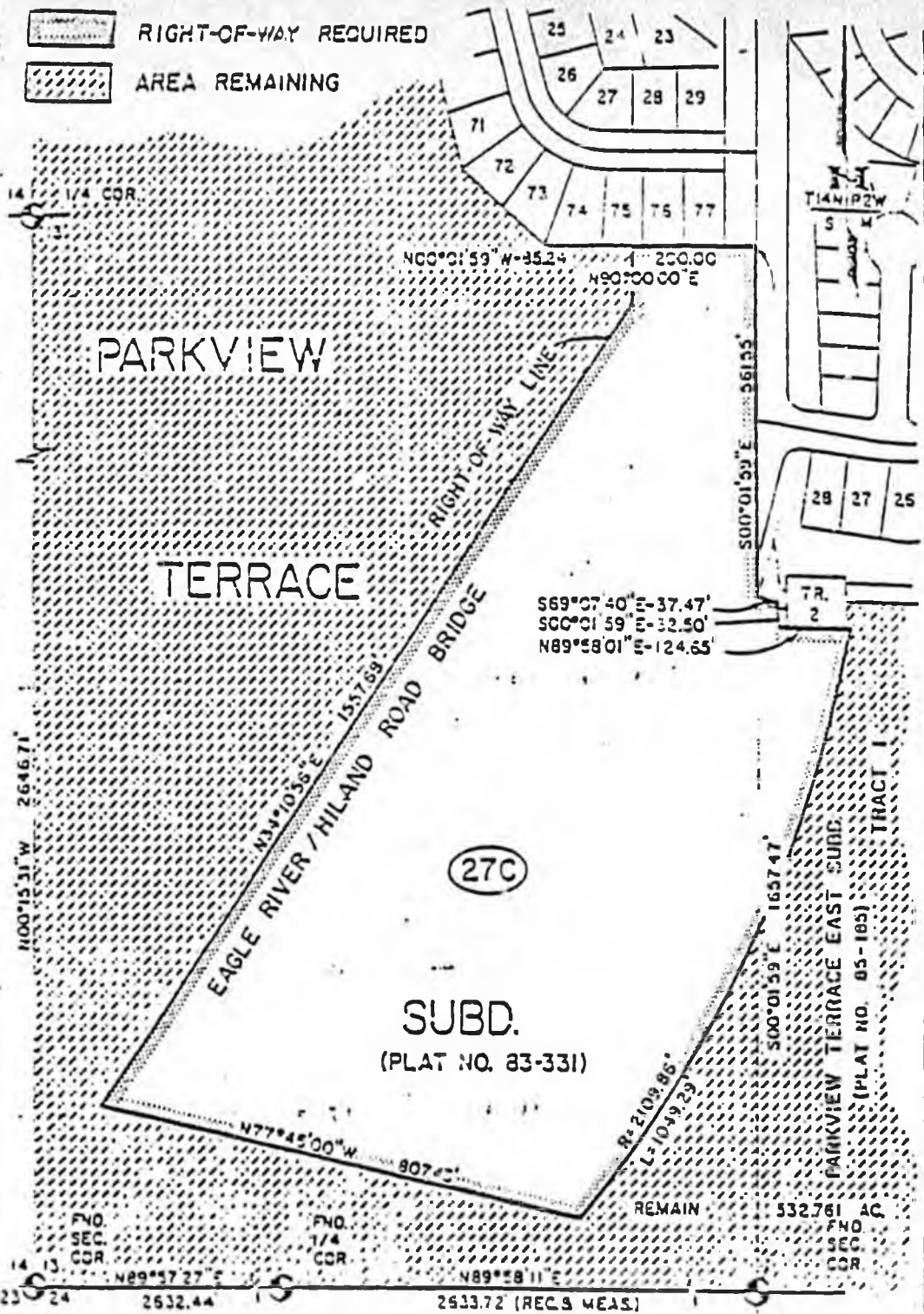


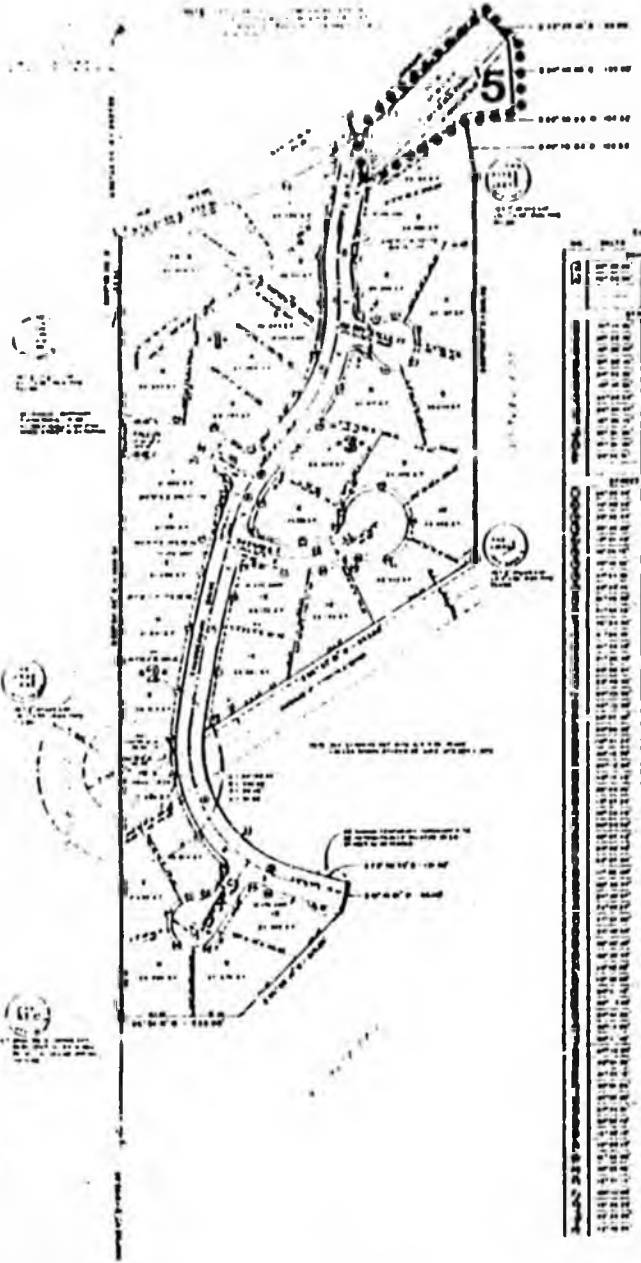
ALASKA LEGISLATURE COMMITTEE FILES 1987-1988 8672

5500 SRES HB 231 - HB 266

 RIGHT-OF-WAY REQUIRED
 AREA REMAINING



EXLUNA INC. By: _____ _____ _____ Signature _____ Date _____		STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES MAP SHOWING RIGHT OF WAY REQUIRED FOR EAGLE RIVER/HILAND ROAD BRIDGE	
Attached to: _____ Date: _____ Page: _____		CENTRAL REGION Area 21,538.9 AC. Scale 1" = 200' Project No 53121 EEP Date 122785 Page No 27C	



NO.	DESCRIPTION	AREA	PERCENTAGE	REMARKS
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NOTE: THE ABOVE INFORMATION IS FOR INFORMATION ONLY AND IS NOT TO BE USED AS A BASIS FOR ANY DECISIONS. THE USER OF THIS INFORMATION SHALL BE RESPONSIBLE FOR THE ACCURACY AND COMPLETENESS OF THE INFORMATION AND FOR THE RESULTS OF ANY DECISIONS MADE ON THE BASIS OF THIS INFORMATION.

77-226
 Exchange
 of 10.11
 1/1/1971



STATEMENT OF WORK AND SCHEDULE
 The work to be done under this contract is as follows: ...

DATE OF COMPLETION
 The work shall be completed within the following time schedule: ...

STATE OF ILLINOIS
 COUNTY OF ...

PREPARED & SUBMITTED BY
 EKLUTRA INC.
 24 N. Hill

ACCEPTED BY
 [Signature]

DATE OF REVIEW
 10/22/71

SCALE
 1" = 100'

ENGINEERING FIRM
HOMING & ASSOCIATES, INC.
 Engineering Planning & Surveying
 110 N. Hill
 Chicago, Illinois 60610
 312-467-1100

EKLUTRA INC. LAND:
 Thunderbird Falls
 parking lot

EXHIBIT D

A T T A C H M E N T B

DOCUMENTED ENCUMBRANCES OF RECORD

Eklutna File #

R/W #31

1. Easement to DOT&PF for Eagle River bridge crossing. Variable length and width. 23.6389 acres. DOT&PF project file A8438/53121.

R/W #33

2. Easement to Matanuska Electric Assn., Inc. for a transmission and distribution line. Parallels section line in Section 13, T14N,R2W,S.M. 15 feet on each side of pole centerline. Lies partially within R/W #31.

R/W #35

3. Easement reserved to Eklutna, Inc. for a sewer and waterline crossing. 40 feet wide. This line is not built. It is involved in Corps of Engineer permit #071-0YD-4-860429. Most of this alignment lies within Eklutna, Inc. R/W #31.

R/W #26

4. Letter of Entry to ripen into a 10-foot wide permanent easement for a natural gas pipeline for ENSTAR Natural Gas Company.
5. Letter of Entry to DOT&PF to do soil investigation work for the proposed Hiland Road/Eagle River road project.
6. Plat restrictions pertaining to use of lands within Tract A-1 for Somerset Terrace Estates (Preliminary) now redesignated as Tract D, Dena'ina Estates (Preliminary/final).
7. Plat restrictions pertaining to use of lands within Tract 1-B for Eagleridge Subdivision - Phase B per plat #83-252.
8. Plat restrictions pertaining to use of land within Tract 1-C, Parkview Terrace East Subdivision Tracts 1-A, 1-B, 1-C per plat #86-120. This area was formally platted as Tract 1 per plat #85-158.

R/W #39&40

9. EIN 61 (BLM File #AA25016). This is a 100-foot wide electric transmission easement extending easterly from Section 19, T14N,R1W,S.M. to Section 16, T14N,R1W,S.M. This powerline is often referred to as the Briggs Transmission Line.

R/W #13

10. A 30-foot wide (15 feet each side of centerline) electric distribution line for Matanuska Electric Assn., Inc. within the S2NW4 of Section 21, T14N,R1W,S.M. The east-west leg of this line lies within the 100-foot wide easement identified as EIN 61.

11. EIN 1. A 60-foot wide easement for the Lower Eagle River Trail shown on the U.S.G.S. Quadrangle Map. This road extends from Section 24, T14N,R2W,S.M. easterly and southeasterly through Section 31, T14N,R1E,S.M.

12. EIN 59. A 60-foot wide easement for old Eagle River Road on the north side of the river. This old road is separate from the existing Eagle River Road that is upgraded and maintained by DOT&PF.

13. A right-of-way A-046425, twenty-five (25) feet each side of the centerline located in Sections 23,24,25, T14N,R1W,S.M. and Sections 30,31,32, T14N,R1E,S.M. for an electric distribution line for the Matanuska Electric Association, Inc. This powerline parallels the Eagle River Road and in many instances lies within the road right-of-way.

14. An electric powerline easement 30 feet wide identified by BLM casefile number A015987 traversing Tract B, Block 3, Thunderbird Heights Subdivision, Plat # 77-226 filed in Anchorage Recording District.

15. A 50 foot right-of-way for an existing trail from the Old Glenn Highway to lands patented to the State of Alaska to provide access to Thunderbird Falls. The right-of-way traverses Tract B, Block 3, Thunderbird Heights Subdivision, Plat # 77-226 filed in Anchorage Recording District.

UNDOCUMENTED OR UNAUTHORIZED ENCUMBRANCES

1. The Eklund homestead litigation (A79-336 Civil) and Carr homestead litigation (A79-336 Civil) are within Section 32, T14N,R1E,S.M. These are homestead claims that were denied to the applicants by the Bureau of Land Management. The plaintiffs have lost in the District Court. The 9th Circuit Court affirmed the District Court, but a petition for rehearing is pending.

2. The Donnelly homestead dispute is within the E2 of Section 25, T14N,R1W,S.M. Donnelly also claims to have a right to land under §14(c)(1) of the Alaska Native Claims Settlement Act.

The Federal District Court has ruled against Donnelly on his claims, but has not yet entered an appealable judgement. However, Donnelly has already filed a Notice of Appeal to the 9th Circuit Court of Appeals.

3. The Lee homestead litigation is within the NW4 of Section 25, T14N,R1W,S.M. and has been joined with the Eklund and Carr cases referred to in (1) above. The Lee 14(c)(1) claim has been joined with the Donnelly case referred to in (2) above.

4. The McIntyre homestead litigation is within Section 23, T1N,R1W,S.M. McIntyre lost his claim for a homestead in the 9th Circuit Court. The District Court still has before it his claim under §14(c)(1) of The Alaska Native Claims Settlement Act. McIntyre has expanded his 14(c)(1) claim beyond the boundaries of his homestead claim.

5. There may be claims for right-of-access to homestead lands to the south of the ANCSA 17(b) easement E1N 1-D9. The homesteaders built their roads long before ANCSA but the BLM did not reserve these lesser easements in the patent. Eklutna, Inc. does not have a list of who those users might be.

6. There appears to be a telephone line buried along the section line common to Section 13, T14N,R2W,S.M. and Section 18, T14N,R1W,S.M., also Section 24, T14N,R2W,S.M. and Section 19, T14N,R1W,S.M. Eklutna, Inc. has contacted the Matanuska Telephone Association on many occasions to determine if they had an easement of record. None has been provided, however, they did apparently apply for an easement at one time.

State of Alaska Department of Natural Resources has Eagle River Campground Improvements located within Tract A-1 of Somerset Terrace Estates (Preliminary). The area is in the former W2NW2 Section 13, T14N,R2W,S.M.

Eklutna, Inc. is not aware of any other known underground entries on the proposed greenbelt lands.

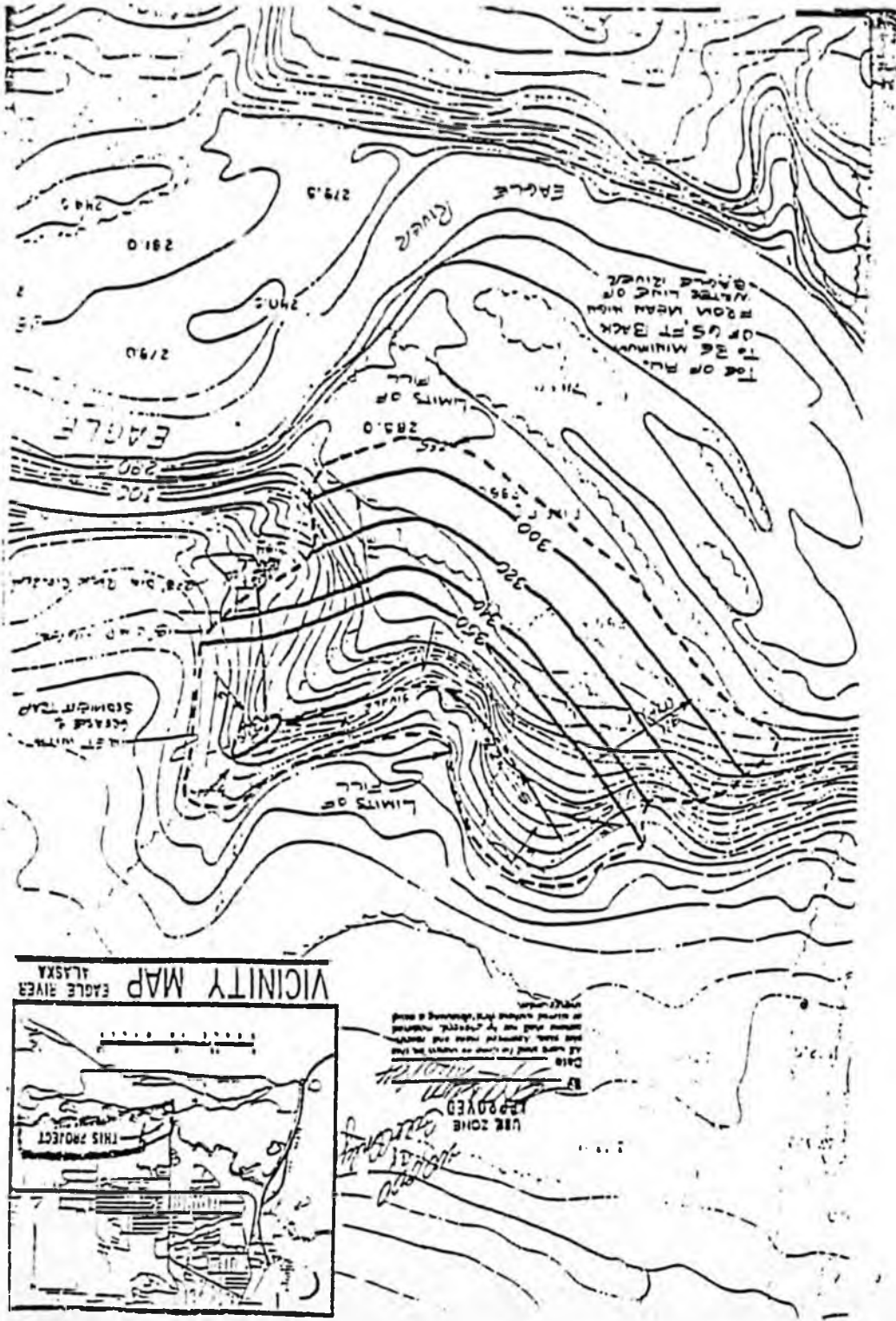
EASEMENTS BEING RESERVED BY EKLUTNA, INC

Excepting and reserving to Eklutna, Inc. and its assigns:

1. The 17(b)(3) easement for E1N 1 D9 reserved in Patent No. 50-79-0094 will be expanded from the current 60-foot width to 100 feet where it passes through lands acquired by the state pursuant to this agreement to accommodate a future public road and public utilities. This easement can be adjusted to provide for a more desirable alignment.
2. Lands identified by Municipality of Anchorage permit 84-6003 in the SW4, Sec 18, T14N,R1W,S.M. as shown in Exhibit A shall remain available for use as a fill site for ten (10) years from the date of execution of this agreement. Use and restoration of this site shall conform to the conditions specified on the Municipality of Anchorage permit 84-6003.
3. A 200-foot wide floating easement across lands acquired by the state in accordance with this agreement in the SE4NE4 of Sec 20 and SW4NW4 of Sec 21, T14N,R1W,S.M. to accommodate a public road with bridge, and public utilities. If this easement is used, an as-built alignment will be provided and reduced down to a 100-foot wide easement.

4. Eklutna, Inc. reserves an access easement as follows:

North 100 feet of the NE4SE4 and the north 100 feet of the
east 100 feet NW4SE4, Sec 22, T14N, R1W, S.M.



VICINITY MAP EAGLE RIVER ALASKA



DATE APPROVED
 USE ZONE
 APPROVED
 [Signature]

1. Zoning
Comments:

Submitted letter of determination regarding Developable Wetlands. Also Hazard letter of non-involvement. Not in preservation Wetland per telephone approval. Baseline Work 7/1/84; 8/1/84 & 9/1/84

Fred P.W.E.

2. Public Works/Engineering
Comments:

Conditions of Approval

1. Incremental portions of the work should be resceded at the end of each season to provide dust control and to ensure adequate sediment & erosion control. Compaction (as required to stabilize the slopes) must be provided.
2. Percentage of woody debris must not exceed 10% no junk or garbage allowed.
3. 3:1 slopes (as shown) should be provided firu-out, with a 10' wide drainage terrace at 30' vertical intervals.
4. Trees & shrubs must be included in proposed restoration plans. Specifics must be provided with PWE.

3. Traffic Engineering
Comments:

4. Building Safety
Comments:

COMPATIBILITY DETERMINATION:

This use: _____

Predominant Surrounding uses: _____

Compatible

Incompatible

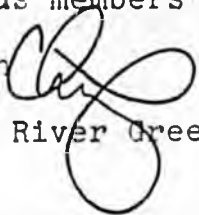
Approved

Disapproved

BUILDING OFFICIAL

DATE

MEMORANDUM

To: Anchorage Caucus members
From: Chip Dennerlein 
Subject: HB 231 , Eagle River Greenbelt

The Municipality strongly urges passage of HB 231, the Eagle River Greenbelt exchange. Please consider the following points.

- * HB 231 is one of the top priorities of the Municipality.
- * Support for establishment of the Eagle River Greenbelt has been formally established through Municipal ordinance.
- * Enactment of HB 231 will implement one of the major conditions of Anchorage's settlement with the State regarding our Municipal Land entitlement. (Other conditions of the settlement have been implemented administratively)
- * The exchange is the result of several years of public process including public meetings in Anchorage and Eagle River, and the approval of Assembly resolutions and ordinances.
- * The exchange is an equal value exchange. The values have been established through the use of private independent appraisers and have been reviewed by the parties.
- * While the Municipality gets no actual land ownership as a result of the agreement, the citizens of the Municipality will gain the benefits of good long term land use.
- * Lands most suitable for recreation are returned to Chugach State Park. Lands with development potential (which now lay fallow) are transferred to the private sector.
- * The State regains parklands originally designated by the legislature in 1970. The state also satisfies its obligations to Anchorage pursuant to the Municipal Entitlement Act.
- * No new appropriations are required. If certain impounded funds are released (Eagle River Greenbelt Aquisition, FY '87 capital) then several additional parcels of land will be purchased and added to the greenbelt. If the funds are not released by the legislature, the State is not held to the option contained in the agreement.
- * Passage of HB 231 is essential this year. Under state law, appraisals would expire necessitating a new process.

Alaska State Legislature

Senate Resources Committee



Sen. John B. (Jack) Coghill, Chairman
Sen. Paul Fischer, Vice-Chairman
Sen. Lloyd Jones
Sen. Arliss Sturgulewski
Sen. Jim Duncan
Sen. Fred Zharoff
Sen. Dick Eliason

Box V
Juneau, Alaska 99811
(907) 465-1907

TO: SENATE RESOURCES COMMITTEE
FROM: COMMITTEE STAFF
DATE: MAY 11, 1987
RE: HB 231, "Eagle River Greenbelt Land Exchange"

The purposes of this Act are to acquire a greenbelt along Eagle River in the Municipality of Anchorage to be managed as part of Chugach State Park, to resolve the issue of the state's use of Eklutna, Inc. land at Eagle River Campground and the Thunderbird Falls parking lot, and to transfer state land in downtown Anchorage to private ownership.

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1. Contents and Memo
2. DNR Fiscal Note
3. Chugach State Park Citizen's Advisory Board Findings
4. Chugiak-Eagle River Chamber of Commerce Resolution
5. (unattached) Final Exchange Agreement, Eklutna, Inc. and State of Alaska, Eagle River Greenbelt
6. (unattached) Land Exchange Between the State of Alaska and Eklutna, Inc.

December 8, 1986

Representative Sam Cotten
P.O. Box 296
Eagle River, Alaska 99557

Re: Economic importance of Chugach State Park
Harmful effects of Chugach State Park budget cuts
Support for Chugach State Park funding

Dear Representative Cotten:

As members of the Chugach State Park Citizen's Advisory Board, we have become increasingly concerned about the effects of State budget cuts on the Park. Enclosed is a copy of a report documenting these effects. Also enclosed is a copy of an article by Bill Sherwonit of the Anchorage Times, providing further information about the problems caused by budget cuts.

Chugach State Park is very heavily used both by Alaska residents and by visitors to Alaska. Use of the Park has been rising steadily. The Park has enormous potential for aiding the development of tourism in Alaska.

Although the task of managing and protecting Chugach State Park has grown as the number of visitors has increased, the Park operating budget has been cut by 29 percent over the past two years. Due to these budget cuts, essential maintenance is not being performed; law enforcement, search and rescue, and interpretation have all but ended; and facilities are being closed. The newly completed Potter Section House--the single most visible facility in the Park--was closed two days after it was dedicated, since there are no new funds to operate it. Without ranger patrols, damage due to vandalism and illegal ATV use is increasing. In addition, capital projects necessary to prevent severe environmental degradation are not being undertaken. The results of this degradation will be with us and our children for decades.

In response to this situation, the Chugach State Park Citizen's Advisory Board passed a unanimous resolution at its October meeting that "No more cuts should be made to the operating budget of Chugach State Park."



CHUGACH STATE PARK CITIZENS' ADVISORY BOARD

We are well aware that the State of Alaska is facing severe reductions in revenues, that cuts have been made throughout state government, and that further significant cuts will be necessary. Nevertheless, we feel that it is essential that the State continue to fund the Chugach State Park budget at a level necessary to prevent degradation of the environment, to protect public safety, and to encourage continued growth of the tourism industry.

Parks have the potential to provide revenues for the state through user fees such as campground fees. Alaska is the only state in the union which does not currently collect campground fees. We urge you to support legislation which would permit the collection of campground fees.

Most importantly, we urge you to work for the protection of funding for the Chugach State Park operating budget.

Sharon McCasna, Chair

Sincerely,

Murray Krapp

Eric Lindholm

Mark Shale

James C Beck

Mark Nichols

Tom Weachan

Susan Clough

Members, Chugach State Park
Citizens' Advisory Board

Enclosures



CHUGACH STATE PARK CITIZENS' ADVISORY BOARD

Chugach State Park Citizen's Advisory Board members signing this letter:

Sharon Cissna, Chair
P.O. Box 1911
Anchorage, Alaska 99510
272-8662 (W)

Gunnar Knapp
1335 Sunrise Drive
Anchorage, Alaska 99508
274-9117 (H)
786-7717 (W)

Ron Crenshaw
Anchorage Dept. of Parks
and Recreation
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Anchorage, Alaska 99519-6650
264-4335 (W)

Mark Skok
Box 100918
Anchorage, Alaska 99510
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277-9146 (home)

Tom Meacham
9500 Prospect Drive
Anchorage, Alaska 99516
276-6100 (work)

Susan Clough
9700 Prospect Drive
Anchorage, Alaska 99516
346-0886 (work)

EFFECTS OF RECENT BUDGET CUTS ON CHUGACH STATE PARK
REVIEW AND RECOMMENDATIONS

Prepared for the
Chugach State Park Advisory Board

October 1986

by

Gunnar Knapp
Member, Chugach State Park Advisory Board
Associate Professor of Economics
University of Alaska, Anchorage
3211 Providence Drive
Anchorage, Alaska 99508
786 7717 (work)
274 9117 (home)

EFFECTS OF BUDGET CUTS ON CHUGACH STATE PARK
REVIEW AND RECOMMENDATIONS

Summary

No more cuts should be made to the operating budget of Chugach State Park. This is the primary conclusion of this report, which reviews the contributions of Chugach State Park to the Alaska economy and the effects of recent budget cuts on the Park.

Chugach State Park--the fourth largest state park in the United States--extends to within seven miles of downtown Anchorage. The Park provides unparalleled recreation opportunities for Alaska residents and visitors alike. In 1985, more than 1.4 million visitor days were recorded in Chugach State Park. Nearly 30 percent of all visitors to Southcentral Alaska visited the park, and the vast majority of visitors to Southcentral Alaska traveled through the park enroute to Portage Glacier. Given its contribution to the quality of life in Anchorage and the recreation experiences of the growing number of tourists visiting Alaska, Chugach State Park is of major significance to the Alaska economy.

Over the past two years, the operating budget of Chugach State Park has been cut by 29 percent, and funding for capital projects within Chugach State Park has been almost entirely eliminated. As a result of these budget cuts, the quality of Chugach State Park is severely threatened. Most law enforcement, search and rescue activities, and maintenance of trails and facilities has ceased. Long-planned capital projects which would have halted environmental degradation have been halted. Damaged facilities are not being repaired. Years of experience and knowledge about the Park are being lost as long-term staff are laid off. Nevertheless, further cuts of up to 20 percent are being proposed for the Chugach State Park FY 1988 budget.

Given the economic importance of Chugach State Park to Alaska, budget cuts of the magnitude experienced by the Park have been short-sighted and will eventually cost Alaska heavily. Therefore the report makes the following recommendations:

1. No more cuts should be made to the operating budget of Chugach State Park.
2. Funds sufficient to permit renewal of essential Chugach State Park management functions should be restored.
3. Funding should be restored for those capital projects essential for visitor safety and for prevention of environmental degradation.

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Overview of Chugach State Park

Chugach State Park was established by an act of the Alaska Legislature in 1970. Chugach State Park is one of the four largest state parks in the United States, encompassing approximately 495 thousand acres--half the area of the Municipality of Anchorage. The westernmost boundary of the park is only seven miles from the downtown Anchorage business district. To the north, the park extends nearly to Palmer, and to the south nearly to Girdwood. Between Anchorage and Girdwood, the Seward Highway runs through the park along Turnagain Arm for a distance of 27 miles.

Park facilities include the Eagle River Visitor Center, 3 campgrounds, 29 trailheads, 110 trails and routes, 20 maintained parking lots, and 30 maintained latrines. A new facility, the Potter Creek Section House, was dedicated in October of 1986.

Users of Chugach State Park

Alaska Residents

More than 280 thousand people--nearly three-fifths of the population of Alaska--live within a 40-mile radius of the park. These residents use the park very heavily in a wide variety of ways: camping, picnicking, berry picking, photography, wildlife viewing, backpacking, hiking, nature study, sightseeing, rock and ice climbing, hang gliding, boating, fishing, hunting and cross country skiing.

In a 1973 survey of Anchorage residents, more than 93 percent of those responding said that "recreation is vital" to them. For many, the availability of recreational opportunities was a strong reason for their residence in Anchorage.

A 1979 survey of Anchorage residents showed that nearly one-third had gone cross-country skiing in 1979 within one hour of their home. More than 11 percent had gone tent camping and more than 13 percent had gone hiking within one hour of Anchorage--most likely within Chugach State Park (see Table 1). On average, these residents went hiking or camping more than eight times per year. Cross country skiers went skiing an average of more than ten times per year.

A 1985 survey of more than 2600 Anchorage households showed an even greater rate of participation in outdoor activities. Members of more than three quarters of all households had gone hiking, picnicking or berry-picking within the past year--activities for which Chugach State Park is especially favorably located (see Table 2). In more than half of all households, members had gone backpacking or camping. Similarly, members of more than half of all households had gone skiing, snow-shoeing or dog-sledding.

Table 1
Percentage of Anchorage Residents Participating
in Selected Outdoor Activities Within
One Hour of Home, 1974

Hiking with a pack	13.1
Tent camping	11.3
Cross-country skiing	32.9

Source: Institute of Social and Economic Research.
 Based on 1979 recreation survey.

Table 2
Most Recent Participation in Outdoor Activities
by Anchorage Households

	Within past year	Two to five years ago	All others
Skiing, snow-shoeing, or dog-sledding	57.8	6.9	35.3
Backpacking or camping	53.4	9.4	37.2
Hiking, picnicking, or berry-picking	75.0	4.4	20.6

Source: Institute of Social and Economic Research.
 Based on 1985 survey of 2693 Anchorage households.

Total visitor days of Alaska residents in Chugach State Park have been increasing by more than ten percent annually. In 1985 there were more than 1.4 million visitor days--nearly six visitor days for every Anchorage area resident (Table 3). These visits were distributed throughout the park, from Eklutna Lake to the north to the Turnagain Arm turnouts to the south (Table 4).

Alaska Visitors

Chugach State Park is not only used by Alaska residents. For thousands of visitors to Alaska, a visit to Chugach State Park is often their first experience of the spectacular scenery and wilderness of Alaska. In 1986, more than 200 thousand non-resident visitor days have already been recorded (Table 3). In a 1985 Alaska Division of Tourism survey, 29 percent of all visitors to Southcentral Alaska in 1985--more than 78 thousand persons--reported visiting Chugach State Park (Table 5). This figure does not include the many tourists who passed through Chugach State Park en route from Anchorage to Portage Glacier and the Kenai Peninsula.

Economic Importance of Chugach State Park

It is difficult to quantify the economic impacts of Chugach State Park. However, there is no doubt that these impacts are substantial, both through the park's contribution to the quality of life in Anchorage and through the attractiveness of the park as a tourist destination.

The quality of life in Anchorage is of major economic significance. There are many economic disadvantages to living in Anchorage compared with other major American cities, such as the high cost of living, the long winters and the physical distance from friends and family members in other parts of the country. It is the special quality of life in Alaska that more than makes up for these difficulties for most Anchorage residents. Undoubtedly, the proximity of Chugach State Park and the unparalleled recreation experiences which it offers is a major contributor to the quality of life for many residents. Without Chugach State Park, Anchorage would be a less favorable location to live and for businesses to locate.

Similarly, Chugach State Park is a significant part of the experience of visiting Alaska for many tourists. At a time when the Alaska economy is experiencing a recession, steadily increasing tourism is a bright spot. The accessibility and quality of tourist destinations will be key to the growth of tourism. Chugach State Park represents a unique combination of spectacular scenery with unparalleled accessibility to a major city. Maintaining the quality of Chugach State Park is of major importance to the continued growth of tourism in the Alaska economy.

Table 3
Chugach State Park Annual Visitor Days, 1983 - 1986

	1983	1984	1985	1986 (a)
EAGLE RIVER VISITOR CENTER (b)	28,280	32,320	43,000	n.a.

TOTAL PARK (c)				
Resident	n.a.	1,205,101	1,320,556	1,240,933 (a)
Non-Resident	n.a.	100,459	148,958	223,607 (a)
Total (d)	979,077	1,305,560	1,469,514	1,464,540 (a)

Source: Alaska Division of Parks.

n.a.: Not available.

(a) Figures are through August, 1986.

(b) Based on actual count.

(c) Estimated by multiplying the number of cars in access point parking lots by an average number of visitors per car. Non-residents are estimated based on licence plates. This procedure may underestimate non-resident visitor days.

(d) 1983 figure based on slightly different methodology.

Table 4
Chugach State Park Visitor Days, by Area, 1983 and 1984

	1983 (number)	1984 (number)	1983 (percent)	1984 (percent)
Seward Highway (turnouts)	115,188	226,438	12	18
Mirror Lake	186,666	136,271	19	11
Glen Alps	145,262	153,975	15	13
Eklutna Lake	105,258	125,495	11	10
McHugh Creek	108,491	112,915	11	9
Prospect Heights	48,187	66,741	5	5
Eagle River Visitor Center	28,230	32,320	3	3
Other Areas	241,385	377,118	25	31

Total	979,077	1,231,273	100	100

Note: Methodology used to calculate 1984 visitor days differs slightly from that used in Table 3.

Table 5
 Percentage of 1985 Visitors to Southcentral Alaska
 Who Visited Chugach State Park

Purpose of Visit	Number		Percent
	Total Visitors to Southcentral Alaska	Who Visited Chugach State Park	
Pleasure	161,900	38,856	24
Visiting friends and relatives	57,300	31,515	55
Business and pleasure	29,600	6,578	23
Business only	35,000	1,400	4
TOTAL	282,900	78,349	29

Source: Alaska Division of Tourism, Alaska Visitor
 Statistics Program.

Note: Figures do not include visitors driving along
 Turnagain Arm to Portage Glacier. If these visitors
 to Chugach State Park were included, the percentage
 would be close to 100 percent.

Table 6
 Chugach State Park Criminal and
 Search and Rescue Incidents

Year	Recorded Criminal Incidents	Major Search and Rescue Incidents
1993	229	11
1994	271	24
1995	172	6

Source: Alaska Division of Parks

Managing Chugach State Park

Compared to the benefits it provides, Chugach State Park requires little management and state budget outlays. However, management is still required in order to protect and enhance the park. These management needs are not always visible to the public, and may not be noticed until they are not met. They include:

- o Law enforcement. The number of reported criminal incidents within the park has declined substantially over the past three years, but there is still an average of one reported criminal incident nearly every two days (Table 4). For every reported criminal incident, there are several more which are unreported. These incidents often occur in locations unfamiliar and inaccessible to regular law enforcement personnel such as the Alaska State Troopers. Vandalism and illegal use of vehicles provide particularly difficult law enforcement problems, causing expensive damage to man-made facilities and sometimes irreparable damage to natural sites. Among the most effective methods of reducing the incidence of these and other criminal activities is regular patrols by uniformed park rangers, and immediate repair of damaged facilities. Without such repairs, past incidents of vandalism serve to encourage additional vandalism.
- o Search and Rescue. Although the vast majority of park users have safe and enjoyable experiences, accidents do occur which require emergency search and rescue operations. There were 24 such incidents in 1984 (Table 6). The familiarity of Chugach State Park staff with the terrain and conditions of the Park, as well as their ability to respond rapidly, can literally save lives. Other emergency personnel, such as the Alaska State Troopers, are not usually trained or equipped to undertake backcountry rescues. Volunteer organizations trained for backcountry search and rescue are unable to respond rapidly in emergencies. Although it is only a small part of the overall job of park management, search and rescue is thus an important function of a regular management staff.
- o Maintenance. Many park visitors take facilities such as access roads, campgrounds, parking lots and outhouses for granted. It is an indication of success in the management of Chugach State Park that users expect that roads leading to the park will be passable, that parking lots will be plowed, and that outhouses will be clean and supplied with toilet paper. However, maintaining these facilities requires regular work from Eklutna Lake in the north to Bird Creek in the south.
- o Land Management. As the managers of half the land within the municipality of Anchorage, park staff must regularly respond to municipal platting and zoning requests, provide land status and boundary information, and monitor and comment on federal,

state and local land exchange agreements and property disputes, in addition to all of their other duties. As Anchorage has grown and development has pressed upon the park boundaries, the time required for such routine responses and monitoring has expanded dramatically.

- o Interpretation. The quality of visitor's experiences are greatly enhanced by interpretive activities and facilities provided by regular park staff. In the past, these have included a wide variety of activities as diverse as tours of Eagle River Visitor Center for visiting school groups, instruction in stream crossing techniques, hikes led by rangers, and evening and weekend interpretive programs. Interpretive programs cover a very wide range of subjects, such as salmon, edible plants, wildflowers, wildlife, avalanche awareness, snow-shelter construction, and snowmobile safety. These interpretive programs are very popular: more than 300 people attended a program on Turnagain Arm bore tides; more than 400 attended a program on Halley's comet.
- o Coordination of volunteers. A large number of volunteers contribute their time to Chugach State Park, helping with trail maintenance and interpretive programs and serving as campground and visitor center hosts. Volunteers contributed ten thousand hours of work to Chugach State Park in FY 1986. Trail maintenance and clean-up work done under inmate labor programs provided another 27,000 hours of low-cost labor to the Park. Coordination and supervision by regular park staff is required to take advantage of the many valuable contributions of volunteer and inmate labor programs.
- o Capital Improvements. Capital improvements are needed to protect existing park facilities such as heavily used trails and parking lots, and to provide new facilities to accommodate increased user demand. Although usually funded separately from the regular activities of park management, the planning and construction of such facilities are major concerns of park management.
- o Land Acquisitions. Private inholdings cause significant access and management problems within some areas of Chugach State Park. Acquisition of some of these inholdings could resolve these problems while enhancing the integrity of the Park for generations to come. As with capital improvements, land acquisitions are funded separately from the regular activities of park management, but are major concerns of park management. An example of the importance of such activities is provided by the recent signing of the agreement for the acquisition of the Eagle River greenbelt, which will probably become one of the most heavily used areas of Chugach State Park.

Chugach State Park Budget Cuts

The total State operating budget for Chugach State Park increased from \$790 thousand in FY 1983 to \$866 thousand in FY 1985--an increase of less than 10 percent at a time when use of the park and land management responsibilities were increasing steadily (Table 7).

Subsequently, between FY 1985 and FY 1987, the park operating budget has decreased by \$231 thousand, or nearly 29 percent. The personnel budget for Chugach State Park has decreased from \$628 thousand in FY 1985 to \$421 thousand in FY 1987--a decrease of nearly 33 percent. Due to inflation, the real cut in the Park operating budget has been even more substantial.

Accompanying the cuts to the park operating budget have been cuts to the park capital budget. Almost the entire FY 1987 capital budget has been frozen.

In October of 1986, Chugach State Park was requested to submit a FY 1988 budget incorporating a further budget cut of up to 20 percent, or an additional \$125 thousand.

In addition to State budget cuts, Chugach State Park has also experienced cuts in Federal assistance. In the 1970's and early 1980's, Federal programs such as CETA funded a number of ranger positions in the Park. As these programs were eliminated, these ranger positions were lost.

Impacts of Chugach State Park Budget Cuts

These drastic budget cuts have occurred at the same time that the use of Chugach State Park by both residents and visitors has been increasing steadily, as have the management responsibilities of the Park staff. The acquisition of the heavily used Eagle River greenbelt early in 1987 will further add to these responsibilities.

This combination of increasing management requirements and decreasing resources to meet these requirements has had immediate and severe effects upon the management of Chugach State Park. In the long run, these budget cuts threaten to have even more severe impacts.

Immediate Impacts

The immediate effect of the budget cutbacks has been a reduction in operating man-hours of approximately one-third. As we review below, this reduction has directly affected every aspect of park operations.

Law Enforcement. Ranger patrols of the park--the single most important deterrent to criminal activities--have been virtually eliminated. Similarly, very few funds are available to repair vandalized facilities, which tends to result in even more

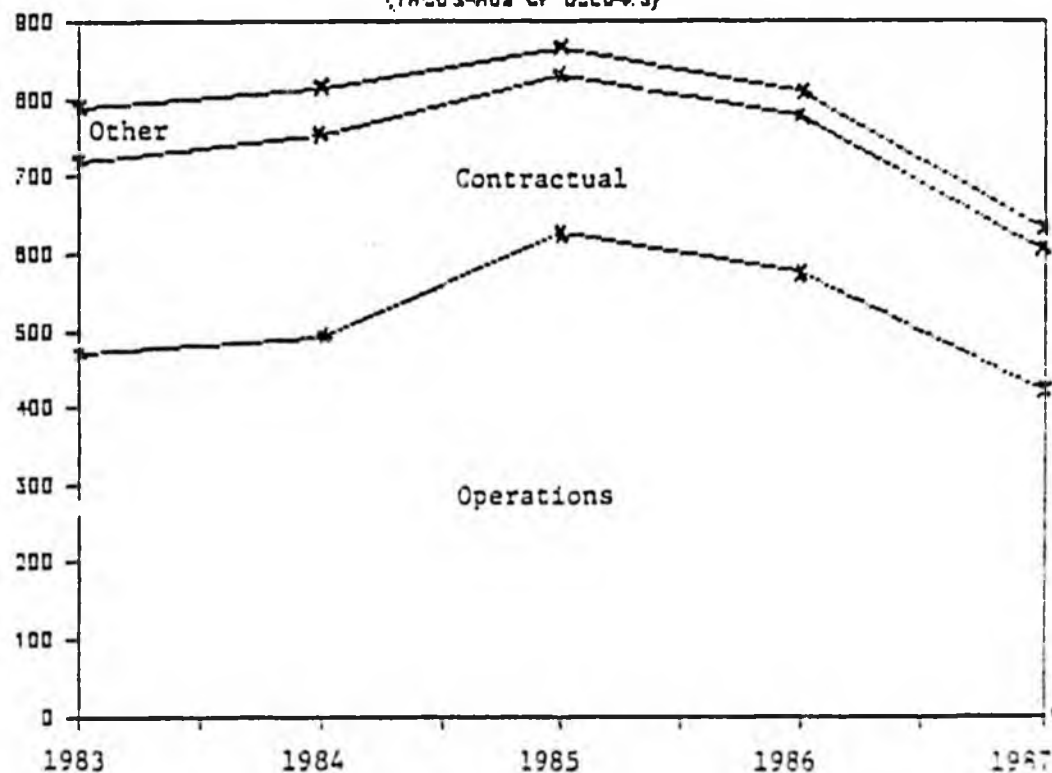
Table 7
Chugach State Park Annual Operating Budget (a)
(thousands of dollars)

	FY 1983	FY 1984	FY 1985	FY 1986	FY 1987
Personnel	472.5	492.8	628.1	576.0	421.6
Travel	12.6	10.2	4.8	5.2	4.2
Contractual	245.8	261.9	202.3	204.4	181.9
Commodities	47.0	47.0	26.9	23.4	23.4
Equipment	12.4	3.5	4.0	0.0	0.0
TOTAL	790.3	815.4	866.1	809.0	631.1

Source: Alaska Division of Parks.

(a) Beginning in FY 1986, Chugach State Park was assigned responsibility for administration of Wood-Tikchik State Park in Southwestern Alaska, at an annual cost of \$45 thousand. The budget figures in this table have been reduced by \$45 thousand for FY 1986 and FY 1987 in order to permit a more accurate comparison of the actual funds available for Chugach State Park.

CHUGACH STATE PARK BUDGET (THOUSANDS OF DOLLARS)



vandalism. Meanwhile, missing trail signs, broken bridge railings and other damage make the park less safe for visitors. Problems with illegal ATV use, target shooting, mining and logging have also increased.

In order to save money, the superintendent of Chugach State Park is considering eliminating the policing function of park staff entirely. This would effectively eliminate all police presence within the park.

Search and Rescue. All overtime work by park staff has been eliminated. As a result, no trained staff are available for search and rescue activities except during regular park staff working hours. Thus at some of the times when park use is highest no professional search and rescue personnel familiar with the park are available to assist injured park users. These persons must wait for assistance from state troopers or volunteer rescue organizations, who are often unfamiliar with park terrain and trails.

Maintenance. The current budget allows for absolutely no trail maintenance other than by volunteers or inmates. However, funding cutbacks have severely cut into the time available for administration of volunteer and inmate labor. Thus the actual cutbacks in trail maintenance work far exceeds the funding cutbacks.

The current budget allows for no new signs and only minimal replacement of damaged signs or other facilities. All funding for repair of damaged facilities is now handled by the state Division of Risk Management, which requires a \$1000 deductible. The total budget for repair of damaged signs in FY 1986 is less than \$2000, compared with \$35,000 in FY 1986.

The park campgrounds were closed earlier this fall and will open later in the spring, due to lack of funding for maintenance.

Interpretation. All interpretive activities of the park staff have been ended. The popular Eagle River visitor center will be closed this year for three months during the winter, a time during which it was frequently used by cross-country skiers. The center's hours have been reduced for an additional five months.

The new Potter Section House, built at a cost of more than \$700 thousand, was dedicated in October of 1986. It is probably the single most visible facility in Chugach State Park, since it is seen by all of the visitors and residents who travel south from Anchorage along the Seward Highway to visit Portage Glacier and the Kenai Peninsula. However, the Potter Creek Section House was closed two days after it was dedicated, since no funds are available to operate it.

Capital Improvements. With the freezing of the FY 1987 capital budget, long-needed improvements to parking lots and trailheads will not be undertaken. As a result, safety hazards at the Eagle River visitor center parking lot will not be corrected. The planned upgrading of the trail from the Glen Alps parking lot to Flattop Mountain will not occur. As a result, the already severe environmental degradation of this area will continue.

Long-Run Impacts

The long-run impacts of Chugach State Park budget cutbacks are harder to quantify but are much more significant. They result from the potential significant deterioration in the quality of the recreation experiences provided by Chugach State Park. At present funding levels, the park staff is able to do little more than the essential land management and maintenance tasks. Over time, the park facilities which have been built up over the past fifteen years--trailheads, trails, signs, outhouses, campgrounds and interpretive facilities--will deteriorate due to natural wear and tear as well as vandalism. With this deterioration, and in the absence of the safety, law enforcement, and park interpretation provided by ranger patrols, resident and non-resident visitors will find their park experiences less enjoyable. The special quality of life in Anchorage provided by Chugach State Park will be reduced, with real economic effects. Similarly, there will be real effects on the attractiveness of Alaska as a tourist destination.

These effects will be multiplied by the deterioration in the morale of Chugach State Park staff. The inability to manage Chugach State Park as it should be managed, and the continuing uncertainty over their own positions, can only harm what has been a highly enthusiastic and competent park staff. As experienced staff are laid off or seek other jobs because they can no longer support themselves on reduced hours, the Park will lose the benefit of their accumulated experience and knowledge.

Effects of Proposed FY 1988 Budget Cuts

The proposed further cuts of up to 20 percent in the Chugach State Park FY 1988 budget would have even more drastic effects. All of the problems discussed above would be compounded. In addition, these further cuts would probably result in the closure of both the Bird Creek and the Eagle River campgrounds, and the closure of the Eagle River Visitor Center for all but the four summer months.

Recommendations

Given the contribution of Chugach State Park to the economy of Anchorage and the entire State of Alaska, through its effects on the quality of life in Anchorage and the quality of the experience of visiting Alaska, it is essential that Chugach State Park not be permitted to deteriorate. Deterioration will be the inevitable result if the budget cuts to the park continue. Therefore this report makes the following recommendations:

1. No additional cuts should be made to the operating budget of Chugach State Park.
2. Funds sufficient to permit renewal of essential park maintenance, search and rescue, and law enforcement functions should be reinstated in the operating budget.
3. Funding for capital projects essential for the safety of park visitors and the prevention of environmental degradation should be restored.

It is well known that the State of Alaska is facing severe reductions in revenues, and cuts have been made throughout state government. Nevertheless, it is essential that state funding continue for those activities which contribute directly to the long-run growth of the state's economy. The State cannot continue to meet its revenue shortfalls by making across-the-board cuts in all programs, or it will cripple those programs which are most needed to ensure a bright future for Alaska.

Budget cuts damage Chugach State Park

By Bill Sherwonit
Times Outdoor Writer

The selling of Chugach State Park has begun.

Sales pitches are being made by advisory board members, the director of state parks and a newly formed advocacy group called, appropriately enough, "Friends of Chugach State Park."

Although working different avenues, their common goal is to convince state legislators and soon-to-be-governor Steve Cowper that money spent on Anchorage's "crown jewel" is money wisely invested.

And with the plea for financial aid comes a warning that continued budget cuts will ultimately contribute to the park's nearly imperceptible, but real, deterioration.

"Chugach State Park is one of the best things we've got going for us in Anchorage," says Gunnar Knapp. "Nothing makes Anchorage so unique as this park. It's such an incredible asset, but it's being run on a purse string. Its budget has been cut to the bone. People have to realize that we have a big problem here."

Knapp is a member of the Chugach State Park Citizens' Advisory Board as well as an associate professor of economics at the University of Alaska-Anchorage. Recently, he prepared a report on "Effects of Recent Budget Cuts on Chugach State Park: Review and Recommendations."

The report's bottom line is simple: The quality of Chugach State Park is threatened by budget cuts.

Knapp is not politically naive enough to believe that either the governor or state legislators will read his

report and come riding to the park's rescue.

"As long as state revenues keep failing, the new administration will have to keep cutting back on state spending," he says. "There'll be lots of cuts. And there are lots of different groups lobbying to save their particular thing. Those people who don't scream loud won't see any results."

"You can't just sit back and say 'Our cause is worthy, so it should be saved.' If people think the park matters, they have to say so. And because the park isn't a big-budget item, we're going to have to scream real loud."

The screaming has begun in Anchorage. But a question remains: Will the screams be heard in Juneau?

Some facts and figures: Chugach State Park was created in 1970, by an act of the Alaska Legislature. It encompasses about 495,000 acres, making it one of the four largest state parks in the United States (and second largest in the state, behind Wood-Tikchuk State Park in Southwestern Alaska).

Much of the park is wilderness, undisturbed by any development and seldom visited. Yet many of its most spectacular mountains, glaciers, valleys and lakes are within easy reach of the state's largest city.

The park's western boundary is located only seven miles from Downtown Anchorage. The Seward Highway runs through it for a distance of 27 miles, between Anchorage and Girdwood.

The proximity of Chugach State Park to Anchorage is one of its biggest selling points.

"More than 280,000 people — nearly three-fifths of the population of Alaska — live within a 40-mile radius of the park," Knapp writes in his report. "These residents use the park very heavily in a wide variety of ways: camping, picnicking, berry picking, photography, wildlife viewing, backpacking, hiking, nature study, sightseeing, rock and ice climbing, hang gliding, boating, fishing, hunting and cross country skiing."

"Undoubtedly, the proximity of Chugach State Park and the unparalleled recreation experiences which it offers is a major contributor to the quality of life for many residents. Without Chugach State Park, Anchorage would be a less favorable location to live."

Even the state Division of Parks and Outdoor Recreation touts Chugach as "an accessible wilderness on the doorstep of a growing metropolis."

To increase that accessibility, the state has developed numerous facilities: the Eagle River Visitor Center, three campgrounds (at Eagle River, Eklutna and Bird Creek), the Potter Creek Section House, 29 trailheads, 20 parking lots, 30 latrines and a system of 110 trails and undeveloped routes.

Division of Parks statistics show that the park is heavily used; furthermore, that use is steadily increasing. In 1983, total visitor days spent in Chugach State Park were 579,077. That number jumped to 1.3 million in 1984 and nearly 1.5 million in '85.

Increased visitor-use would logically be accompanied by an increase in management responsibilities, such

as park maintenance, law enforcement, search-and-rescue and interpretative programs.

Unfortunately, management of the park has gotten worse instead of better.

Over the past two years, the operating budget for Chugach State Park has dropped from \$866,100 to \$631,100 — a decrease of almost 29 percent. At the same time, funding for capital projects has been almost entirely eliminated. And further cuts, of up to 20 percent, have been proposed for fiscal year 1988.

Because of the cutbacks already in effect, Superintendent Bill Garry has been forced to reduce his staff's working hours by one-third.

At present, Chugach State Park employs only six people full-time: Garry, his secretary (who doubles as a radio dispatcher), one maintenance worker and three rangers. In addition, there are 12 seasonal positions, ranging from two to 10½ months.

There just aren't enough people to do the job. Park rangers are now being asked to do everything from law enforcement to cleaning out latrines.

"We haven't been funded properly to operate and maintain the park the way it should be," Garry says. "We'd be okay if there was no vandalism or no natural calamities, like fire or high winds or flooding. But there are. And we're not able to keep up with that anymore."

There have been other critical losses.

In the past, park personnel manned a 24-hour answering service and were in charge of search-and-rescue activities within Chugach. But the answering service was terminated Aug. 1. And park personnel will be used for search-and-rescue only during "regular working hours." The reason: No money for overtime.

"In the past, we took on the responsibility because our people are well trained in wilderness search-and-rescue techniques and we know the park better than anybody else," Garry says. "But now it will be up to the troopers or volunteer groups."

Because of personnel shortages, ranger patrols are severely limited. Thus "the single most important deterrent to criminal activities have been virtually eliminated," Knapp writes.

Most park users may be unaware of — or choose to ignore — such criminal activities. But it's a constant problem for management. Signs are torn down or used for target practice. Off-road vehicles are driven where they are prohibited. Big game animals are poached. Picnic tables are stolen. Latrines are set on fire.

"You need routine patrols by uniformed staff or you start to see theft, vandalism, beer parties and rowdiness," says state Park Director Neil Johannsen.

Cutbacks have disrupted numerous other park services. In the past, rangers have conducted programs on such diverse topics as Turnagain Arm bore tides, star-gazing, salmon spawning, avalanche awareness and edible plants. Often, those programs attracted 100 or more people. But all such park-sponsored interpretive activities have ended. (A group of volunteers are still conducting some programs this fall, however.)

The Eagle River Visitor Center is being shut down for three months this winter, the first such closure since it was opened in 1980. And the visitor center's offerings will be reduced the remainder of the year.

"Basically all we'll be doing is opening its doors," Garry says. "There won't be any more programs. And the staff will be drastically reduced. Visitation (to the center) increased from 43,000 to 53,000 from 1985 to 1986; the public is using it more. Yet our services are decreasing."

Such cutbacks are "clearly a tragedy," says Cliff Eames, a spokesperson for Friends of Chugach State Park. "The Eagle River Visitor Center provides a critical service. It's an attractive destination for people who want an introduction to the park. Nowhere else in the park is that active kind of service available. It's a public-relations program that's being seriously undermined."

The visitor center is the most visible park facility to feel the budget crunch, but not the only one. The Bird Creek campground is scheduled to remain closed next summer. The Potter Section house was dedicated in October and closed two

days later. And the Eklutna and Eagle River campgrounds will open later than usual next spring.

There is also a human side to the cutbacks.

"It just destroys morale," Garry says. "Here you have a group of highly dedicated, motivated people who work really hard at their jobs. They do work that's above and beyond their job descriptions. I come along and say 'Great job' and then add, 'Here's your pink slip; now get out of here.' People's initiative is stunted, if not destroyed."

"Don't get me wrong, I still have a great crew. And being a ranger is a great job. It has its own self-motivation. But these kinds of cuts and layoffs don't help to inspire people. In any kind of service industry, morale is the most important factor."

Park officials, advisory board members and frequent park users agree that the decline in services has so far been barely perceptible to the general public. But a gradual deterioration is taking place. And sooner or later, its effects will be felt. By then it may be too late.

"Over time, the park facilities which have been built up over the past 15 years will deteriorate due to natural wear and tear as well as vandalism," Knapp writes. And as a result, "visitors will find their park experiences less enjoyable. The special quality of life in Anchorage provided by Chugach State Park will be reduced, with real economic effects."

The gradual decline in services is complicated by the fact that most people take the park — and its management — for granted.

Mark Findlay, president of the Mountaineering Club of Alaska, says "People know it (the park) is there, but don't appreciate what it takes to manage it. We take a lot of things for granted. The jobs that the rangers do will be appreciated more when trails are washed out, parking lots aren't cleared of snow or garbage cans aren't emptied."

There's one other point to consider: The decline of park services began earlier than fiscal year 1988, when the first cuts were imposed. In the 1970s and early 1980s, federal programs funded several ranger positions. As those programs were eliminated, positions were lost.

Clearly the park is in trouble. But so are many other organizations, groups and projects funded by the state. The trick is to convince state government that Chugach and other state parks rate a higher funding priority than they've been given in the past. That's no easy task.

"Unfortunately it's difficult for the legislature to see its way clear to support parks as a priority, when they've got other people lobbying for things like education, abused children or potholes in the road," Johannsen says. "I don't ever think it's been viewed as the priority it should be."

Sharon Cissna, chairperson of the Chugach State Park Citizens' Advisory Board, says, "Since its inception, the park has gotten nowhere near the funding that other state projects have. The park has been left out. We have to show it's important enough to receive greater consideration."

And the chief argument naturally enough revolves around the economy.

Its supporters say that Chugach State Park makes a significant contribution to the state's tourism industry.

"Chugach State Park is a significant part of the experience of visiting Alaska for many tourists," Knapp writes. "Maintaining the quality of Chugach State Park is of major importance to the continued growth of tourism in the Alaska economy."

There is a problem, however. It's nearly impossible to quantify the park's contribution to the economy. Denali National Park, the Kenai River and Prince William Sound are primary destinations for tourists. Chugach State Park is not.

"In a general sense, parks are very important to the tourist industry," says Dale Fox, executive director of the Alaska Visitors Association. "But in terms of specifics, my gut reaction is that Chugach State Park is not that significant in making money off visitors. I don't think it's on the beaten path of the typical tourist."

However, the Alaska Visitors Association has taken a position supporting state parks — especially the continued maintenance of state parks. "We would not like to see parks closed, or limited," Fox says.

Although Chugach State Park may not directly make money off visitors, it clearly is a tourist attraction. Knapp says that non-residents had spent more than 223,000 visitor-days this year (through August). And in a 1985 Alaska Division of Tourism survey, 29 percent of all visitors to Southcentral Alaska reported visiting Chugach State Park.

"Chugach has a very central role in year-round tourism," Garry says. "It's available to the most number of people on a year-round basis. It's my belief that if (legislators) looked at the situation, they'd see that state parks, campgrounds and recreation areas do contribute significantly to the economy. Tourism is one of the major growth areas. It may not provide \$2 billion, but it will help to diversify the economy, like politicians are always talking about doing."

The problem extends beyond Chugach. The budget for the entire state park system has been revised to \$3.9 million for fiscal year 1988, down from \$4.5 million this year.

Johannsen, who has proposed the closure of 30 park facilities around the state because of layoffs and budget cuts, is highly critical of state government's willingness to overlook state park needs while badmouthing the federal park system.

"I see a bit of hypocrisy. The state attacks the federal government for not making (national) parks more usable and accessible. Then it turns around and cuts the legs off our own park system," he says. "Our parks are already accessible; they're along the road system. But we're not getting the money to properly manage them. It doesn't make sense to me."

"Our parks get 6½ million visits a year. Everybody uses them. But it's not an organized constituency. So the legislators don't hear from people."

That's beginning to change.

Friends of Chugach State Park will "provide an organized constituency and advocacy group," says Eames. "We'll be lobbying in Juneau."

And the Chugach State Park Citizens' Advisory Board also plans to take a more active role and "be spokespersons for the park and its user groups," Cissna says.

Because he's a state employee, Garry is unable to lobby for additional park funding. But "it should be obvious that something needs to be done," he says. "Until the people feel it, I don't think the state will realize what state parks have to offer."

If enough complaints are registered, it's inevitable that politicians will begin listening. Already, the shouts for attention are starting to be noticed.

"This is the first time that any political lobbying has been done for Chugach State Park," says Rep. Sam Cotten of Eagle River, one of the park's political allies. But Cotten adds, "It's going to take some creativity to convince (state government) that the park should be given a high priority."

Even if further cuts were somehow avoided — which is unlikely — the park's problems would not be solved. Chugach State Park is already underfunded.

And if the state can't provide the needed money, it must come from another source — such as campground fees.

"That would stem the tide of money going to the upkeep of campgrounds and that money could be used elsewhere," Garry says. "Unfortunately, it is now illegal for us to charge money. We don't have the legislative authority."

Alaska is the only state in the country which does not charge state-park camping fees. The use of any park-fee system was prohibited by an act of the state legislature in 1978 — when oil revenues were starting to pour into the state.

For the past three legislative sessions, Johannsen has introduced a bill to impose campground fees at state parks. But each time, the bill has died in the Senate, despite the sharp decline of oil revenues and funding cutbacks.

Anchorage Rep. Mike Szymanski predicts that a state park campground-fee bill will be passed by the legislature and signed into law by Cowper next year.

"Looking at the way the House (of Representatives) and Senate are organized now, there should be no problem," he says. "It will have to be a minimal-fee structure and limited to overnight camping. But we're seeing a big need for more park money.

"Parks have been pretty much abandoned by the legislature in the past, mainly because the public has been vocally supportive of the parks," Szymanski adds. "But that's changing. And people are beginning to see that parks can be an integral part of the tourist industry."

The use of campground fees are part of Johannsen's five-point plan to save the entire state park system, not only Chugach. The parks' other needs:

- An adequate budget to keep facilities opened and well maintained.

- The continued use of park volunteers and prison-inmate program.

- The use of contracts with the private sector to handle maintenance and upkeep of some park facilities.

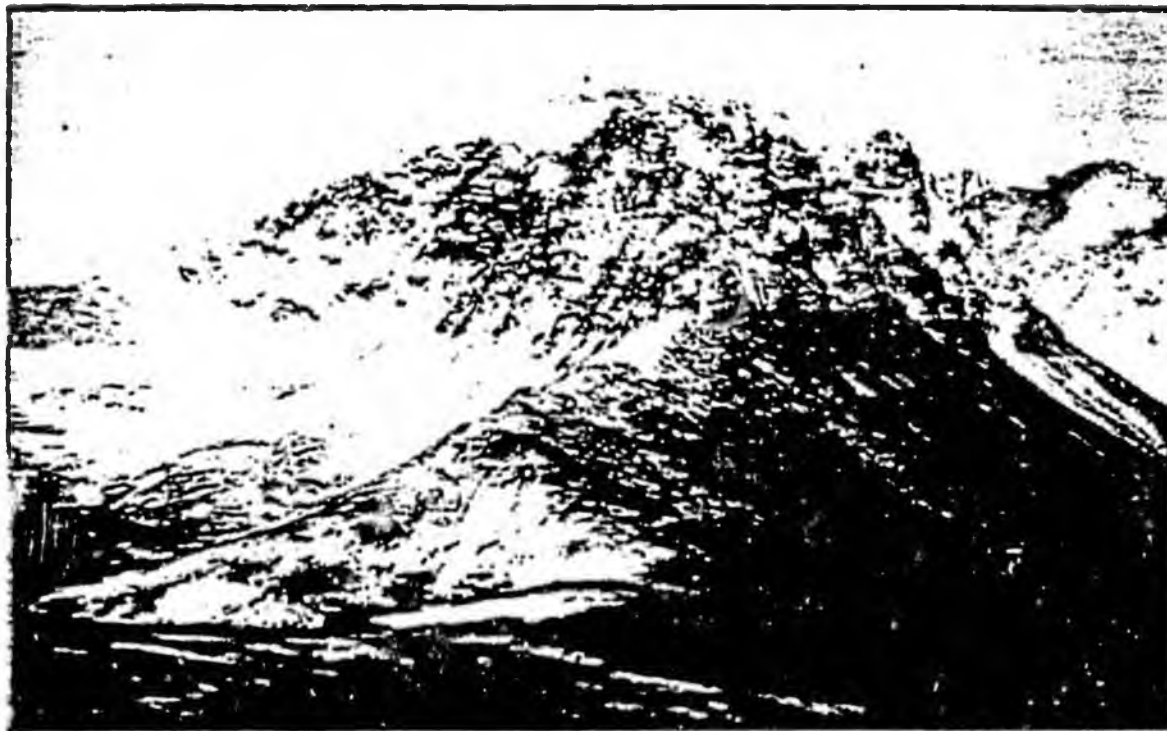
- The creation of an adopt-a-park approach. Clubs and service organizations would "adopt" a park facility or area and help with its day-to-day maintenance. In return, the group would receive recognition, in the form of a sign.

Perhaps most important of all, "People have got to take an active involvement," Johannsen says. "We have to start recognizing that the parks are not a luxury. They're a necessity. Parks can make significant contribution to the economy. But locked gates and overflowing latrines are a poor way to handle the visitor industry.

"We roll out the red carpet, but we haven't been doing a very good job of keeping it vacuumed."

Nowhere is maintenance more important than Chugach, which could be the showcase of the entire park system because of its location, easy access, spectacular scenery and numerous recreational opportunities.

"We have to begin to wake up," says advisory board member Mark Skok. "If we don't maintain Chugach State Park at some minimum level, we're not just losing an asset — we're gaining a black eye. We'll be showing visitors to our state that Alaska can't take care of its own resources."



Times photo by Bill Sherwin

Winter arrives at Chugach State Park, which is popular with Anchorage-area cross country skiers.



*Chugiak-Eagle River
Chamber of Commerce*

P O. Box 770353 / Eagle River, Alaska 99577

"PLACE OF MANY PLACES"

January 23, 1987

The Honorable Steve Cowper
Governor of Alaska
Pouch A
Juneau, Alaska 99811

Dear Governor Cowper:

The goal of the Chugiak-Eagle River Chamber of Commerce is the improvement of the economic health of our community. Seldom can this goal be realized without giving up something in return. The Board of Directors feels that the community and the State of Alaska have been offered just such an opportunity with the development plans proposed by Eklutna Inc. and Dr. Rogner.

Two key elements are necessary to insure the success of this development. First is the State's acquisition of the Eagle River Green Belt and second is securing a long term lease for the use of Highland Mountain and Gordon Lyon Mountain as downhill ski slopes.

The Green Belt acquisition is a proposed swap of Eklutna Inc. land, located along the Eagle River, for state land located in Anchorage. Permits to use the ski slopes will be by negotiated lease for use of Chugach State Park land. The Board of Directors sees the successful completion of these agreements as one way to encourage economic development and increase tourism in our community.



"PLACE OF MANY PLACES"

Chugiak-Eagle River Chamber of Commerce

P.O. Box 770353 / Eagle River, Alaska 99577

RESOLUTION 87-01

EAGLE RIVER ECONOMIC DEVELOPMENT

WHEREAS, Knakanen Inc., the wholly owned subsidiary of Eklutna Inc., and Dr. Robert Rogner have entered into a joint venture partnership to develop a 1500 room resort complex on 103 acre tract located along the South Fork of Eagle River, and

WHEREAS, the use of the slopes of Highland Mountain and Gordon Lyon Mountain, for downhill ski runs, is crucial to insure a world class resort complex, and

WHEREAS, the creation of the Eagle River Green Belt, which will be an extension of Chugach State Park, will allow canoeing, rafting, hiking and other tourist uses, and

WHEREAS, the construction of this complex will bring 170 million dollars into the States economy and create 2000 local jobs as well as many other tourist related jobs,

NOW THEREFORE BE IT RESOLVED that the Chugiak-Eagle River Chamber of Commerce enthusiastically endorses the granting of a lease for the use of State Park land for the proposed downhill ski areas,

BE IT FURTHER RESOLVED that the Chugiak-Eagle River Chamber of Commerce strongly supports the acquisition of the Eagle River Green Belt as an addition to the Chugach State Park.

APPROVED BY THE Chugiak-Eagle River Chamber of Commerce
Board of Directors this _____ day of _____,
1987.

Stephen R. Punch, President

Governor Steve Cowper
Page 2

At the January 23, 1987 meeting of the Chugiak-Eagle River Chamber of Commerce the Board of Directors unanimously approved a resolution supporting the development plans of Eklutna Inc. and Dr. Rogner. We would strongly encourage that you support such development as being in the best interests of all the people of Alaska and use all the good efforts of your office to insure it's timely approval.

Sincerely,

Stephen R. Punch, President

enclosure: Resolution 87-01

cc: Commissioner Tony Smith
Department of Commerce and Economic Development
Pouch D
Juneau, Alaska 99811

Commissioner Judy Brady
Department of Natural Resources
Pouch M
Juneau, Alaska 99811

Senator Rick Halford
Pouch V
Juneau, Alaska 99811

Senator Tim Kelly
Pouch V
Juneau, Alaska 99811

Representative Randy Phillips
Pouch V
Juneau, Alaska 99811

Representative Sam Cotton
Pouch V
Juneau, Alaska 99811

Eklutna Inc.
550 W. 7th, Suite 1550
Anchorage, Alaska 99501

HB

244

SENATE COMMITTEE REPORT

FURTHER Finance

3/2/88

DATE TURNED INTO OFFICE _____

Mr. President:

Resources _____ Committee considered CSHB 244 (2d Res)

addition of land to Kachemak Bay State Park and Kachemak Bay State Wilderness Park

and recommended

replace with _____ CS SB 244 (res)) same title
 or adopt _____ CS _____) new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted _____

Committee attached or adopted fiscal note(s)

new updated or previous

zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

W. Ellison
Paul Fuchs
William Jurgens

John ...
Chairman signature and recommendation

Committee Backup attached

Alaska State Legislature



APRIL 1988
PO BOX 100
KENA ALASKA 99841
(907) 262-0155

HOME ADDRESS
PO BOX 100
KENA ALASKA 99841
(907) 262-0155

DISTRICT 5

Representative Mike Navarre

March 11, 1988

M E M O R A N D U M

TO: The Honorable Jack Coghill, Chair
Senate Resources Committee

FROM: Representative Mike Navarre *mike*

SUBJECT: CSHB 244 (2d Resources)

House Bill 244 has passed through the Senate Community and Regional Affairs Committee, and is now in the Senate Resources Committee for consideration. I would sincerely appreciate it if this bill could be scheduled for a hearing at your earliest convenience. Thanks.

3/11/88
(HB 244 is KACHEMAK BAY STATE PARK & WILDERNESS PARK by NAVARRE)
Copy attached.
Bob

5-0976N
Bradley
4/14/88

Original sponsors: Navarre and Swackhammer

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 244 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the addition of land to Kachemak
7 Bay State Park and Kachemak Bay State Wilderness
8 Park."

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

10 * Section 1. LEGISLATIVE FINDINGS. The legislature, in its designation
11 of additional land to the Kachemak Bay State Wilderness Park, intends that
12 the land within the park be managed for its primitive recreational values
13 without preventing reasonable access to inholdings in the Petrof View
14 subdivision. On Nuka Island, in recognition of planning conducted by the
15 commissioner of natural resources under AS 38.04.065, the legislature
16 intends that the island support

- 17 (1) a commercial lodge in a suitable place;
- 18 (2) renovation of existing facilities at Herring Pete's Cove;
- 19 (3) the construction and operation of one or two public use
20 cabins;
- 21 (4) docks, trails, and moorings necessary to provide for recre-
22 ational use; and
- 23 (5) maintenance of Berger Bay in an undeveloped state.

24 * Sec. 2. AS 41.21.131(a) is amended to read:

25 (a) The presently state-owned land and water, and all that
26 acquired in the future by the state, lying within the parcels describ-
27 ed in this section are designated as the Kachemak Bay State Park. In
28 order to protect and preserve this land and water for its unique and
29 exceptional scenic value, the park is established and shall be managed

1 as a scenic park. The land and water lying within the following
2 described parcels is reserved from all uses incompatible with its
3 primary function as a scenic park and is assigned to the department
4 for control, development and maintenance:

5 (1) Township 5 South, Range 10 West, Seward Meridian

6 Chugachik Island

7 Sections 31 - 32

8 (2) Township 5 South, Range 11 West, Seward Meridian

9 Section 2: Lot 1, excluding Tract A

10 Section 3: Lots 1 - 8, SW1/4NE1/4, S1/2NW1/4,

11 N1/2SW1/4

12 Section 4: Lots 1 - 4, S1/2N1/2, SE1/4, E1/2SW1/4

13 Section 8: E1/2NE1/4, E1/2SE1/4, NW1/4SE1/4,

14 SW1/4SE1/4

15 Section 9: Lots 1 and 2, NW1/4NE1/4, NE1/4NW1/4,

16 W1/2NW1/4, N1/2NE1/4SW1/4, SW1/4NE1/4SW1/4,

17 excluding Lot 6

18 Section 10: Lot 1

19 Section 16: Lot 1

20 Section 17: Lots 1, 3, 4, NW1/4SW1/4, S1/2NW1/4

21 Section 18: Lot 4, SE1/4, E1/2NE1/4

22 Section 19: Lots 1-6, NW1/4NE1/4, NE1/4NW1/4

23 Section 20: Lot 1

24 Sections 24 - 25, excluding tide and submerged land

25 within the Kachemak Bay Critical Habitat Area

26 Section 26: SE1/4, excluding tide and submerged land

27 within the Kachemak Bay Critical Habitat Area

28 Sections 35 - 36

29 (3) [(2)] Township 6 South, Range 11 West, Seward Meridian

1 (4) [(3)] Township 7 South, Range 11 West, Seward Meridian

2 Sections 1 - 4

3 Section 5: N1/2

4 Sections 7 - 36

5 (5) [(4)] Township 7 South, Range 12 West, Seward Meridian

6 Section 12, except N1/2 NE1/4

7 Section 13

8 Sections 19 - 36

9 (6) [(5)] Township 7 South, Range 13 West, Seward Meridian

10 Sections 25 - 26

11 Sections 35 - 36 [25, 26, 35 AND 36]

12 (7) [(6)] Township 8 South, Range 11 West, Seward Meridian

13 Sections 1 - 8

14 Section 9: N1/2

15 Section 10: N1/2

16 Section 11: N1/2

17 Section 12: N1/2

18 Sections 17 - 18 [17 AND 18]

19 (8) [(7)] Township 8 South, Range 12 West, Seward Meridian

20 (9) [(8)] Township 8 South, Range 13 West, Seward Meridian

21 Sections 1 - 2 [1 AND 2]

22 Sections 10 - 14

23 Section 15: E1/2

24 Section 18: Lot 10

25 Section 23: N1/2 and SE1/4

26 Sections 24 - 25 [24 AND 25]

27 Section 26: E1/2

28 Section 35: E1/2

29 Section 36

1 (10) Township 9 South, Range 8 West, Seward Meridian

2 Sections 7 - 10

3 Sections 15 - 22

4 Sections 27 - 34

5 (11) Township 9 South, Range 9 West, Seward Meridian

6 Section 13

7 Sections 24 - 25

8 Sections 35 - 36

9 (12) [(9)] Township 9 South, Range 12 West, Seward Meridian

10 Sections 1 - 6

11 Section 8: NE1/4

12 Sections 9 - 12

13 Section 13: N1/2

14 Section 14: N1/2

15 (13) [(10)] Township 9 South, Range 13 West, Seward Meridian

16 Sections 1 - 2 [1 AND 2]

17 (14) Township 10 South, Range 8 West, Seward Meridian

18 Sections 4 - 8

19 Sections 17 - 19

20 (15) Township 10 South, Range 9 West, Seward Meridian

21 Sections 1 - 4

22 Sections 10 - 15

23 Sections 22 - 24

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28 Park. In order to protect and preserve this land and water for its
29 unique and exceptional wilderness value, the park is established and

1 shall be managed as a wilderness park. The land and water lying
2 within the following described parcels is reserved from all uses
3 incompatible with its primary function as a wilderness park and is
4 assigned to the department for control and maintenance:

5 (1) Township 8 South, Range 11 West, Seward Meridian

6 Section 9: S 1/2

7 Section 10: S 1/2

8 Section 11: S 1/2

9 Section 12: S 1/2

10 Sections 13 - 16

11 Sections 19 - 36

12 (2) Township 9 South, Range 8 West, Seward Meridian

13 Section 2: W1/2

14 Sections 3 - 6

15 (3) Township 9 South, Range 9 West, Seward Meridian

16 Sections 1 - 12

17 Sections 14 - 23

18 Sections 26 - 34

19 (4) Township 9 South, Range 10 West, Seward Meridian

20 Sections 1 - 3

21 Sections 10 - 15

22 Sections 22 - 27

23 Sections 34 - 36

24 (5) [(2)] Township 9 South, Range 12 West, Seward Meridian

25 Section 7

26 Section 8: S 1/2 and NW 1/4

27 Section 13: S 1/2

28 Section 14: S 1/2

29 Sections 15 - 36

1 (6) [(3)] Township 9 South, Range 13 West, Seward Meridian
 2 Section 11: NE 1/4
 3 Sections 12 - 13

4 (7) [(4)] Township 10 South, Range 9 West, Seward Meridian
 5 Sections 5 - 7

6 (8) [(5)] Township 10 South, Range 10 West, Seward Meridian

7 (9) [(6)] Township 10 South, Range 11 West, Seward Meridian

8 (10) [(7)] Township 10 South, Range 12 West, Seward Meridian

9 (11) [(8)] Township 11 South, Range 10 West, Seward Meridian

10 (12) [(9)] Township 11 South, Range 11 West, Seward Meridian

11 (13) [(10)] Township 11 South, Range 12 West, Seward Merid-

12 ian

13 Sections 1 - 10

14 Section 11: W 1/2 and E 1/2

15 Sections 12 - 17

16 Sections 21 - 24.

17 * Sec. 4. AS 41.21.140 is amended by adding a new subsection to read:

18 (c) The tide and submerged land within the Aurora Lagoon is
 19 assigned to the Department of Natural Resources to preserve its value
 20 as a scenic park and to the Department of Fish and Game to preserve
 21 its value as critical habitat.

22 * Sec. 5. This Act does not prohibit the commissioner of natural re-
 23 sources from conveying 50 acres, more or less, on Nuka Island to the Uni-
 24 versity of Alaska in accordance with the final finding of the commissioner
 25 of natural resources issued December 4, 1987, or its amendments. This Act
 26 does not apply to land conveyed to the University of Alaska under the
 27 commissioner's decision dated December 4, 1987.

Mr. Conhill:
The following letter was sent
to Sen. Paul Frazier

Feb. 24, 1988
Box 2612
Homer, AK 99603

Senator Paul Frazier

PO Box 16

Juneau, AK 99811

FEB 29 1988

Dear Sen. Frazier,

I am writing today to express
my support for SB 244, which would
exclude certain new additions to
Kachemak Bay State Park and K.B.S.
Wilderness Park. I am particularly
concerned with the Moku Island
addition, for I feel that it is
Truly a treasure of nature. To
be saved for all generations.
Your support for S.B. 244 is encouraged
and appreciated.

Sincerely yours,
Magg and Carl Kerner

March 1, 1988

Brad Faulkner
Box 996
Homer, Alaska
99603

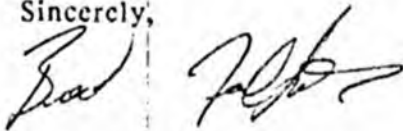
Senator Jack Coghill

Dear Senator Coghill,

I fully support the passage of HB 244 through the Senate. The tremendously broad based support that this bill has received should speak for itself. The lands included in the bill are truly the choice pieces of parkland available to Kachemak Bay.

Please pass HB 244.

Sincerely,



Brad Faulkner

FYI

MAR - 2 1988

P.O. Box 2357
Homer, AK 99603
February 24, 1988

The Hon. Paul Fisher
Pouch "V"
Juneau, AK 99811

Re: House Bill 244

Dear Senator Fisher:

I live in Homer, Alaska and I would like to encourage you to support House Bill 244, which I understand will soon go before the Senate. I belong to various groups that are supporting the bill, i.e.: Kachemak Bay Conservation Society, Sierra Club-Alaska, Homer Society of Natural History. We all urge you to support this bill and get it passed.

Thank you in advance for your help --

Very truly yours,

Johanna Smith
Johanna Smith

cc: The Hon. Arliss Sturgulewski
cc: ~~The Hon. Jack Coghill~~

FEB 29 1988

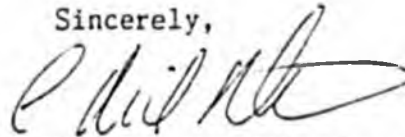
P.O. Box 1883
Homer, Alaska 99603
February 24, 1988

Senator Paul Fischer
Pouch V
Juneau, Alaska 99811

Honorable Senator Fischer:


Please support Senate passage of House Bill 244, adding various tracts of land to Kachemak Bay State Park. The tracts involved are of great potential for recreational use, and partially compensate for the failure of DNR to successfully negotiate a land trade with the Seldovia Native Association for lands they hold in the middle of the park.

Sincerely,



C. Neil McArthur

cc
Sen. Arliss Sturgulewski
Sen. Jack Coghill

FYI 

MAR - 2 1988

Maryjane Murphy
PO Box 3185
Homer, Alaska 99603

Senator Paul Fischer
Alaska State Senate
Pouch V
Juneau, Alaska 99811

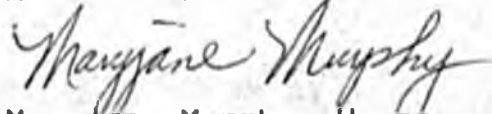
Dear Senator Fischer,

I am writing you concerning HOUSE BILL 244: ADDITIONS OF NUKA UPLANDS TO THE KACHEMAK BAY STATE PARK. I am currently a land owner in the Petrof subdivision and would very much like you to support these NUKA UPLANDS and all lands included in HOUSE BILL 244 to be included in the KACHEMAK BAY STATE PARK lands. I testified at the DNR hearing that was held in Homer in support of this and at this same hearing we heard long range planning for a State ferry stopover on Nuka Island. I see that this would be an additional tourist attraction for kayakers, hikers, outdoor nature enthusiasts to use this as a stopover. The University of Alaska now has the option of renovating the two existing homestead sites which would make it inviting for tourists. The lands in this House Bill 244 are already adjacent to the Kachemak Bay State Park and it just makes sense to include them in the State Park. I have visited the Petrof subdivision and my land and looked out over the Bay to Nuka Island. It's so close but so far. I'd like to get there and explore and feel that this could best be accomplished if it was included in the State Park. Another part of this House Bill 244 is Aurora Lagoon, located in Kachemak Bay. This is a special and one of the only places for kayakers to pull up on a beach and camp in that area of the Bay. This is so important when you're kayaking to have a place to pull into to get off the water. Rocks and tides make most of that shoreline inaccessible to kayakers. I urge you to include that in the Kachemak Bay State Park lands, which is included in House Bill 244. The Cottonwoods area is another area on the Homer side of the Bay to be included in the State Park lands.

PLEASE SUPPORT HOUSE BILL 244 IN FULL.

Thank you. Would you let me know how you vote on this?

A Petrof Subdivision land owner,


Maryjane Murphy, Homer

c.c. Senator Arlis Sturgulewski, Community & Regional Affairs
Senator Jack Coghill, Senate Resources Committee

State Senator Jack Coghill
Chairman - Resources Committee
Post Office Box V
Juneau, AK 99811

APR 11 1988

Dear Senator Coghill,

29 March 1988

We are writing this letter in reference to **HB 244, additions to Kachemak Bay State Park**. This is an excellent piece of legislation which will help to preserve the pristine beauty of the Kachemak Bay area. We believe that Alaska is the only state in America that has mountains, oceans and glaciers all within it's borders. Kachemak Bay contains all these by itself and is a perfect living example of all that Alaska has to offer. This legislation will help maintain this beautiful area as it should always be: wild, undeveloped and available for all to use on terms that will keep it as it is now . . . and forever.

As registered voters and permanent residents of Alaska, we would appreciate your support in passing this bill. Even though we currently live in West Point, New York (as a member of the United States Army), we plan to return to Alaska to live permanently and would like Kachemak Bay to remain just as we remember it from 1986, thanks again.

Bruce I. Graham Sandra F. Graham

Bruce I. and Sandra F. Graham
139-A Dunover Court
West Point, NY 10996

17743 Nitoanya Circle
Eagle River, AK 99577
(Alaskan Permanent Residence)

FEB 29 1988

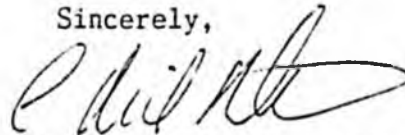
P.O. Box 1883
Homer, Alaska 99603
February 24, 1988

Senator Paul Fischer
Pouch V
Juneau, Alaska 99811

Honorable Senator Fischer:

Please support Senate passage of House Bill 244, adding various tracts of land to Kachemak Bay State Park. The tracts involved are of great potential for recreational use, and partially compensate for the failure of DNR to successfully negotiate a land trade with the Seldovia Native Association for lands they hold in the middle of the park.

Sincerely,



C. Neil McArthur

cc
Sen. Arliss Sturgulewski
Sen. Jack Coghill

5-0976N
Bradley
4/14/88

Original sponsors: Navarre and Swackhammer

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 244 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the addition of land to Kachemak
7 Bay State Park and Kachemak Bay State Wilderness
8 Park."

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

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11 of additional land to the Kachemak Bay State Wilderness Park, intends that
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14 subdivision. On Nuka Island, in recognition of planning conducted by the
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- 17 (1) a commercial lodge in a suitable place;
- 18 (2) renovation of existing facilities at Herring Pete's Cove;
- 19 (3) the construction and operation of one or two public use
20 cabins;
- 21 (4) docks, trails, and moorings necessary to provide for recre-
22 ational use; and
- 23 (5) maintenance of Berger Bay in an undeveloped state.

24 * Sec. 2. AS 41.21.131(a) is amended to read:

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26 acquired in the future by the state, lying within the parcels describ-
27 ed in this section are designated as the Kachemak Bay State Park. In
28 order to protect and preserve this land and water for its unique and
29 exceptional scenic value, the park is established and shall be managed

1 as a scenic park. The land and water lying within the following
2 described parcels is reserved from all uses incompatible with its
3 primary function as a scenic park and is assigned to the department
4 for control, development and maintenance:

5 (1) Township 5 South, Range 10 West, Seward Meridian

6 Chugachik Island

7 Sections 31 - 32

8 (2) Township 5 South, Range 11 West, Seward Meridian

9 Section 2: Lot 1, excluding Tract A

10 Section 3: Lots 1 - 8, SW1/4NE1/4, S1/2NW1/4,

11 N1/2SW1/4

12 Section 4: Lots 1 - 4, S1/2N1/2, SE1/4, E1/2SW1/4

13 Section 8: E1/2NE1/4, E1/2SE1/4, NW1/4SE1/4,

14 SW1/4SE1/4

15 Section 9: Lots 1 and 2, NW1/4NE1/4, NE1/4NW1/4,

16 W1/2NW1/4, N1/2NE1/4SW1/4, SW1/4NE1/4SW1/4,

17 excluding Lot 6

18 Section 10: Lot 1

19 Section 16: Lot 1

20 Section 17: Lots 1, 3, 4, NW1/4SW1/4, S1/2NW1/4

21 Section 18: Lot 4, SE1/4, E1/2NE1/4

22 Section 19: Lots 1-6, NW1/4NE1/4, NE1/4NW1/4

23 Section 20: Lot 1

24 Sections 24 - 25, excluding tide and submerged land

25 within the Kachemak Bay Critical Habitat Area

26 Section 26: SE1/4, excluding tide and submerged land

27 within the Kachemak Bay Critical Habitat Area

28 Sections 35 - 36

29 (3) [(2)] Township 6 South, Range 11 West, Seward Meridian

1 (4) [~~(3)~~] Township 7 South, Range 11 West, Seward Meridian

2 Sections 1 - 4

3 Section 5: N1/2

4 Sections 7 - 36

5 (5) [~~(4)~~] Township 7 South, Range 12 West, Seward Meridian

6 Section 12, except N1/2 NE1/4

7 Section 13

8 Sections 19 - 36

9 (6) [~~(5)~~] Township 7 South, Range 13 West, Seward Meridian

10 Sections 25 - 26

11 Sections 35 - 36 [25, 26, 35 AND 36]

12 (7) [~~(6)~~] Township 8 South, Range 11 West, Seward Meridian

13 Sections 1 - 8

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18 Sections 17 - 18 [17 AND 18]

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21 Sections 1 - 2 [1 AND 2]

22 Sections 10 - 14

23 Section 15: E1/2

24 Section 18: Lot 10

25 Section 23: N1/2 and SE1/4

26 Sections 24 - 25 [24 AND 25]

27 Section 26: E1/2

28 Section 35: E1/2

29 Section 36

1 (10) Township 9 South, Range 8 West, Seward Meridian

2 Sections 7 - 10

3 Sections 15 - 22

4 Sections 27 - 34

5 (11) Township 9 South, Range 9 West, Seward Meridian

6 Section 13

7 Sections 24 - 25

8 Sections 35 - 36

9 (12) [(9)] Township 9 South, Range 12 West, Seward Meridian

10 Sections 1 - 6

11 Section 8: NE1/4

12 Sections 9 - 12

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14 Section 14: N1/2

15 (13) [(10)] Township 9 South, Range 13 West, Seward Meridian

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1 shall be managed as a wilderness park. The land and water lying
2 within the following described parcels is reserved from all uses
3 incompatible with its primary function as a wilderness park and is
4 assigned to the department for control and maintenance:

5 (1) Township 3 South, Range 11 West, Seward Meridian

6 Section 9: S 1/2

7 Section 10: S 1/2

8 Section 11: S 1/2

9 Section 12: S 1/2

10 Sections 13 - 16

11 Sections 19 - 36

12 (2) Township 9 South, Range 8 West, Seward Meridian

13 Section 2: W1/2

14 Sections 3 - 6

15 (3) Township 9 South, Range 9 West, Seward Meridian

16 Sections 1 - 12

17 Sections 14 - 23

18 Sections 26 - 34

19 (4) Township 9 South, Range 10 West, Seward Meridian

20 Sections 1 - 3

21 Sections 10 - 15

22 Sections 22 - 27

23 Sections 34 - 36

24 (5) [(2)] Township 9 South, Range 12 West, Seward Meridian

25 Section 7

26 Section 8: S 1/2 and NW 1/4

27 Section 13: S 1/2

28 Section 14: S 1/2

29 Sections 15 - 36

1 (6) [(3)] Township 9 South, Range 13 West, Seward Meridian
 2 Section 11: NE 1/4
 3 Sections 12 - 13

4 (7) [(4)] Township 10 South, Range 9 West, Seward Meridian
 5 Sections 5 - 7

6 (8) [(5)] Township 10 South, Range 10 West, Seward Meridian

7 (9) [(6)] Township 10 South, Range 11 West, Seward Meridian

8 (10) [(7)] Township 10 South, Range 12 West, Seward Meridian

9 (11) [(8)] Township 11 South, Range 10 West, Seward Meridian

10 (12) [(9)] Township 11 South, Range 11 West, Seward Meridian

11 (13) [(10)] Township 11 South, Range 12 West, Seward Merid-

12 ian

13 Sections 1 - 10

14 Section 11: W 1/2 and E 1/2

15 Sections 12 - 17

16 Sections 21 - 24.

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22 * Sec. 5. This Act does not prohibit the commissioner of natural re-
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 24 versity of Alaska in accordance with the final finding of the commissioner
 25 of natural resources issued December 4, 1987, or its amendments. This Act
 26 does not apply to land conveyed to the University of Alaska under the
 27 commissioner's decision dated December 4, 1987.

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

March 1, 1988

TO: Senate Community and Regional Affairs Committee Members

FROM: Senate C&RA Staff

RE: HB 244 - "An Act relating to the addition of land to Kachemak Bay State Park and Kachemak Bay State Wilderness Park."

HB 244 will add approximately 46,970 acres to the Kachemak Bay State Park and Kachemak Bay State Wilderness Park. A memo from Rep. Navarre, backup material on the bill, resolutions of support from the City of Homer and the Kenai Peninsula Borough, and maps of the area are included in the packet.

A representative of DNR will be at the meeting as will the sponsor. A fiscal note (\$20.) and bill analysis from the department is attached.

Alaska State Legislature



WHILE IN SESSION
PO BOX V
JUNEAU, ALASKA 99811
(907) 465-3779

CHAIR, RULES COMMITTEE

HOME ADDRESS
PO BOX 169
KENAI, ALASKA 99611
(907) 262-9366

DISTRICT 5

Representative Mike Navarre

Feb 29, 1988

M E M O R A N D U M

TO: Senator Sturgulewski, Chair
Senate Community and Regional Affairs Committee

FROM: Rep. Mike Navarre *Mike*

SUBJECT: House Bill 244, "An Act relating to the addition of land to Kachemak Bay State Park and Kachemak Bay State Wilderness Park"

Attached is back-up material for the above legislation, which would add some 46,970 acres of land to the Kachemak Bay State Park and Kachemak Bay State Wilderness Park. This measure was introduced at the request of the Kachemak Bay State Park Advisory Board. I feel, as they do, that due to the high recreational and /or wilderness value of these lands, it is in the best public interest for them to not only to be maintained as public lands, but to be managed by the Division of Parks and Outdoor Recreation.

The proposed additions to the park have been endorsed by the Homer City Council and the Kenai Peninsula Borough Assembly.

If you desire further information, please do not hesitate to contact me.

I thank you for hearing this measure, and respectfully urge the committee's favorable consideration of CSHB 244 (2d Resources).

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: CSHB 244(2d RES)
PUBLISH DATE: HOUSE 2/10/88

FISCAL NOTE

REQUEST:

Revision Date: 2/5/88
Title: Addition to Kachemak Bay
State Park
Sponsor: Navarre/Swackhammer
Requestor: House Resource Committee

Agency Affected: DNR--Div. Parks & Outdoor Rec
BRU: Park Management

Components: _____

(DA)

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES		16.5	16.5	16.5	16.5	16.5
TRAVEL		.5	.5	.5	.5	.5
CONTRACTUAL		1.0	1.0	1.0	1.0	1.0
SUPPLIES		1.0	1.0	1.0	1.0	1.0
EQUIPMENT		1.0				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		20.0	19.0	19.0	19.0	19.0

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND		20.0	19.0	19.0	19.0	19.0
FEDERAL FUNDS						
OTHER						
TOTAL		20.0	19.0	19.0	19.0	19.0

POSITIONS:

FULL-TIME		19	19	19	19	19
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary) (See Attachment)

HB244 provides for additions to Kachemak Bay State Park and Wilderness Park of important public access points, scenic and recreational values, marine and upland habitat and areas which will enhance the tourism potential of the area.

Prepared by: Neil C. Johannsen
Division: Parks & Outdoor Recreation

Phone: 762-2600
Date: 2/5/88

Approved by Commissioner: [Signature]
Agency: Department of Natural Resources

Date: 2-7-88

Distribution (by preparer):

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

BILL ANALYSIS

ADDITIONS TO KACHEMAK BAY STATE PARK

HB244 adds three parcels totaling 4,816 acres to Kachemak Bay State Park and one parcel of 42,000 acres to Kachemak Bay State Wilderness Park.

The Department of Natural Resources supports HB244 as amended. The completion of the University of Alaska land settlement and the Mental Health lands agreement remove any actively competing interests in these lands.

HB244 has enjoyed wide support from the community of Homer with resolutions of support expected from the City of Homer, the Kenai Peninsula Borough, Homer Businessmen's Association, Chamber of Commerce and Visitor's Association, and from Commercial Fishing Groups.

Lands included in HB244 include,

Aurora Lagoon : A 2,500 acre marine tidal estuary and rich habitat with associated uplands immediately adjacent to Kachemak Bay State Park. The lagoon is the site of several nesting eagles, and an important inter-tidal area. The area has a significant cultural history and is the location of the DeLaguna early man discovery. The lagoon is a major access point to the park and one of the very few safe boat anchorages along the parks' coastline.

McDonald Spit : A 16 acre parcel of land at the tip of McDonald Spit which is the only public access to the 1.5 mile long spit. The area is a popular site for recreational boats to land and for clamming.

Cottonwood/Eastland Creek : This 2,300 acre coastal bluff uplands on the Homer side of Kachemak Bay is the only public land along the entire coastline from Homer to the head of the Bay. The area is accessible by East End Road and offers excellent potential for outstanding scenic vistas, trails, camping and natural history interpretation. There is no other comparable parcel of land near Homer which offers such recreational opportunities for the local community and visitors.

Nuka Island & Uplands : Nuka Island and uplands associated with Petrof glacier are truly wilderness in character and make a logical addition to adjacent Kachemak Bay State Wilderness Park. The island is located along the outer Gulf Coast which experiences a rugged landscape and high energy beaches exposed to wind and waves. The island is largely mountainous but the west side has a number of attractive bays which offer good opportunities for recreational boat anchorages. The University land settlement provides the University with two 25 acre parcels in two bays for development of a wilderness lodge and recreational facilities associated with glacier trips, sealife tours, flight seeing and excursions. The island is home to several nesting bald eagles and is

a haul out area for the Stellar sea lion. Large concentrations of harbor seals and otters are common to the area. The island is an important seabird rookery with concentrations of kittiwakes, tufted and horned puffins, comorants, murre, murrelets and petrels. A survey conducted by the USFWS found Nuka Island to be one of the most heavily used bald eagle nesting areas along the entire south Kenai coast.

Timber resources on the island are marginal due to the exposed coast, rugged terrain and a tree line ending at 500 feet elevation. The primary commercial tree stands are located on the mainland and are not included in this legislation.

Mineral potential on Nuka Island is considered poor for either minerals or sand, gravel, or construction materials. The geologic formation consists primarily of slates, greywacke and easily eroded thinly bedded phyllites which are not known for their mineral potential. The island is unusual in that it is not a granite rock island like others in the region which contain gold in lode deposits. There are no mining claims on the island.

Position Title Park Ranger I		No. of Positions 1	Range/Step 14A	Org Unit GGU
Time Status PPT	Staff Months 5	Location Homer		Election District D, 5-A
Type of Expenditure		Amount		
	1	2	3	
Salary		12.6		
Benefits		4.3		
Premium Pay				
Other				
Total Personal Services			16.9	
Travel			.5	
Contractual			1.0	
Commodities			1.0	
Equipment			1.0	
Other				
Total Cost			20.9	
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	20.9		
GF Program Receipts	1005			
Other				
Justification HB244				
Funding for a five month seasonal Park Ranger I to be stationed in Homer. The ranger will be responsible for visitor services, resource protection, recruiting and supervising volunteers, park development and emergency services. Access to the park is primarily by water and visitors often encounter difficult tidal and weather conditions. The ranger provides essential public safety services and visitor information.				

**Request For
New Position**

Agency Natural Resources
 BRD Parks & Outdoor Recreation
 Component Parks Management

Page 1 of 4
 Revised Date 7/5/88

FY 89

No. 2
 CSHB 244 (2PRES)
 HOUSE 2/10/88

JUSTIFICATION SUMMARY

NUKA ISLAND and NUKA UPLANDS: 42,092 acres land

Nuka Island has been identified in the U.S. Congressional Record for inclusion within the boundary of the Kenai Fjords National Park. As state land, it obviously cannot be part of the Kenai Fjords, but this is a good illustration of the nationally significant values this island area possesses.

(As a matter of fact, the March 1988 edition of Alaska Magazine contains an article on the Kenai Fjords National Park. The article and its accompanying illustrations still indicate Nuka Island and a portion of the Nuka Uplands as part of the national park.)

Some of the significant values are:

The area has some of the most varied life representation of littoral and sub-littoral marine ecosystem along Kenai Fjord area.

The outstanding scenic beauty, complementing hiking, fishing, boating, and similar recreational opportunities.

Management of a commercial lease for facility development on the west side of the island corresponds with the current DNR Nuka Island Management Plan. Development of recreational use and tourism growth by the Division of Parks would make Nuka Island the logical "jumping off" point for enjoyment of Kachemak Bay State Wilderness Park, Kenai Fjords National Park, and the island itself.

It is the only potential development link between Seward and Homer, via cruise ship and state ferry system, and is also the only sheltered potential development site from Gore Point to Cape Resurrection that is also safe from earthquake and tsunami waves.

Nuka Island has been identified by the Kachemak Bay State Park Advisory for inclusion into the park since 1982. The Nuka Island Management Plan, completed in December of 1986, cites the island's high recreational potential.

NOTE: The State of Alaska's settlement with the University of Alaska has been reached, and some Nuka Island lands are part of this settlement. Only the two sites which are available for commercial lodge development under the Department of Natural Resources' Nuka Island Area Plan will be transferred to the university. This consists of approximately 25 acres at Herring Pete's Cove, and 25 acres at either Mike's Bay or Home Cove. The sites are to be selected by January 1, 1989. Conveyance is subject to the conditions set forth in the management plan. The tentative sites are provided for in HB 244.

HB 244
JUSTIFICATION SUMMARY (cont'd)

COTTONWOOD CREEK & EASTLAND CREEK: 2,310 acres total

The Cottonwood-Eastland Creek parcels have been under consideration as potential park for a decade - in 1979, the Division of Parks and Outdoor Recreation completed a recreation development feasibility study on these parcels.

While these lands are not contiguous with the balance of Kachemak Bay State Park, they will meet a need for developable recreational park land near Homer. The nearest developed state park facility is the Anchor River State Recreational Area (10 miles north of Homer), primarily used for fishing and camping. The Homer Spit is the only other area with public recreational facilities, and the summer impact to the spit can be somewhat relieved with development of Cottonwood-Eastland.

There are also identified archaeological sites in the area. The 1979 feasibility study noted this, and recommended investigation, evaluation and excavation, if necessary, to preserve and protect these sites. The prime sponsor feels transfer to park status would help assure this protection.

Other justification for inclusion of these parcels:

High scenic and wildlife values.

Developed road to area.

Strong possibility for year-round use, once facilities are developed.

McDONALD SPIT: 16 acres total (uplands)

This is an extremely small parcel of land at the end of McDonald Spit near Seldovia, consisting of approximately 16 acres. Currently, there is a good deal of local use of this spit, with increasing tourist use, particularly as a "stop over" for kayakers while boating between Halibut Cove and Seldovia. Aside from the obvious scenic values, there is an eagle nesting area on the spit.

HB 244
JUSTIFICATION SUMMARY (cont'd)

AURORA LAGOON: 2,553 acres

This is a logical boundary adjustment of the park. In discussion with former legislators, it seems apparent that the omission of Aurora Lagoon from the original legislation creating Kachemak Bay State Park was an oversight. Currently, the lagoon is heavily utilized for recreational pursuits.

Aurora Lagoon itself offers not only high scenic and recreational values, but is one of the few areas of safe high tide moorage in this area of Kachemak Bay that is unaffected by inclement weather. In addition, there are good beach landing sites for small craft. Other justification:

Excellent camping and hiking potential.

Potential as a public use cabin site.

Good fishing in area: salmon, crab, clams.

The Kachemak Bay State Park Advisory Board identified Aurora Lagoon for inclusion in the Park in 1984.

Commercial development (a wilderness lodge) is taking place on private land at nearby Bear Cove, and state park status of these public lands would enhance and encourage recreation in the Aurora Lagoon/Bear Cove area. This is an excellent area for trail development, with high scenic and recreational use.



CITY OF HOMER

CITY HALL

491 EAST PIONEER AVE.

HOMER, AK 99603-7624

FACSIMILE (907) 235-3140

(907) 235-8121

February 12, 1988

Representative Mike Navarre
P. O. V
Juneau, AK 99811

Dear Mike:

Enclosed please find a copy of Resolution 88-5 supporting House Bill 244 relating to the addition of land to Kachemak Bay State Park and Kachemak Bay State Wilderness Park as unanimously adopted by the Homer City Council on Monday, February 8, 1988.

Kachemak Bay State Park attracts thousands of visitors annually therefore the City of Homer is interested in protecting and preserving lands in the bay area for recreational and scenic use by both residents and tourists. We believe that your support of House Bill 244 is an excellent example of preservation of a valuable resource and should be promoted if at all possible.

We are grateful for your support of House Bill 244 and hope you will call upon us if we may be of any further assistance in this matter.

Sincerely,

CITY OF HOMER


Philip C. Shealy
City Manager

PCS/rah

Enclosure

CITY OF HOMER
HOMER, ALASKA

RESOLUTION 88-5

A RESOLUTION OF THE HOMER CITY COUNCIL SUPPORTING HOUSE BILL 244 RELATING TO THE ADDITION OF LAND TO KACHEMAK BAY STATE PARK AND KACHEMAK BAY STATE WILDERNESS PARK.

WHEREAS, House Bill 244 adds several parcels of state land in the Kachemak Bay area to the existing Kachemak Bay State Park (KBSP) and Kachemak Bay State Wilderness Park (KBSWP); and

WHEREAS, House Bill 244 has the strong support of the Kachemak Bay State Park Citizens' Advisory Board as well as the Homer Parks and Recreation Commission; and

WHEREAS, Kachemak Bay State Park attracts thousands of visitors annually to enjoy its mountains, glaciers, waters and forest for their recreational, scenic and wildlife values; and

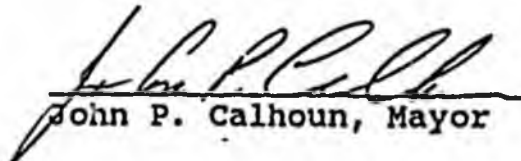
WHEREAS, the City of Homer has an interest in protecting and preserving lands in the Kachemak Bay area for the recreational and scenic uses of both residents and tourists.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Homer supports House Bill 244 relating to the addition of land to Kachemak Bay State Park and Kachemak Bay State Wilderness Park.

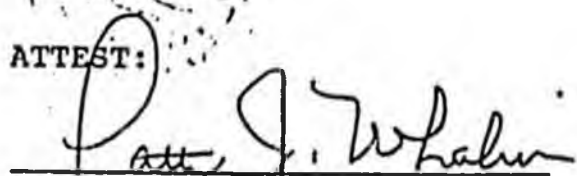
BE IT FURTHER RESOLVED that the City Manager is authorized to send copies of this resolution of support to Representative Mike Navarre, Representative C. E. Swackhammer and Senator Paul Fischer as well as Governor Cowper and Dave Stutzer, Chair of the Kachemak Bay State Park Citizens' Advisory Board and respectfully urge support of the expansion of the parks.

DATED at Homer, Alaska this 8th day of February, 1988.

CITY OF HOMER


John P. Calhoun, Mayor

ATTEST:


Patti J. Whalen, City Clerk

Introduced by: Phillips
Date: February 16, 1988
Action: Adopted
Vote: 13 Yes, 3 No

KENAI PENINSULA BOROUGH

RESOLUTION 88-15

ENDORING HOUSE BILL 244, RELATING TO THE ADDITION OF LAND TO KACHEMAK BAY STATE PARK AND KACHEMAK BAY STATE WILDERNESS PARK

WHEREAS, the Kenai Peninsula Borough has an interest in protecting and preserving recreation and scenic use lands within its boundaries; and

WHEREAS, Kachemak Bay State Park attracts thousands of visitors annually to enjoy its mountains, glaciers, waters and forests for their recreational, scenic and wildlife values; and

WHEREAS, other available State lands in the Kachemak Bay area have been identified as appropriate park lands and will, as park lands, enhance the recreational and tourism potential of the Kachemak Bay area; and

WHEREAS, State park properties on the Homer side of Kachemak Bay will help meet the need for year-round road-accessible recreation on the Southern Peninsula; and

WHEREAS, the State lands proposed for additions are free of conflicting claims and interests, following the University settlement and the Mental Health Lands Trust agreement;

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

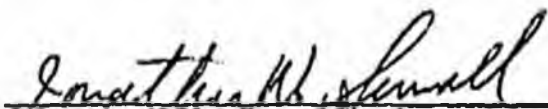
Section 1. That the Kenai Peninsula Borough endorses House Bill 244.

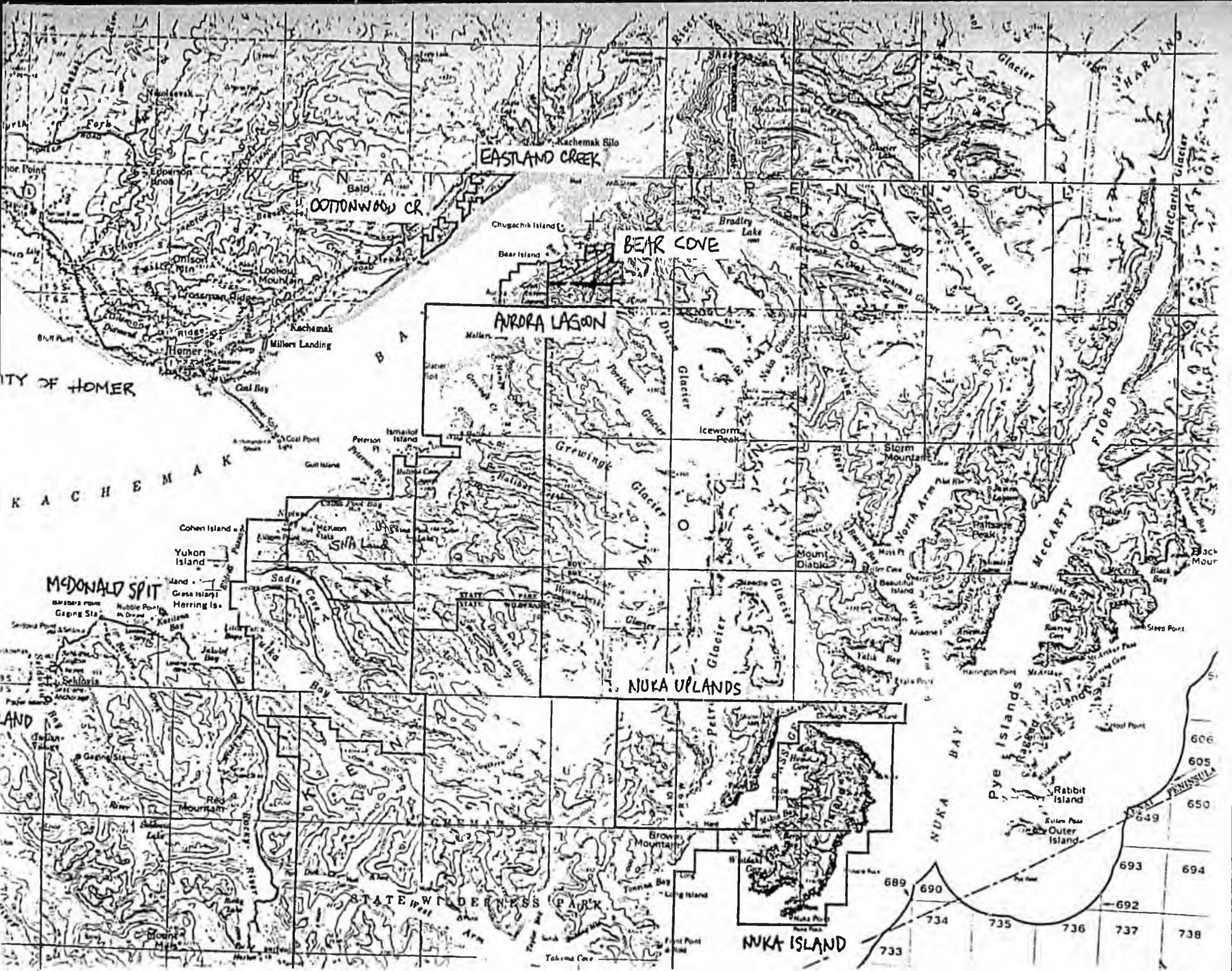
Section 2. That copies of this resolution be sent to Governor Cowper, Senator Paul Fischer, and Representatives Mike Navarre and C. E. Swackhammer.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 16th DAY OF February, 1988.

ATTEST:


Borough Clerk


Jonathan W. Sewall, Assembly President



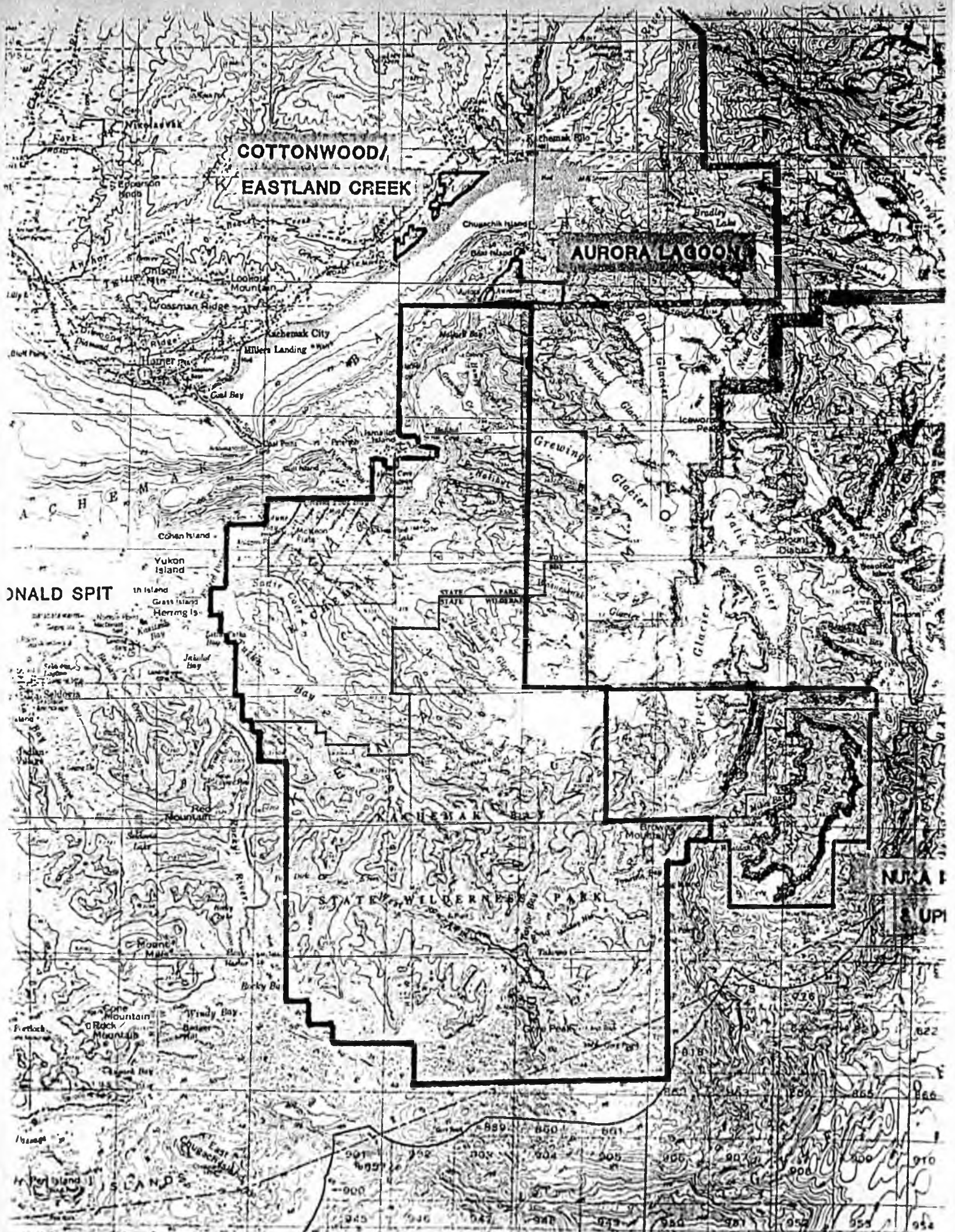
COTTONWOOD/
EASTLAND CREEK

AURORA LAGOON

DONALD SPIT

STATE WILDERNESS PARK

NUA I
& UPI



HB

266

SENATE COMMITTEE REPORT

FURTHER Judiciary

1/18/88

DATE TURNED INTO OFFICE _____

Mr. President:

Resources _____ Committee considered CSHB 266 (RES)
recording of documents

and recommended

[] replace with _____ CS _____) [] same title
[] or adopt _____ CS _____) [] new title

[] attached amendment(s) and

[] do pass

[] do not pass

[] no recommendation

[] individual recommendations

[] further referral to _____

[] letter of intent adopted _____

Committee [] attached or [] adopted fiscal note(s)
[] new [] updated or [] previous
[] zero [] fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Signature]
Artur Sturgulewski

[Signature]
Forsing Notes

[Signature] DO PASS
Chairman signature and recommendation

[] Committee Backup attached

FISCAL NOTE

REQUEST:

Revision Date: 4/19/88
Title: An Act relating to the recording of documents
Sponsor: Rep. Ulmer
Requestor: Senate Resources

Agency Affected: DNR
BRU: Management & Administration
Components: Information Resources Management

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-	-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)

Clarifies certain procedures for recording of documents by the State Recording Offices. Requires that regulations be no more restrictive than the statutes unless they further a legitimate administrative need.

Prepared by: Sharon Barton Phone: 465-2406
Division: Division of Management Date: 4/19/88

Approved by Commissioner Judith M. Brady Date: 4/19/88
Agency: Department of Natural Resources

Distribution (by preparer):

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

STATE OF ALASKA
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

January 25, 1988

SUBJECT: Comparison of SB 304 and CSHB 266 (Resources)

TO: Senator Jack Coghill, Chairman
Senate Resources Committee

FROM: Theresa L. Bannister *TLB*
Legislative Counsel

You have requested that I provide the Senate Resources Committee with a comparison between SB 304 and CSHB 266 (Resources) ("HB 266"), two bills dealing with the recording of documents. As a preliminary matter, note that this comparison should not be considered an authoritative interpretation of the bills and the bills themselves are the best statements of their contents.

In general, SB 304 contains a major revision of the state recording system while HB 266 addresses only two subjects on state recording, which are

- (1) the recorder's decision on whether the document is to be recorded (sec. 2 of HB 266); and
- (2) the adoption of regulations on recording (sec. 3 of HB 266).

Section 1 of HB 266 makes certain legislative findings for the bill. SB 304 does not contain findings.

Section 2 of HB 266 gives specific directions to the recorder for reviewing a document for recording. SB 304 directs the recorder to promptly record all documents presented which are recordable under certain sections (see Sec. 40.17.070(a)).

Sec. 34.15.343(1) prohibits the recorder from considering whether the document's contents are legally sufficient for the purpose of the document. SB 304 does not address this specific subject.

Senator Jack Coghill, Chairman
Senate Resources Committee
Page 2
January 25, 1988

Sec. 34.15.343(2) directs the recorder to resolve any reasonable doubts about the document's eligibility for recording in favor of recording the document. SB 304 does not address this specific subject.

Sec. 34.15.343(3) prohibits the recorder from rejecting a document in certain listed situations.

Sec. 34.15.343(3)(A) prohibits the recorder from rejecting a document that met the requirements for recording when the document was executed. Sec. 40.17.060 (in sec. 1 of SB 304) provides nearly the same protection, except that SB 304 limits its application to certain listed documents.

Sec. 34.15.343(3)(B) prohibits the recorder from rejecting a document that serves more than one purpose. SB 304 does not address this issue.

Sec. 34.15.343(3)(C) prohibits the recorder from rejecting a document that does not state the name of the recording district, if the information is either given to the recorder when the document is offered for recording or contained in a cover letter accompanying the document. SB 304 requires that a document be accompanied by or include the information required by department regulations (Sec. 40.17.030(4)).

Sec. 34.15.343(3)(D) prohibits the recorder from rejecting a document that references an attached exhibit that is not labelled. SB 304 requires that a document be accompanied by or include the information required by department regulations (Sec. 40.17.030(4)).

Sec. 34.15.343(3)(E) prohibits the recorder from rejecting a document that is a certified copy of an official document from a governmental office in this or another state. SB 304 allows certified or otherwise verified copies of specific types of documents (e.g., judgments) to be recorded as Class A documents, but does not contain a general reference to all official governmental documents.

Section 3 of HB 266 prohibits a regulation from imposing a restriction on document recording unless the restriction is required by statute or furthers a legitimate administrative

Senator Jack Coghill, Chairman
Senate Resources Committee
Page 3
January 25, 1988

need. SB 304 requires that the regulations be consistent
with the new law.

If I may be of further assistance, please advise.

TLB:gc
WKG1:048

Alaska State Legislature

Committees:

Chair-State Affairs
V. Chair-Judiciary
Telecommunications
Special Ethics
Legislative Council
Finance Subcommittee
for the University of Alaska
Joint Committee
on Economic Recovery



P.O. Box V
Juneau, Alaska 99801
(907) 465-4947

REPRESENTATIVE FRAN ULMER

M E M O R A N D U M

April 19, 1988

TO: Senator Jack Coghill, Chairman
and Members of the Senate Resources Committee

FROM: Representative Fran Ulmer

SUBJECT: House Bill 266

I introduced House Bill 266, "An Act relating to the recording of documents", to bring consistency to the policies governing what documents should be recorded by the Recording Offices throughout the State of Alaska. House Bill 266 has received widespread support from the Alaska Miners Association, title companies and attorneys.

Section 1 is a statement of facts explaining the underlying purpose of the bill.

Section 2 adds a new section to AS 34.15 outlining recording criteria. When determining whether a document may be recorded, the recorder could not consider whether the contents of the document are legally sufficient to achieve the purposes of the document. Reasonable doubts would be resolved in favor of recording.

The bill also sets forth several instances when a document may not be rejected.

The recorder could not require that a document which serves more than one purpose be recorded separately for each of the purposes. This would not prevent the multiple recording of a document if the person requests that it be recorded for more than one purpose.

Finally, in Section 3, the bill amends AS 44.37.025 so that a regulation of the department could not impose a restriction on document recording unless the restriction is required by statute, or furthers a legitimate administrative need of the recorder.

Thank you for your support of HB 266.

District 4B — Juneau



ALASKA MINERS ASSOCIATION, INC.

501 W. Northern Lights Blvd., Suite 203, Anchorage, AK 99503 (907) 276-0347

April 17, 1987

RECEIVED APR 23 1987

Honorable Fran Ulmer
Alaska State Legislature
P.O. Box V (MS 3100)
Juneau, Alaska 99811

Re: House Bill No. 266

Dear Rep. Ulmer:

The Alaska Miners Association supports House Bill No. 266 and its passage this session of the legislature.

Since the majority of mining operations in Alaska are conducted by "small miners", in remote and unsurveyed areas of the state, and since the penalty for failure to timely file or record documents relating to mining claims can be loss of the claims, it is imperative that procedural or technical niceties do not preclude their recordation, as long as the intent of the documents is fairly stated.

We believe that House Bill No. 266 goes a long way toward accomplishing those objectives, and congratulate you for introducing that bill.

Sincerely,

ALASKA MINERS ASSOCIATION

Curt McVee
Curtis V. McVee
Executive Director

TIA TITLE
INSURANCE
AGENCY

Main Office
201 N. Franklin St.
Juneau, AK 99801
(907) 586-6445

Valley Branch
9110 Glacier Hwy.
Juneau, AK 99801
(907) 789-1671

April 17, 1987

Representative Fran Ulmer
Pouch V
Juneau, AK 99811

Dear Fran:

Your introduction of House Bill 266 is commendable. This type of legislation is long overdue.

The recording system has been kind of a step child for as long as I can remember, being administered according to the whims of various departments it has been in. It's encouraging to see an attempt to stabilize the system.

Sincerely,



Glen A. Prince
Executive Vice President

GAP:bjk

RECEIVED APR 21 1987

RECEIVED
RECEIVED APR 6 1987

DORIS LOENNIG
A PROFESSIONAL CORPORATION
ATTORNEY AT LAW

SUITE 120, 515 SEVENTH AVENUE - FAIRBANKS, ALASKA 99701
907 452-2005

April 1, 1987
(Dictated 3-31-87)

Representative Fran Ulmer
P.O. Box V
Juneau, Alaska 99811

Dear Mrs. Ulmer:

I received a memorandum March 9, 1987 from members of the Natural Resources and Real Estate Sections of the Alaska Bar Association asking me to review a proposed amendment to the Recording Act. I apologize for not responding more promptly, but I do want to advise you that I am strongly in favor of the amendment.

As is so often the case as governmental bodies develop, there is a tendency to draft laws and regulations that benefit the bureaucrats while not particularly serving the public. The Recorder's Office has become extremely stringent in what they will accept for recording with the result that vital documents are being denied recording. For instance, I am involved in a situation where a Deed necessary to the chain of title was damaged by flood water. It is readable, but the Recorder's Office will not record it because the microfilm record would not be readable. The solution would be to type an exact copy of the deed, certify it as a copy of the original and then record both the original and the certified copy. By the Recorder's Office refusal to record the document, there is a break in the chain of title which will require an expensive suit to quiet title.

Also, recently I had a very difficult time getting a certified copy of an Alaska State Patent recorded. The original Patent had not been