

ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990 8672

5995 HOUSE RESOURCES

399

Section 18

Project: Eagle River Visitor Center

Location: Eagle River

Amount: \$300,000

Description: See attached material.

January 31, 1989

Project: EAGLE RIVER VISITOR CENTER IMPROVEMENTS

Location: 25 miles north of Anchorage on Eagle River Road

Senate District: 1

House District: 15

Amount: \$300,000

Description: The visitor center is in need of major foundation restoration. The logs of the building rest on shallow footings, the floors inside are warped and there is no basement. The existing structure would be raised to replace the sill logs, remove the shallow footings and to construct a full basement. The main floor would be reconstructed to provide for structural integrity and the worn carpet replaced. Staff offices would be moved to the basement increasing display room on the main floor. The existing interpretive displays would be improved to include an Iditarod Trail display.

Justification: The improvements greatly enhance the ability of the facility to meet visitor needs by adding needed storage area, space for volunteers to work and areas where interpretive exhibits can be planned and developed. The Eagle River Visitor Center continues to be one of Anchorage's major tourist attractions. One-half the tourists visiting the Anchorage/Eagle River area also visit the Eagle River Visitor Center. The center is operated by park volunteers which minimized the impact of its operation on the state's operating budget while providing a highly visitable and high quality visitor attraction in the Anchorage area.

ITEMIZED ESTIMATE

Raise/lower structure and install basement foundation	\$118,375
Replace rotten sill logs	20,625
Replace existing substandard floor	32,750
Install new carpeting	21,300
Install new entryway	3,750
Wall surface repairs	9,900
Install new staff offices in basement	35,000
Relocate furnace room and upgrade heating system	22,000
Site grading	3,450

Install new interpretation displays 33,000

Total \$300,150

Say \$300,000

Above figures include: construction plan preparation
project management
engineering administration
contingency

Section 19

Project: Turnagain Arm Scenic Corridor Improvements

Location: Turnagain Arm

Amount: \$150,000

Description: See attached material.

January 31, 1989

Project: TURNAGAIN ARM SCENIC CORRIDOR IMPROVEMENTS

Location: Anchorage

Senate District: E-1

House District: 7-15

Amount: \$150,000

Description: Provide interpretation kiosks and signs at selected sites along the Seward Highway adjacent to Turnagin Arm. Included also would be new programs for the radio transmitters previously installed and rest stops and interpretation signs along the pathway from Indian to Bird.

Justification: The drive along Turnagin Arm Scenic corridor is breathtaking. There are numerous natural and historic features to interpret which would enhance the experience of travelers and be a major contribution to tourism in Alaska. Interpretive kiosks were constructed at Beluga Point several years ago. This site has been very well received. Similiar displays can be installed at other sites such as McHugh Creek, Falls Creek and Rainbow Creek. Bicyclists and hikers would enjoy pull outs along the pathway which would serve as both rest stops and interpretive stops. Presently no such facilities exist.

ITEMIZED ESTIMATE

Interpretive kiosk structures	37,000
Interpretation Panels for kiosks (includes design & artwork)	46,500
Other interpretation signs	5,000
Pullouts/Reststops along pathway	27,500
Interpretive kiosk & panels along pathway	12,000
? Radio Interpretive Programs	<u>22,000</u>
Estimated Cost	\$150,000

Section 20

Project: Chugach State Park Safe Water

Location: Anchorage

Amount: \$100,000

Description: See attached material

January 31, 1989

Project: CHUGACH STATE PARK SAFE DRINKING WATER SUPPLIES AND TOILET

Location: Anchorage, Turnagain Arm, Eklutna

Senate District: E-1

House District: 7-15

Amount: \$100,000

Description: DEC regulations and building codes require safe drinking water supplies and sanitary restrooms in park units. These facilities eliminate contamination and protect public health and safety. Critically needed in this area to meet the states obligation are 4 drinking water systems and one handi-capped accessible toilet to replace an old non-handicapped accessible unit.

ITEMIZED ESTIMATE

PUBLIC TOILETS

1 each double vaulted toilet at \$24,500 each Upper Huffman (Susitna View)	<u>\$ 24,500</u>
Subtotal	\$ 24,500

PUBLIC DRINKING WATER SYSTEMS

2 wells with handpumps at \$13,500 each (deeper than average) Prospect Heights Trailhead Susitna View Trailhead (Upper Huffman)	\$ 27,000
Eklutna Lake pressurized system	42,000
Potter Section House Water System Repair	<u>6,500</u>
Subtotal	\$ 75,500
Total	\$100,000

Section 21.

Project: Toilsome Drive By-Pass Road

Location: Anchorage

Amount: \$75,000

Description: See attached material.

January 31, 1989

Project: TOILSOME DRIVE BY-PASS ROAD DESIGN

Location: Anchorage

Senate Districts: 7-15

House Districts: E-1

Amount: \$75,000

Description: Conduct soils analysis and route location study for rerouting a portion of Toilsome Drive. Prepare design plans to include grading and drainage. Prepare specifications and estimates.

Justification: Toilsome Drive leads from Upper Huffman to Glen Alps at the base of Flattop Mountain. The Glen Alps Trailhead is the most popular trailhead on the hillside. A portion of Toilsome Drive contains a very sharp switch-back curve and steep grades. Rerouting would be beneficial to the public by improving safety and winter access.

PROJECT	TOTAL PROJECT COSTS (ESTIMATE)
Brochures (continued)	
Traveler's guide to mining features seen from the Forest's road system	\$5,000
Historic overview of timber harvest on the Chugach National Forest	\$5,000
History of canneries and salteries on the Chugach National Forest	\$5,000
Fishery habitat enhancement on the Chugach National Forest	\$5,000
An index to the historic uses of the Chugach National Forest	\$3,000
Lode mines of the Chugach National Forest	\$7,500
16. The Bering River train - a <u>plan</u> for its removal to Cordova (the historic train would be exhibited for interpretation)	\$5,000
17. A <u>plan</u> for the interpretation of the Bering River train	\$5,000
18. Chugach National Forest exhibits at ferry terminals in gateway communities to the Forest	\$25,000 Each
19. Interpretive exhibit - habitat management on the Copper River Delta	\$15,000

new near Bering glacier near Cordova

FS is pursuing \$12.0 FS

PROJECT	TOTAL PROJECT COSTS (ESTIMATE)
20. Posters of the Copper River Delta (these will be high quality posters of the exhibits now being developed on the Copper River Delta)	\$25,000
21. Seward Ranger District office, Chugach National Forest, interior and exterior interpretive exhibits	\$10,000
22. Cooperative maintenance of Copper River Delta recreation sites	labor only
23. Twentymile River pull-out near Portage on Turnagain Arm (opportunity to interpret a number of cultural & historical topics)	\$100,000
24. Interpretive pavilions/rest stops along the Seward Hwy. from Anchorage to Seward (major interpretive facilities accessible to the elderly and disabled people)	\$150,000 Each
25. Wilderness ski huts built in the Turnagain Pass and Blackstone Glacier areas	\$140,000
26. Produce the Forest's public recreation cabin brochure in Japanese	\$4,000
27. Interpretive trail for the blind and other disabled people	\$200,000
28. Prince William Sound kayak trail brochure	\$5,000
29. Off-road vehicle track on the Chugach National Forest	

<u>PROJECT</u>	<u>TOTAL PROJECT COSTS (ESTIMATE)</u>
30. Interpretive exhibit at the Mt. Alyeska Ski Resort	\$30,000
31. Interpretive displays at pull-outs on the Seward and Sterling Highways on the Kenai Peninsula	\$30,000 Each
32. Turnagain Arm mud flats safety exhibit	\$10,000
33. Fishing etiquette guide	\$4,000
34. Trip planning guide to the Chugach National Forest	\$10,000
35. Copper River Delta entry pavilion interpretive sculpture - centerpiece for exhibit on the Copper River Highway near Cordova	\$32,000
36. Establish whistle-stop campgrounds along the railroad right-of-way through the Kenai Mountains	\$20,000
37. Interpretive brochure for the railroad trip from Anchorage to Seward.	\$5,000
38. Trail River Campground (Kenai Peninsula) group campsite pavilion	\$15,000
39. Russian River Campground disabled access trail and fishing platform	\$80,000
40. Lost Lake trailhead relocation	\$50,000
41. Lower Summit Lake disabled access for anglers	\$20,000
42. Russian River angler's trail & stream bank rehabilitation	\$150,000

<u>PROJECT</u>	<u>TOTAL PROJECT COSTS (ESTIMATE)</u>
43. Russian River campground trail & traffic barricade rehabilitation	\$50,000
44. Translate a number of Chugach National Forest brochures into Japanese and German	\$5,000 Each
45. Provide Japanese and German language interpreters at the Begich, Boggs Visitor Center at Portage Glacier	\$5,000 Each For Summer
46. Develop access trail and fishing platform at Jerome Lake (Kenai Peninsula) for the disabled	\$70,000
47. Provide a Forest Service administrative office in Valdez	\$20,000
48. Brochure about fishery habitat enhancement work in Prince William Sound	\$5,000
49. Interpretive exhibit emphasizing shorebird habitat on the Copper River Delta	\$5,000
50. More aggressive marketing of the Chugach National Forest thru the current partnership that exists between the Forest Service and the Alaska Marine Highway System	\$20,000
51. Renovation of the Winner Creek trail in Girdwood	\$570,000
52. To introduce Forest Service management to the public, develop four short 35 mm film segments to introduce the the film "Voices from the Ice" at the Begich, Boggs Visitor Center at Portage Glacier	\$50,000

Section 23

Project: Stream Rehabilitation

Location: Anchorage

Amount: \$200,000

Description: See attached material.

1989 WATER QUALITY PROJECT REQUEST

STREAM REHABILITATION

NEED

Second priority among the projects requested by the Anchorage Waterways Council is stream rehabilitation. Anchorage area streams have been subjected to urban development and other forms of degradation over the years. This has lead to instances of excessive bank erosion; loss of stream gradients; filling in of lakes, ponds, and, wetlands; and seepage into the streams of undesirable substances. Correcting these problems is important for the health of the streams and the humans and wildlife that use them.

PROJECT TITLE: Stream Rehabilitation on Fish, Campbell, Chester (especially Hillstrand Pond), and Furrow Creek Systems

LOCATION: Anchorage, Alaska

ELECTION DISTRICT: Senate Districts F, G, H, and I; House Districts 8, 10, 11, 12 and those of Furrow Creek (generally west of the intersection of Old Seward Highway and Huffman Road)

FUNDING REQUEST: \$140,000.00

APPROPRIATION METHOD: Municipal grant to Anchorage Departments of Health and Human Services (DHHS) and Public Works (DPW)

PROJECT DESCRIPTION: Rehabilitating Anchorage's streams to enhance fish habitat and improve water quality would involve several types of activities. Stream banks may be stabilized by re-sodding or planting trees; culverts may be cleaned and sedimentation removed to improve flow characteristics; and sewage exfiltration may need to be eliminated. Each of the streams above would benefit from one or several of these actions. Occasionally, no engineering is necessary. In those instances, it is expected that DHHS would take the lead. In other instances, such as Hillstrand Pond and Furrow Creek, engineering may be required. Engineering work for the former waterway already has been awarded by DPW. When engineering is required, it is assumed that DPW would have the lead.

1989 WATER QUALITY PROJECT REQUEST

INDUSTRIAL AND DOMESTIC TRASH REMOVAL

NEED

The third priority of the Anchorage Waterways Council is the removal of industrial and domestic trash. Many types of industrial and domestic trash are too large or are potentially hazardous to be removed during the volunteer effort of Creek Cleanup. During the 1988 Legislative Session, funding was provided for the cleanup of Fish, Chester, and Ship Creek. Over 200,000 tons of trash were removed. Comparable problems are evident on several other waterways, particularly Campbell and Little Campbell Creeks; Eagle River; and ponds, lakes and wetlands throughout the Municipality. Removal of the industrial and heavy household trash will improve the water quality of these waterways by removing the corroding metal, the disintegrating plastic and fiber material, and the trash that can leach undesirable chemicals into the water.

PROJECT TITLE: Industrial and Domestic Trash Removal

LOCATION: Campbell Creek, Little Campbell Creek; Eagle River; and Anchorage-wide ponds, lakes, and wetlands

ELECTION DISTRICT: All Anchorage Districts

FUNDING REQUEST: \$60,000.00

APPROPRIATION METHOD: Municipal grant to the Anchorage Department of Health and Human Services

PROJECT DESCRIPTION: Many items dumped into Anchorage's waterways are too large or potentially too hazardous to remove during the voluntary creek cleanup. This appropriation would enable the cleanup of oversized items, such as vehicle engines and refrigerators, and hazardous materials to be removed by a contractor. This project could follow the volunteer cleanup effort. Work would be contracted out to local project managers and laborers.

Section 24

Project: Alaska Aviation Heritage Museum

Location: Anchorage

Amount: \$100,000

Description: See attached material.



ALASKA
AVIATION HERITAGE
MUSEUM

Rep. Kay Brown
Alaska State Legislature
Pcuch V
Juneau, Alaska 99811

22. FEBRUARY 1989

Dear Kay,

The Alaska Aviation Heritage Museum is an Alaskan non-profit corporation founded in 1977. We were originally known as the Alaska Historical Aircraft Society. Our stated goals are to preserve and present Alaska's aviation heritage for the benefit of the general public. Over the last decade we've embarked on a wide range of projects including educational programs on the history, production of documentary films, archival collecting and research, aircraft recovery and restoration and most recently the establishment of the museum.

The museum project has been undertaken by Anchorage citizens from all walks of life. The common denominator within our ranks is our increasing concern for preservation of Alaska's great aviation heritage. The preservation of this history is a high priority action that the State Museum recognizes must be undertaken, yet they acknowledge that they have neither the resources or expertise to accomplish this important task (see attached letter). While we have endeavored to do the work ourselves, we find that we cannot accomplish this task without some assistance from our state and community. We have received assistance and support during our construction phase from city and state government as well as from the private commercial sector and individuals.

The design of our operations is to utilize the museum as a prime tourist attraction in the Anchorage area. We've created a program of films and photo/memorabilia exhibits to augment our rare historical Alaskan aircraft collection. It is our goal to become relatively self-sustaining by generating revenue through user fees for the program and the incorporation of an active volunteer program.

Due to the delays in our construction funding in 1988 we were not able to open the museum until mid-July of the last season. The project came on line too late to take advantage of the local tour companies program and consequently our revenues were less than adequate. Despite these handicaps, the museum hosted 7,500 visitors during the final weeks of the tourist season.

In relation to our needs:

The operation of the air museum is ham-strung by a substantial debt service that we incurred during construction of the museum. In addition to approximately \$35,000.00 which we owe to local vendors for construction materials and services, we borrowed \$170,000.00 from the Historic Preservation Fund which is administered by the Anchorage Historic Properties, a non-profit organization involved in historic preservation projects in downtown Anchorage. These construction debts constitute a real impediment to the stability and growth of the museum. In as much as this debt is directly related to capital improvements of the air museum facility, and realizing that the subject bill addresses capital projects, we request consideration for funding to reduce our construction debt.

Several other critical museum projects may also qualify for consideration.

The essence of the air museum is, of course, the historical aircraft exhibits. These aircraft are the few remaining physical symbols of Alaska's aviation history. The museum has collected 25 aircraft. Three are the only examples left in the world and one of them, the American Pilgrim, is listed on the National Register as a historical object.

It was not easy bringing this collection together. While some of the aircraft are privately owned or donated to the museum, several we had to purchase at great expense. One such aircraft is the 1936 Stinson A Trimotor which first came to Alaska in 1939. It was operated between Fairbanks and Anchorage by Lavery Airways and was later owned by Ray Peterson Flying Service, and Northern Consolidated Airlines. It crash landed in the brush southwest of Fairbanks in 1947 and it lay there until 1972. It was retrieved and sold to a collector in Chicago who spent seven years restoring it. It is the last example on Earth and is the centerpiece of the museum's collection. It was appraised at \$712,000; we acquired it for \$250,000 over a six year period. We still owe \$225,000 for it. A grant towards the acquisition of the aircraft would insure that it has a permanent place in Alaska. Should an acquisition appropriation be granted, we would be willing to give ownership to the State of Alaska while we caretake and insure the aircraft. Because of it's historical association and rarity, the Stinson A Trimotor constitutes a major Alaskan artifact.

The museum collection of aircraft has seven machines that are in dire need of restoration. We are requesting funds for special services and materials needed to restore these aircraft. The need is two-fold. The longer we wait to restore these aircraft, the more they will deteriorate. This deterioration will mean more difficulty and expense in the restoration process once they are restored. Secondly the more historical exhibits we can restore, the better the museum presentation will become thus enhancing the attraction to the visitor. This translates into increased tourism dollars for the community.

The aircraft are:

1.	1936 Stinson A Trimotor (Star Airways)	35,000
2.	1928 Fairchild FC2-W2 (Bob Reeve - 1932)	35,000
3.	1928 Ford Trimotor (Ptarmigan Airways - 1934)	150,000
4.	1937 Stinson SR-9 Gullwing (Lavery Airways)	45,000
5.	1943 Cessna T-50 Bushmaster (Northern Consolidated Airlines - 1947)	20,000

- | | | |
|----|---|---------|
| 6. | 1929 Travelair 6000
(Al Jones Air Service - 1935) | 15,000 |
| 7. | Consolidated PBY Catalina
(10th Rescue Squadron EAFB - 1947) | 150,000 |

A number of our restored and unrestored aircraft are sitting outside exposed to the negative aspects of weather. Several of these machines are constructed primarily of wood and fabric. A single season of exposure to the elements can have a detrimental effect to these rare aircraft.

To gradually alleviate this problem, we endeavor to construct three-sided 'shells' in which to house these exhibits. The shells are steel-framed, aluminum sided with no floor, insulation, plumbing, heat or electricity. (These improvements can be added at a later date as finances allow.) Measuring approximately 45' X 45' these protective shells cost about \$25,000 per unit. We are requesting 2 - 4 units. They would house our 1934 YKC-S Waco; 1933 Stinson SR; 1929 Curtis Robin, and the 1942 Stinson AT-19 Reliant.

We would match any appropriation with donated labor from our volunteer force, donated services from equipment companies, labor unions and the local aviation school. Much of the museum construction costs were kept down through this type of assistance and we would employ the same activity in successfully accomplishing the aircraft restorations and protective shell construction.

In summary we are requesting appropriations for the following subjects.

Construction Debt

Local Vendors	\$ 35,000.00
AHPI - Historic Preservation Fund	170,000.00

Aircraft Acquisition

Stinson A Trimotor	\$225,000.00
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Aircraft Restoration

Bellanca Pacemaker	\$ 35,000.00
Fairchild FC2W-2	35,000.00
Ford Trimotor	150,000.00
Stinson SR-9 Reliant	45,000.00
Cessna T-50 Bushmaster	20,000.00
Travelair 6000	15,000.00
Consolidated PBY Catalina	<u>150,000.00</u>
Sub total	\$450,000.00

Protective Housing for A/C Exhibits

4 at \$25,000 per unit	\$100,000.00
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Thank you for taking the time to consider our needs. Any legislative support will go a long way in enhancing the cultural, educational and economic aspects of Alaska.

Sincerely

Ted M. Spencer

Ted M. Spencer
Executive Director

STATE OF ALASKA

DEPARTMENT OF EDUCATION

DIVISION OF STATE MUSEUMS

STEVE COWPER, GOVERNOR

ALASKA STATE MUSEUM
395 WHITTIER STREET
JUNEAU, ALASKA 99801-1718
PHONE: (907) 465-2901

January 9, 1988

Ted Spencer
Director
Alaska Aviation Heritage Museum
4721 Aircraft Drive
Anchorage, Alaska 99502

Dear Ted,

At the outset of this legislative session, let me encourage you in your efforts to secure a sound funding base and those few, but extraordinarily valuable Alaska historic aircraft that you and I agree must remain in or return to Alaska. I am aware that you are plumbing all possible sources of assistance, from municipal and state governments, from private donors, from admissions, and from grants. It will take all of this, I am sure, for the Aviation Museum to successfully swim against the tide of economic decline.

Let me assure you of the State Museum's consistent professional and collegial investment in the success of your new enterprise. In your unremitting efforts to obtain and conserve historic aircraft, you are doing what the State of Alaska does not have, at present or in the recent past, the capacity, flexibility, or determination to do. You have joined the other museums in Alaska whose collections, in combination, are the powerful "other half" of the State's collections of its heritage.

In addition, it is likely that your museum will become an important element in the future of Anchorage tourism. In many ways, while Anchorage is a transportation hub for the bulk of the tourism in Alaska, in itself, it is not a "destination" to be seen on its own merits. As it constructs more visitor amenities such as yours, it will capture significantly more visitor dollars and help offset the losses in other sectors.

Please let me know what the State Museum can do to assist you in soliciting support and in the development of your program ambitions.

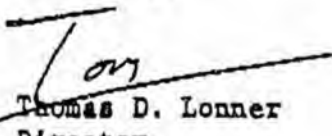


ALASKA
AVIATION HERITAGE
MUSEUM

COPY

RECEIVED JAN. 12. 1989

Sincerely,


Thomas D. Lonner
Director

Section 25

Project: Tourism-related Facilities at State Hatcheries

Location: Anchorage, Mat-su, Kenai Peninsula

Amount: \$109,400

Description: See attached material.

FRED Division Draft Tourism/Recreation Development Proposal

FRED Division hatcheries have been contributing, in some cases greatly, to the tourism activities in their areas. Deer Mountain Hatchery in Ketchikan has been visited by between 130 and 160 thousand summer visitors to the Ketchikan area for the past three years. These visitors are predominantly out-of-state tourists from the many tour ships which dock in Ketchikan. Most of the Ketchikan visitors take a "walking tour" of the city which includes a stop at the hatchery. Elmendorf Hatchery in Anchorage has set up a viewing area of falls and ladder area at the hatchery that attracts some thirty thousand tourists annually. Other FRED facilities such as Klawock, Big Lake, Ft. Richardson and Crooked Creek have been attracting visitors and as such are becoming recognized in their areas, not only for their fish production, but also for their impact or potential impact on local tourist trade.

FRED Division, in attempting to adhere to legislative intent to find alternative funding strategies for operation of its hatchery facilities, has been devising ways of using tourism to add to program receipts for hatchery funding. In some hatcheries, particularly Deer Mountain, Elmendorf, Big Lake, and Crooked Creek, the potential for supplementing hatchery operations is very good. There are several basic needs at each facility at which tourism impacts are thought to be good. First there needs to be something for the visitors to see. Fortunately the tourism season generally coincides with the return of adult salmon which, of course, are the major attraction. Each facility needs a self guiding tour complete with adequate access, explanatory signs, and ancillary exhibits such as aquaria and/or ponds for close visitor approach to salmon juveniles and and/or adults as available. There is a need to be able to show visitors the "sights" of the facility without their actually entering the facility because of potential for transfer of disease, stress to fish populations in the hatchery, and interference with work within the facility. The visitor season also coincides with the busy season of juvenile release, adult returns and egg takes. A final need, which may vary from hatchery to hatchery, is that of trained personnel to act as guides and interpreters at each site. If an adequate self guiding facility is in place, there may be no need for a guide if visitor numbers are relatively small. With larger crowds, a guide may become essential. Again because hatchery personnel are at the busiest, this role is a difficult one for them.

January 27, 1944

Plans for basic self guiding presentations have been made with costs as follows:

Crooked Creek Hatchery	\$22,000
Ft. Richardson Hatchery	\$25,000
Elmendorf Hatchery	\$37,200
Big Lake Hatchery	\$25,200
Deer Mountain Hatchery	\$32,000
Klawock Hatchery	\$26,000

With these presentations in place, FRED facilities would become much more able to show the many visitors they are already attracting the salmon hatchery story effectively and would undoubtedly become much greater attractions.

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

STEVE LOWPER, COMMISSIONER

P.O. BOX 32200
JUNEAU ALASKA 99802-0200
PHONE 907 465-4100

February 2, 1988

The Honorable Kay Brown
Alaska State Legislature
P. O. Box V
Juneau, AK 99811

Dear Representative Brown:

Listed below, please find budgetary details of the six state hatchery projects that have been proposed for inclusion in your tourism/recreational development bill your office is considering. As Dr. Johnny Holland of the Fisheries Rehabilitation, Enhancement and Development (FRED) Division staff reported to your committee on January 28, the amounts listed are the FRED Division hatchery managers' estimates of their needs to provide basic access, interpretive displays and signs for visitors. We are very pleased by the interest and support you have afforded the proposal.

The Big Lake Hatchery, located near Wasilla, has a plan for a self-guided tour that will form a loop around the hatchery. The following items are proposed:

<u>Item</u>	<u>Cost</u>
Boardwalk	\$2,800
Bridge	3,200
Sidewalk	3,250
Signs/Displays	5,000
Wheelchair ramps	4,800
Brochures	500
Portable displays	2,000
Picnic tables	650
Display room	<u>3,000</u>
TOTAL	\$25,200

The Fort Richardson Hatchery in Anchorage has the following proposed items:

<u>Item</u>	<u>Cost</u>
Landscaping	\$5,000
Road	5,000
Visitors' kiosk and displays	<u>15,000</u>
TOTAL	\$25,000

The Elmendorf Hatchery in Anchorage has the following needs:

<u>Item</u>	<u>Cost</u>
Viewing platform	\$17,000
Interpretive signs	12,000
Stairway	<u>3,000</u>
TOTAL	\$37,000

The Crooked Creek Hatchery near Soldotna has the following needs:

<u>Item</u>	<u>Cost</u>
Directional signs	\$2,000
Parking lot and fencing	5,000
Viewing bridge at weir	5,000
Foot paths and inter- pretive signs	<u>10,000</u>
TOTAL	\$22,000

The Deer Mountain Hatchery in Ketchikan has the following needs:

<u>Item</u>	<u>Cost</u>
Directional signs	\$2,000
Interpretive signs	10,000
Audio/visual displays	12,000
Display aquaria	6,000
Wheelchair ramp	<u>2,000</u>
TOTAL	\$32,000

The Honorable Fay Brown

Director

The Klawock Hatchery near the community of Klawock on Prince of Wales Island has the following needs:

<u>Item</u>	<u>Cost</u>
Directional signs	\$1,000
Visitor kiosk	12,000
Interpretive displays	3,000
Foot paths and signs	<u>5,000</u>
TOTAL	\$26,000

If additional information is needed, please contact Dr. Johnny Holland in the FRED Division's Headquarters Office at 465-4160.

Thank you for your interest in the FRED Division's tourist program.

Sincerely,


Don W. Collinsworth
Commissioner

cc: Johnny Holland

MEMORANDUM

State of Alaska

TO: Tom Krom, Chief of Operations
Division of Fisheries Rehabilitation
Enhancement and Development
Department of Fish and Game

DATE: January 7, 1988

FILE NO:

TELEPHONE NO:

THRU:

SUBJECT: Fish Hatchery Site
Visitation

FROM: Mary B. Klugherz, Marketing Coordinator
Division of Tourism
Department of Commerce &
Economic Development

MK

RECEIVED

JAN 12 1988

FRED:
ANCHORAGE REGIONAL OFFICE

The purpose of this memo is to outline my preliminary observations and identify issues regarding the development of Crooked Creek Fish Hatchery and Elmendorf Fish Hatchery as revenue generating visitor facilities. These comments are based upon my discussions with you, Tim McDaniel and your staff at both these facilities, and my site visitation the week of December 14.

Overview

The Legislature has put intent language on your division's budget to work with the Division of Tourism to begin developing the potential for generating tourist receipts within the state hatchery program. Since many of the state operated hatcheries already receive many thousands of visitors each year, both resident and nonresident, program receipts generated as the result of a fee charged could represent several thousand dollars. In addition, these hatcheries are not marketing themselves as visitor facilities, yet are still attracting substantial numbers of visitors, particularly those on the highway system. It is within the realm of possibility that visitation of selected sites could increase dramatically with some basic marketing efforts. However, marketing these sites should not occur until basic visitor amenities are provided at these sites. The question then becomes, which sites should be targeted for potential development and what will be the cost for the development. In addition, how does your division collect fees both before and after development.

In our discussions, we reviewed the location and facilities of the state operated hatcheries and agreed to concentrate on those facilities which

January 7, 1988

road system with large numbers of current visitors, and potential to attract more visitors. During my recent trip to Anchorage, I was able to visit the Crooked Creek Hatchery and the Elmendorf Hatchery. I will discuss each individually.

Crooked Creek Hatchery

This site, located approximately 12 miles south of Soldotna, receives approximately 50,000 visitors per year. This facility currently has no road signage, visitor parking, restroom facilities, or interpretive displays to speak of, yet still receives this large number of visitors each year, primarily between June and August. Visitors are both resident and nonresident, as many residents bring visiting friends and relatives to see the hatchery. This represents several hundred visitors each day.

The current situation at the hatchery, with this high visitation and no visitor facilities, raises several issues which the state should address. It is understandable that the state sees an opportunity here to generate revenue from the hatchery visitor. In order to charge for a visit, though, the facility should offer the visitor something - whether it is a self-guided tour with interpretive displays, or a tour guided by a knowledgeable individual. In addition, several improvements should be considered for both safety and ease of visitor flow. Among these improvements are a parking lot, restroom facilities and visitor paths.

During our visit, the manager of the Crooked Creek site indicated that several years ago a consultant was hired from Washington State to look at several hatchery sites and make recommendations for development of visitor facilities. The recommendations for Crooked Creek included drawings of a parking lot, pedestrian bridge, visitor information center and interpretive displays. These drawings and recommendations should be located and studied to see if they can be used today. In addition, costs associated with developing such facilities may be included to give an idea of investment capital necessary to pursue this direction. At a minimum, this facility needs a parking lot and restroom facilities, just to handle the current visitor volume.

Then there is the issue of generating revenue. Unless there is a controlled situation, where there is one entrance with an attendant to collect the fees, visitor donations must be relied upon. This could be as simple as a donation box with adequate signage requesting donations and explaining their use (i.e. donations help maintain the facility, etc.). The donation box must be in a secure place, so as not to encourage vandalism and theft. The recommended amount of donations or fees needs to be discussed as well.

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The Crooked Creek Hatchery site has tremendous potential as a visitor facility, but it is in desperate need of visitor facilities. It has the potential to accommodate more people than are currently visiting the site, with some minimum site improvements. It is up to the Department of Fish and Game as to whether the capital investment is worth the revenue generated.

Elmendorf Hatchery

This hatchery, located five minutes from downtown Anchorage, also has tremendous potential for visitor use. The site has no road signage, no interpretive displays, or restroom facilities. It does have a parking lot, however. The large viewing area for the waterfalls to observe the fish jumping is ideal for large groups of visitors. However, for safety, the area needs additional railing and handicapped accessible paths, as well as interpretive displays and perhaps a self-guided tour.

As with the Crooked Creek Hatchery, this site receives thousands of visitors (approximately 30,000), with no marketing efforts. Given its proximity to downtown Anchorage, this site's potential for visitor use is tremendous. Recommendations for visitor facility development were also made by the Washington State consultant regarding this site. These should be located and studied as well.

This site could immediately install a donation box in a secure area to begin to generate program receipts while it is undergoing further development.

Issues

During my site visitations and discussions with the staff, several issues came to mind with regard to the development of state operated fish hatcheries as a visitor attraction. The development of this resource into a visitor attraction has many positive benefits including providing additional visitor attractions, generation of program receipts and providing a means to educate the public (both resident and non-resident) about the state's valuable fisheries resource. Several concerns come to mind, however, which need to be addressed. These are as follows:

1. **Fee collection** - Until the fish hatchery facilities have a controlled situation, collection of a fee from individuals is very difficult. An interim measure is a donation box, located in a safe, secure area. To collect a fee, the facility should offer something to the visitor, such as a self-guided tour and interpretive displays at a minimum. In addition, basic visitor amenities should be provided (i.e. restrooms).

Who do you charge for fees? Visitors only? Visitors and residents? It is my understanding that many residents visit the fish hatcheries regularly. Do you charge them for each visit? Do you risk damaging relationships with local residents who may consider, as taxpayers, that they already support the hatchery? Other state agencies have faced a similar situation - that is, the need to generate revenues and have instituted fees (i.e. Alaska State Museum in Juneau). Lessons can be learned from these agencies by contacting them and discussing the challenges and issues they faced when initiating fees.

How much do you charge? What is the value of the experience? Do you charge adults one fee, children another, senior citizens another?

Requiring fees from tour operators who may feature a fish hatchery on an itinerary is a sensitive issue. While tour operators may understand the need for a fee to be charged, that fee gets passed along to the consumer and eventually increases the cost of the tour. As tour operators get charged more and more fees by state and federal agencies, the cost of tours increases and lends to the image that Alaska is a high-priced destination. In the long run this is not constructive for anyone in the industry. However, tour operators should be kept informed of the possibility that fees for fish hatchery visitation may be implemented. These operators should be encouraged to include the hatchery on itineraries and at the same time a negotiated agreement with regard to fees could be worked out. Ketchikan is a good example of a fee structure that meets everyone's satisfaction. In addition, the planning cycle for tour operators should be acknowledged when discussing fees. Most large operators are finalizing their summer 1989 tariffs (retail tour rates) by February and March of 1988. If operators are not informed until May 1989 that a fee for hatchery visitation for summer 1989 is to be charged, they will not only be upset, but also may drop the hatchery from the itinerary. This doesn't serve anyone's purpose.

2. **Capital Investment Needed** - It is clear that the two facilities visited need some capital improvements to serve current visitors as well as encourage increased visitation. In addition, due to the large number of visitors at Crooked Creek, without improvements or limitations on visitation, the state may be faced with a liability problem. Improvements can be made in stages, with the initial investment kept to a minimum and

January 7, 1988

subsequent improvements made out of revenue generated. Whether money is available for improvements prior to revenue generation is a question which I can't answer. However, I would encourage creative solutions to this situation, (i.e. local service clubs providing assistance with project development, etc.).

3. Staffing - The current staff at the fish hatchery sites have become very involved in dealing with the visitor. Some enjoy it, some don't. Spending time with visitors may decrease the time the staff should spend on their primary function. The self-guided tour is one solution to this situation. Another is to utilize university students as guides - either tourism students or fisheries students. Train them and pay them out of program receipts. This could not only provide a positive visitor experience, but also valuable job training and experience for Alaska's future tourism and fisheries professionals.

Next Steps

Since most fish hatchery sites were not built with generating visitor traffic in mind, each site poses unique challenges. The following next steps are recommendations to the FRED Division for proceeding with these challenges.

1. Address issues - I've pointed out a few issues which need to be addressed in the context of each site. In addition, you may have identified additional areas of concern.
2. Previous Plan - It is important to find the previous consultants' visitor development plans for the facilities analyzed at that time. These plans may provide many answers to questions regarding improvements and costs.
3. Other States - ~~There are~~ several other states who have built fish hatcheries incorporated visitor flow into their facilities (Oregon and Washington in particular). A review of their work would be worthwhile.

From these steps, you can formulate plans unique to each site which can be implemented soon. Focus must be kept on the main objective, which is to generate revenue through program receipts. Program receipts can't be generated without some site improvements. Once site improvements are made and a little marketing is done, program receipts should increase, therefore accomplishing the main objective.

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Section 26

Project: Alaska Native Cultural Center

Location: Anchorage

Amount: \$500,000

Description: See attached material.

Alaska Native Cultural Center Corporation

<u>PROJECT NAME</u>	Alaska Native Cultural Center, Anchorage Pre-Development Project		
<u>SPONSORS</u>	Alaska Native Cultural Center Corporation, c/o The CIRI Foundation, P.O. Box 93330, Anchorage, Alaska 99509-3330 Contact: Lydia L. Hays, Executive Director Telephone (907) 274-8638		
<u>TOTAL PROJECT COST</u>	\$8,759,500 (Initial 4-yr. phase of three or four-step development over 20 years)		
<u>TOTAL FUNDS NEEDED</u>	Pre-Development, Phase I	1989 \$759,500	
	Development/Constr., Phs I	0	
	TOTAL	\$759,500 =====	
<u>FUNDING REQUEST FROM STATE OF ALASKA (1989)</u>	Pre-Development, Phase I	\$500,000	
	Development and Construction, Phase II	0	
<u>FUNDING SOURCES, PHASE I, PRE-DVLPMT</u>	State of Alaska grant	\$500,000	65%
	Native and other organizations	\$259,500	35%
	TOTAL, Phase I	\$759,500	100%

PROJECT DESCRIPTION

Background. The Alaska Native Cultural Center, Anchorage Project is to develop an authentic Alaska Native heritage presentation center in Anchorage, Alaska. The purpose of the Center as a major visitor destination is to introduce and to depict Alaska's Native cultures--Eskimo, Indian and Aleut--through the dance, music, storytelling, crafts and other presentations for Alaskans and Alaska's visitors available during a 2.5-3 hour visit at the Center. Also the Center will encourage the preservation and celebration of the diverse and enriched heritage of Alaska's indigenous peoples through the visitor presentations and locally sponsored events during off-tourism season.. While located in Anchorage, the Center will draw statewide for its authentic presenters to be employed; conversely, the Center will encourage its visitors to tour other parts of the state for a first-hand experience of Native culture and Alaska history.

Facility Description. The Center, projected to be built in two or three phases, will be operated by an independent non-profit organization with its own board of directors. The long range plan is to develop a 45 acre site of near-pristine land with accompanying water-feature in Anchorage into a series of village replicas and other permanent community houses, theaters, retail store, museum, demonstration and information kiosks and administrative offices. Nearly 2.6 miles of walkways (or mini-motorized vehicles for visitor transportation) will connect these interest centers. The Center is expected to operate fully about four months of the year as a major visitor destination and minimally during the balance of the seasons to function as a local/state-based cultural education facility for the foreseeable future. It is estimated that about 100,000-150,000 visitors would visit the center during its first year, and that an estimated \$2.5

million operations budget would be required for the first year of operation. Maximum visitor capacity would be 250,000 visitors projected for about the fifth-tenth year of operation. Targeted opening: 1992.

Administration. Incorporators of the Alaska Native Cultural Center Corporation are: Roy M. Huhndorf, CIRI President, Roy S. Ewan, Ahtna, Inc. President; Frank Pagano, Koniag, Inc. President, Jacob Adams, Arctic Slope Regional Corporation President, E. Al Parrish, Westmark Hotels President, The Honorable Tom Fink, Mayor of the Anchorage Municipality and Thomas M. Dow, Vice President of NANA Development Corporation. The CIRI Foundation is the interim project management firm for the Cultural Center. Projected first year Cultural Center staffing: Estimated six fulltime staff and 125-150 parttime artists, presenters, tour guides, clerks and support staff.

BENEFITS OF CULTURAL CENTER

- Providing authentic and accurate portrayal of Alaska Native cultures for Alaska's visitors.
- Statewide intergenerational employment, especially for Alaska Natives who may be economically disadvantaged
- Enhancing the Anchorage tourism industry through the addition of a major visitor destination attraction, located in Anchorage
- Additional outlet and promotion capability for Native arts and crafts locally and statewide
- Tourism marketing and promotion of other parts of Alaska, enhancing Alaska's visitor industry
- Building upon Alaska Native cultural pride and self-esteem
- Augmented cultural resource center for local programs and events in Anchorage available on a year-round basis.

PRE-DEVELOPMENT TASKS, PHASE I Tasks to be completed with funds requested for Phase I are as follows:

1. Organizational and Project Manager development, including organizational formation and selection of related advisory bodies, fundraising, design of project manager position, preliminary identification of project funding and development of project workplan.
2. Continued fundraising for and production of summer Native performances at the Anchorage Museum of History and Art, including cultivation of cooperative links with arts/crafts people for sales/demonstration capability in the Center.
3. Cultivate cooperation among Native organizations and enlist involvement of tourism industry officials in the planning and potential funding of the Center.
4. Financial development, including fundraising for capital investment in the Center's facilities (public and private), program fundraising and development of Center's operations revenue plan.
5. Site procurement and preparation.
6. Project design and preparation of request-for-proposals for bid invitations on site layout, architectural design, facilities construction, interior design and landscaping.
7. Marketing data analysis/update and projections.
8. Development of quality control for construction management.

NATIVE CULTURAL CENTER PRE-DEVELOPMENT, PHASE I BUDGET

A. Organizational/Project Manager Development	\$60,500
B. Site Selection and Control	30,000
C. Facilities Development (after site secured) with Native and other advisory groups	260,000
D. Marketing Data Analysis/Update and Projections	9,000
E. Construction Management Development (quality control)	<u>400,000</u>
TOTAL, Phase I	\$759,500
	=====

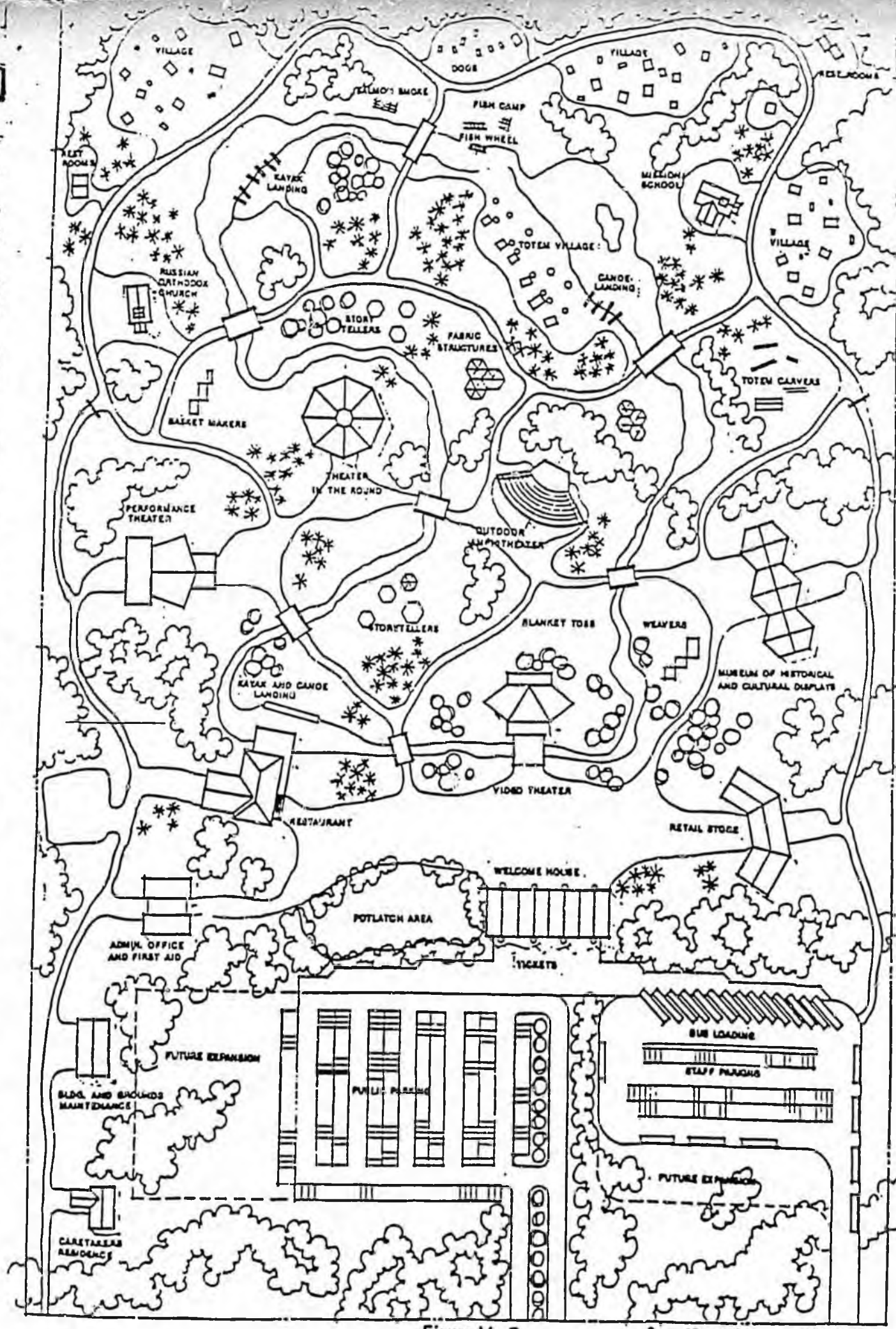
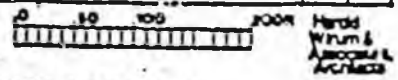
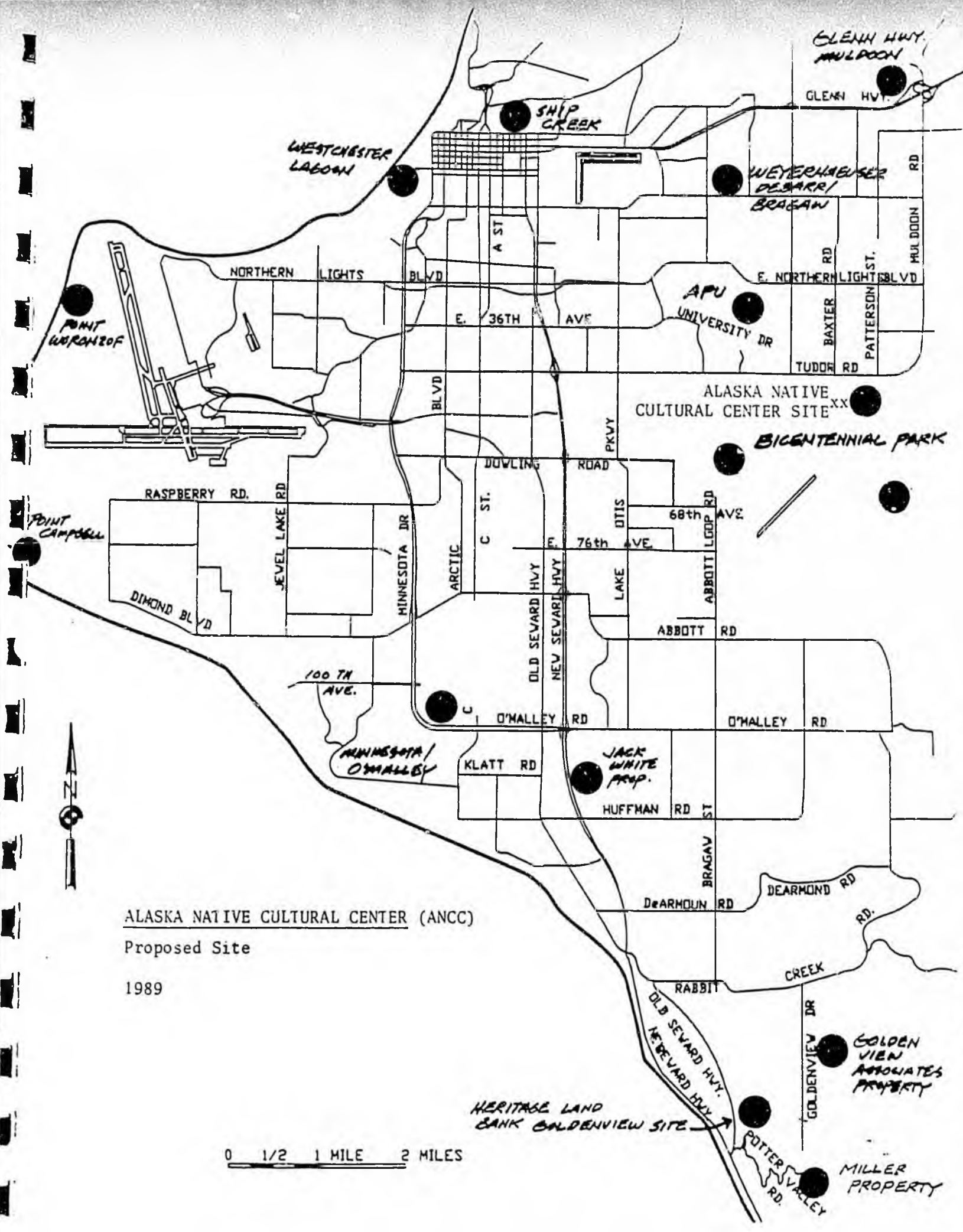


Figure V-2

CONCEPTUAL SITE PLAN - ALASKA NATIVE CULTURE CENTER

SOURCE: FINAL REPORT: FEASIBILITY STUDY OF THE ALASKA NATIVE CULTURE CENTER AT ANCHORAGE, ALASKA
 Prepared under contract to The CIRI Foundation by Economics Research Associates, September 1988





ALASKA NATIVE CULTURAL CENTER (ANCC)
 Proposed Site
 1989

ANCHORAGE BOWL SITES

Section 27

Project: Government Hill Port Overview Park

Location: Anchorage

Amount: \$20,000

Description: See attached material.

PROJECT TITLE: Port Overlook Park

1989 REQUEST: \$33,000

PROJECT COST: \$33,000

ESTIMATED ANNUAL O & M COSTS: \$-0- (NEIGHBORHOOD TO PROVIDE VOLUNTEER MAINTENANCE)

DESCRIPTION/JUSTIFICATION:

Project Scope

This project is a cooperative effort with the Government Hill Community Council, Ft. Richardson, private business, and the Municipality all participating. Ft. Richardson will provide the land, corporate sponsors will donate money and materials, MOA will provide planning, design review and construction administration, and the community council will obtain private donations.

Current Status

Project planning and design will continue through 1989 and incorporate input from community councils and user groups.

1989 Project Plan

A legislative appropriation for this project will enable construction to be completed in 1989.

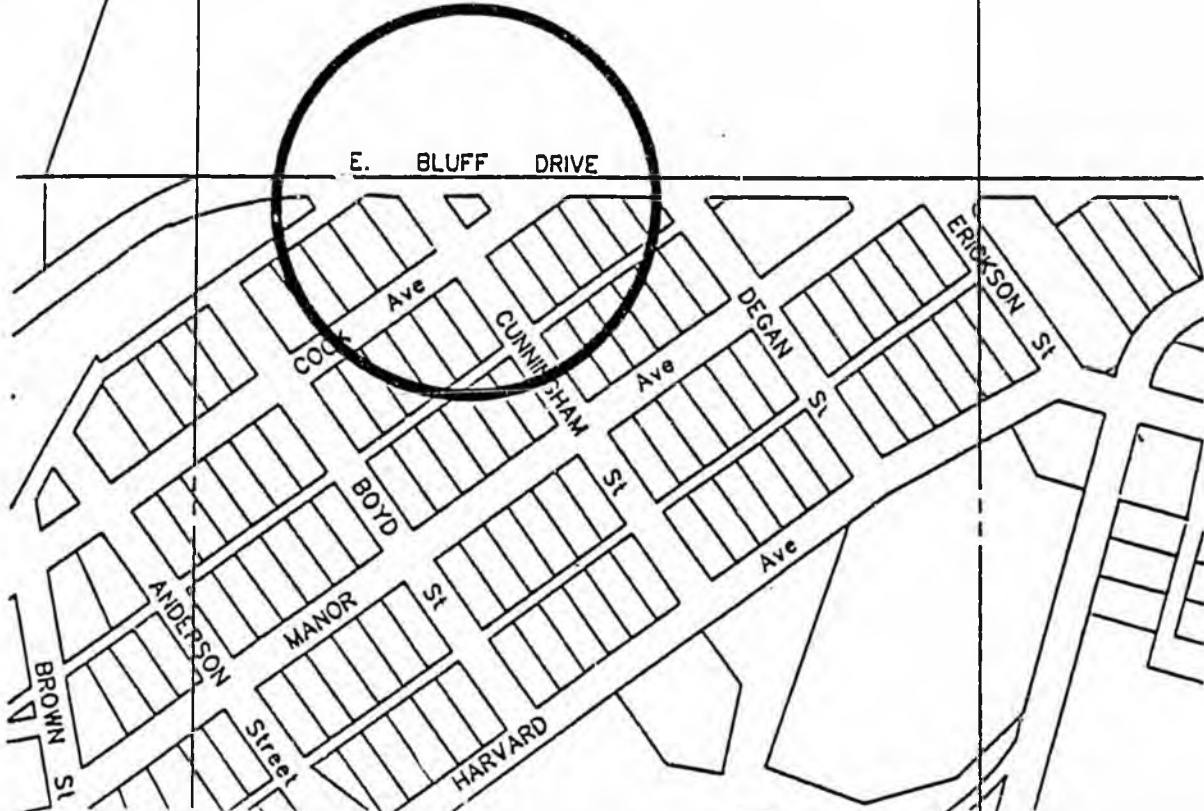
*includes deck with boardwalk, pathway, railing, telescopes.
also landscaping, fencing, signs.*

STAFF CONTACT: Bob Robertson, Director, Parks & Recreation, 343-4365.



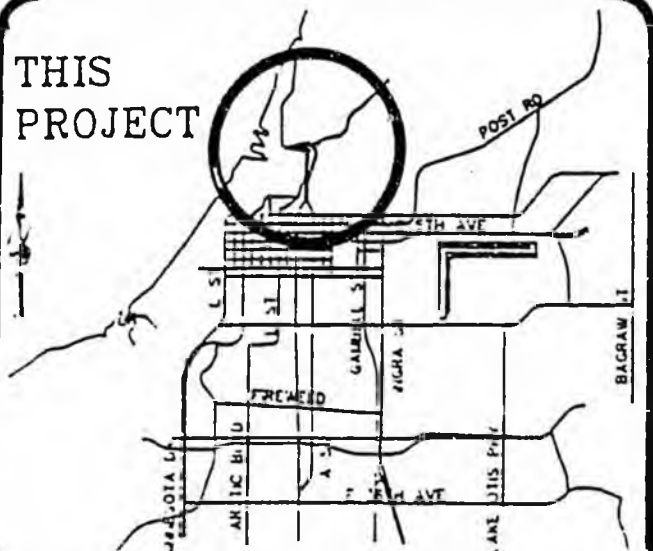


PROJECT AREA



PROJECT MAP

THIS PROJECT



VICINITY MAP

PORT OVERLOOK PARK

GOVERNMENT HILL COMMUNITY COUNCIL
Port Overview Park Subcommittee
324 E. Cook
Anchorage, AK 99501

February 10, 1989

Colonel Thomas C. Carroll
Alaska National Guard
3301 C Street, Suite 690
Anchorage, AK 99503

Dear Colonel Carroll:

The Government Hill Community Council is working with the U.S. Army and the Municipality to create an urban industrial viewing park on Army land on a bluff overlooking the Anchorage Port. The site is on Fort Richardson land, just within the chain link fence marking the southern boarder of the base along Bluff Drive. The concept is to provide a convenient vantage point from which residents and tourists can view visiting navy vessels and industrial port activities. The site is on a high bluff and also offers spectacular views of Susitna and Mt. McKinley.

The park has the support of a wide variety of people: Senator Ted Stevens (contact Barbara Andrews at 271-5915); Garrison Commander Ted Medley (contact Lt. Col. Wayne Rush at 862-5197); and the Municipality (contact Ron Crenshaw at 343-4474). They have all worked with the Government Hill Community Council to facilitate the necessary land use documents. The Navy League and Propeller Club and Alaska Visitors Association have passed a resolution supporting the park. Senator Uhling, Representative Brown and Representative Ellis support the park. No opposition is known. However, under the Municipality's priority list, there is no money for improvements for new parks.

The Government Hill Community Council has been advised the Alaska National Guard has a Military Support Program which may be able to work with the community council on this park. Specifically, we need help relocating the chain link fence, doing preliminary grading work, and seeding the area. There will also be boardwalks and informational displays, but the Community Council's first priority is site preparation.

Would it be possible for the Military Support Program to help the Community Council on this project? We would truly appreciate your help.

The park remains unnamed and undedicated. It may be an appropriate site for a veteran's park.

Please advise us if there are any further steps we need to take to make a formal application for assistance from the Military Support Program. To the extent you need additional information about the project, please do not hesitate to contact me at 274-9907. I will be out of town during March, 1989, and in my absence you may contact David Leppanen at 274-8375. If you need access to or information about the site, I would recommend contacting Lt. Col. Rush at 862-5177.

Thank you.

Since you,

Peggy Mentele

Peggy Mentele

cc: Senator Ted Stevens
Ron Crenshaw
Senator Rick Uhling
Representative Johnny Ellis
~~Representative Kay Brown~~
Col. Ted Medley
Lt. Col. Wayne Rush

Section 28

Project: Ship Creek Overlook Park

Location: Anchorage

Amount: \$300,000

Description: See attached material.

PROJECT TITLE: Ship Creek Overlook Park

1989 REQUEST: \$300,000

PROJECT COST: \$300,000

ESTIMATED ANNUAL O & M COSTS: \$3,000

DESCRIPTION/JUSTIFICATION:

Project Scope

This project will provide for construction of a pedestrian/bike trail structure atop the old dam at Ship Creek to connect the existing Overlook Park with a micro-brewery and parking area on the south shore. This project is an element of a future phase of the Coastal Trail planned along the Ship Creek Greenbelt, and will assist with the economic viability of the brewery project.

Current Status

Project planning and design will continue through 1989 and incorporate input from community councils, user groups and private entities.

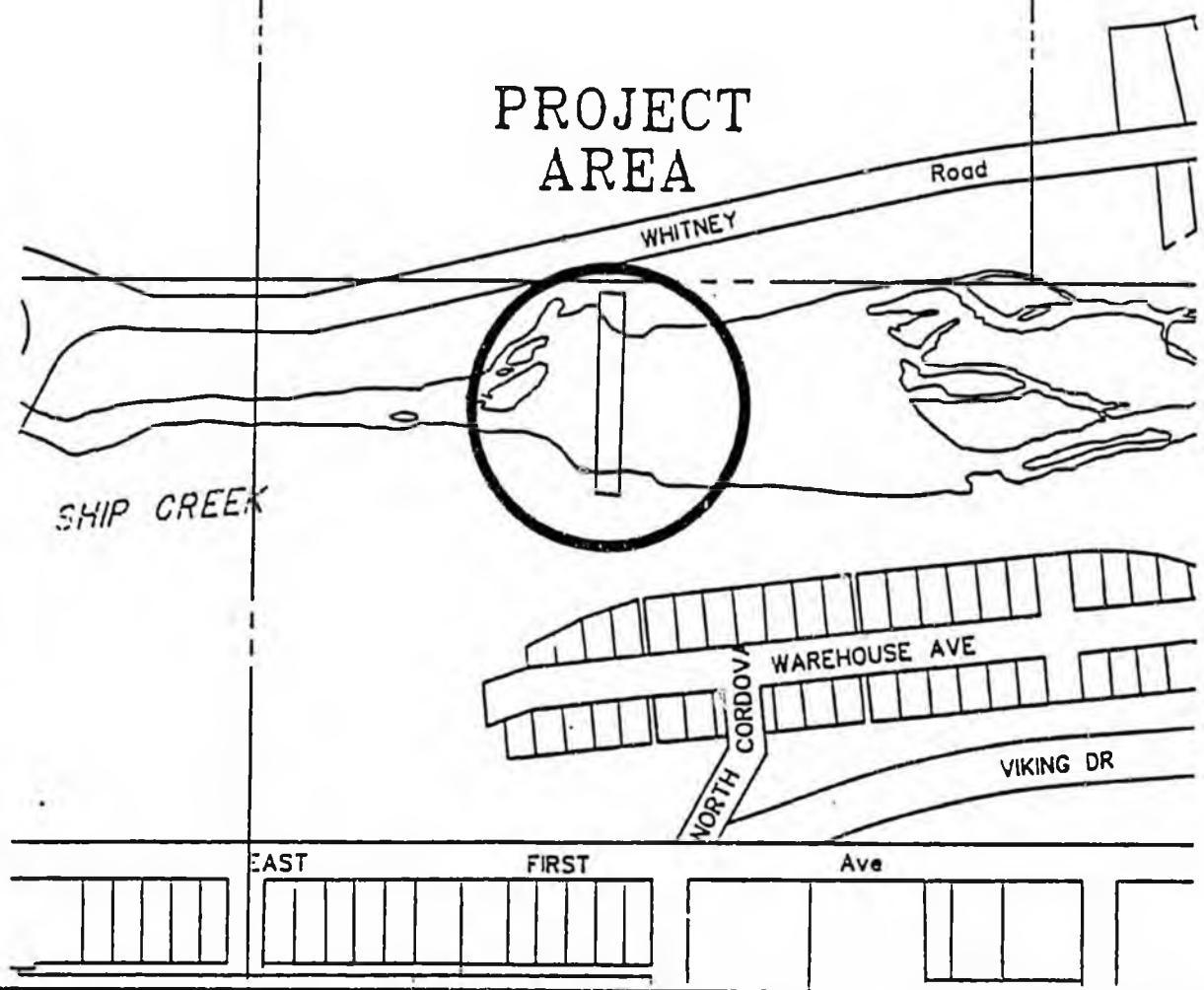
1989 Project Plan

A legislative appropriation for this project will enable construction to be completed in 1989.

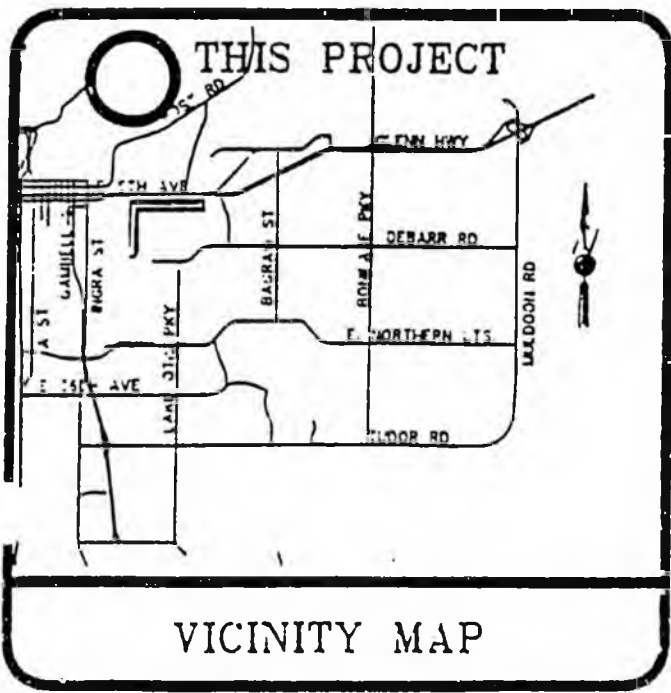




PROJECT AREA



PROJECT MAP



VICINITY MAP

SHIP CREEK
OVERLOOK PARK

INTRODUCTION

Anchorage has long recognized the importance of the Ship Creek basin. Since the city's beginnings on the banks of the creek as a construction camp, Ship Creek has played a key role in Anchorage's development. The center of the city's industry and shipping, Ship Creek is now being examined for its potential contribution to Anchorage's premier growth industries: tourism and recreation. Recent studies by the Municipality, including the Ship Creek Greenbelt Study (Department of Economic Development and Planning, 1988), the Ship Creek Concept Plan (Port of Anchorage, 1988) and the Phase 3 Coastal Trail Design Study Report (Capital Projects Office, 1987) have focused on the recreation and tourism potential of lower Ship Creek. With its proximity to the cruise ship dock; the Alaska Railroad Passenger Depot, Downtown Anchorage, and the trail network, Ship Creek is in a unique location to support the growth of tourism. Much of the Ship Creek basin is underutilized and is ready for a transition.

The Glacier Brewery has provided the catalyst for a new look at the lower Ship Creek area between the Chugach Electric Association dam and the Ship Creek Waterfront (refer to Figure 1, Parcel A). The property throughout this area is substantially owned by the Alaska Railroad. Zoning is I-2, making all anticipated uses permissible. Other than the margins of the creek itself, the area contains no significant wetlands. A wide variety of uses are envisioned ranging from light industrial to commercial/retail and public open space and recreation. Glacier Brewery itself is planned to be more than a production facility.

It is anticipated to be a public place for both tourists and residents, with opportunities not only for touring the facility but also for shopping, socializing, and dining. The Brewery recognizes the existing Ship Creek Park with its dam and fish ladder as a successful destination for tourists and residents in spite of its location in the heart of the industrial area. Furthermore, its location on the proposed Ship Creek Greenbelt/ Coastal Trail extension enhances its viability as a public place.

The current studies seek to address the larger issues of access and development potential, as well as define the types of improvements which could be anticipated to enhance the Brewery Site and its surroundings (refer to the Figure 1 for Brewery site Parcel B).

In studying the larger Parcel A, the Alaska Railroad has an interest in developing the area as a functional extension of downtown as well as a successful transition to the remaining industrial area north of Ship Creek.

References:

- Ship Creek Waterfront -
Port of Anchorage, 1988
- Ship Creek Greenbelt -
Economic Development & Planning, 1988
- Coastal Trail -
Design Study Report,
Capital Projects Office, 1987

DEVELOPMENT SUMMARY

The first phase of development will include the Glacier Brewery facility with parking, the extension of Warehouse Avenue to North C Street, the bicycle and bus lanes along Ship Creek, sidewalks, the Chugach Electric Association Dam Bridge, and Fisherman's Trail. Planned amenities include street trees, pedestrian-scale street lamps, benches, bicycle racks, signs, and trash receptacles. The bicycle and bus lanes may function as an entry drive until completion of Warehouse Avenue. The fishing bridge may be included in the first phase of the if the Alaska Railroad moves quickly to abandon the line. Later phases will include additional parking, the realignment of North C Street, the extension of Warehouse Avenue to Ship Creek Waterfront Development, and the Christensen/Alaska Railroad overpass.

Chugach Electric Dam Bridge

A bicycle and pedestrian bridge crossing Ship Creek is proposed at the presently unused Chugach Electric Association dam. The bridge will be a steel and wood structure, utilizing the existing dam for a foundation. Platforms will be incorporated in the bridge for those who wish to view salmon and waterfowl. In the interest of public safety, bus and auto parking will be eliminated from Whitney Road with its heavy truck traffic. Parking will be provided at the south end of the bridge. Only a small drive-through turnout will remain on Whitney Road.

Fisherman's Trail

Because of the popularity of Ship Creek for both viewing salmon and fishing, a "fisherman's trail" is incorporated in the project. Completing the loop begun by the Chugach Electric Dam Bridge and the south bank pedestrian and bicycle trail, the fisherman's trail will cross the creek on the Alaska Railroad bridge after removal of the rails. Platforms may be added to the bridge to facilitate viewing and fishing. An unpaved

foot trail will follow the north bank of the creek. To permit access to the creek, the trail will be lower in elevation than the bicycle trail. Because of this elevation, the fisherman's trail may be flooded by extreme high tides. The trail will be screened from Whitney Road by new plantings. Parking will be provided at the south end of both bridges.

Coastal Trail

The long range plan for the earliest Coastal Trail has been to connect with the proposed Ship Creek Greenbelt Trail. The Ship Creek Waterfront development has presented the opportunity to make that connection more directly if the waterfront is accessed from the east rather than from Second Avenue. A grade separated crossing of the Alaska Railroad freight main for waterfront access on the south bank of Ship Creek would permit the trail to cross here. From the railroad crossing, the trail would follow the south bank of Ship Creek eastward, intersecting North C Street and entering the Original Townsite development. Through the Original Townsite, the trail is designed as a 12 foot wide road for bicycles with a separate sidewalk for pedestrians. At the east end of the Original Townsite Development, a new bridge will carry the trail across Ship Creek where it will connect with the proposed Ship Creek Greenbelt Trail.

Historic Buildings

Several unused Alaska Railroad-owned buildings of historical interest may be moved to the Original Townsite Development from other locations in the Ship Creek Basin. These buildings, including the Alaska Railroad carpenters shop now located on Whitney Road, will be renovated for conversion to commercial/retail use. The historic character imparted upon the district by these buildings will be further reinforced

by period street lamps, benches and other furnishings, and by careful design of new buildings such as the Glacier Brewery.

The freight depot on First Avenue presents opportunities for conversion to commercial/retail lease space. It is separated from Warehouse Avenue by the Alaska Railroad Passenger Main and yards, making access difficult. If the yards are removed, controlled access from Warehouse Avenue may become possible. Figures 2 and 4 illustrate an alternative proposal for the freight depot: relocation to Warehouse Avenue and conversion to commercial/retail space.

Passenger Train Yard

Location of Warehouse Avenue extension permits the retention of the yards developed for use by the excursion passenger trains. The passenger trains add visual interest, and are a significant reminder of the area's

railroad heritage. Continuously changing displays of railroad equipment could also be accommodated here. If desirable in the future, two or more of these tracks could be removed to create more lease space on the south side of Warehouse Avenue.

Bus and Bicycle Lanes

A doubledecker bus or rubber-tired street car will be used to carry passengers between the brewery, the Ship Creek Waterfront, and downtown. Transit shelters are proposed for several locations. Initially the bus may share the driveway with other traffic with access to the parking lots temporarily provided from the north. After completion of Warehouse Avenue, the lane fronting the lease parcels will be for the exclusive use of the buses. The curving lane following the creek bank will be for the exclusive use of bicyclists.

CONCEPTUAL COST ESTIMATE SUMMARY

ITEM	WORK TO BE ACCOMPLISHED	ESTIMATED COST
<u>Type II Fill</u>	To phase initial development area to elevation 20:	\$144,000
<u>Chugach Electric Dam Bridge</u>	New bridge using existing dam as foundation:	- 300,000
<u>Fishing Bridge</u>	New decking and railing on existing railroad bridge:	38,000
<u>Fisherman's Trail</u>	Gravel, riprap, landscaping:	68,500
<u>Entry Drive & End Parking Lot (Bus and Bicycle Lanes)</u>	Asphalt paving, curbs, sidewalks, lawn:	257,000
<u>Entry Drive Amenities</u>	Street trees, street lamps, furnishings (benches, bicycle racks, trash receptacles, signs) landscaping:	267,000
<u>Parking Lots</u>	Asphalt paving, curbs, sidewalks, amenities:	300,000
<u>Warehouse Avenue Extension to North C St.</u>	Asphalt paving, curbs, sidewalks:	324,000
<u>North C Street</u>	New bridge and realignment, asphalt paving, curbs, sidewalks:	1,000,000
<u>Warehouse Avenue Extension, North C Street to Ship Creek Waterfront</u>	Asphalt paving, curbs, sidewalks:	460,000
<u>Christensen and Alaska Railroad Overpass to Ship Creek Waterfront</u>		4,000,000
Total Cost Estimate		\$7.4 million

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Section 29

Project: Chugach State Park Access
Glen Alps/Upper Huffman

Location: Anchorage

Amount: \$367,500

Description: See attached material.

SOUTH ANCHORAGE HILLSIDE STATE PARK ACCESS DEVELOPMENT

LOCATION: Anchorage

SENATE DISTRICT: F

HOUSE DISTRICT: 8

AMOUNT: \$367,500

DESCRIPTION:

Funding for this project would provide expansion of two state park access sites on the South Anchorage Hillside.

At Glen Alps the existing 80 unit parking lot would be expanded to 120 units, handrailing and benches would be added to the Anchorage View Trail to improve accessibility for the elderly and physically disabled and six interpretation panels would be installed and a wind/weather shelter would be added to the Anchorage viewing area. Presently, \$79,000 is available to begin this work but is insufficient to implement the full expansion. An additional \$315.5 is needed for this site. ~~Toilsome Drive leading up to the Park is dangerous in two major sections and \$75.0 would provide the funds necessary for plans to correct the situation.~~

At Upper Huffman an additional single vaulted toilet would be constructed and access would be improved at the entrance of the Park at a cost of \$52.0.

~~The public access to Rabbit Lake is presently tied up on litigation in Alaska v. Miller. However, if the case is decided in the state's favor, these funds would also be used to provide some improvements to the trailhead parking area and trail to the lake.~~

Justification:

The Glen Alps trailhead is the most frequently visited trailhead in Chugach State Park. Expanded parking and visitor amenities, such as the wind screen and trail improvements to the Anchorage View Trail are necessary to accommodate the heavy visitation.

~~Rabbit Creek Valley and the trail to Rabbit Lake are a popular park destination. The existing parking area frequently overflows causing problems for nearby residents. Improvements to the existing parking area are needed to both accommodate park use and to reduce the adverse impacts on nearby residents.~~

Itemized Estimate:

Glen Alps Access:

Expand existing parking area by 40 units	\$ 54,400
Directional Signs:	1,000
Develop/install 6 interpretation panels	21,000
Install handrailing and benches along accessible Anchorage View Trail:	21,600
Anchorage View Area weather/wind shelter:	17,500
Toilsome By-pass road planning:	75,000
Access Road improvements:	200,000

Upper Huffman Access:

Additional single-vaulted toilet:	17,500
Improve access to entrance:	34,500

Rabbit Lake Access:

Improve access to park at this point:	52,000
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HB

210

HOUSE COMMITTEE REPORT

(9)

Date Referred: March 8, 1989

FURTHER REFERRALS:

Date of Committee Action: 2/13/90

The RESOURCES Committee considered:

HB 210

HOUSE BILL NO. 210 [INSTREAM FLOW RESERVATIONS FOR FISH]
"An Act relating to the reservation of instream flows in water important for fish; and providing for an effective date."

RECOMMENDATIONS:
[X] be replaced with CS HB 210 (RES) [] the same title
[] a new title
[] have attached amendment(s)
[X] do pass
[] do not pass
[] no recommendation
[] individual recommendations
[] additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s): (Dept) APPROVES PREVIOUS: (Date/Dept)

[X] fiscal impact DNR [] fiscal note(s) _____
[] zero fiscal note _____ [] zero fiscal note(s) _____
[] zero with analysis _____ [] zero fn/analysis _____

SIGNING DO PASS:

SIGNING:
(Check approp. column)

	Do Not Pass	No Rec	Amend
<u>Cliff Davidson</u>			
<u>Glenn J. ...</u>		X	
<u>Michael ...</u>		X	
<u>...</u>	X		

Chairman's signature

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An Act Relating to the Reservation of Instream Flows in Water...
Sponsor: Davidson
Requestor: Davidson

Agency Affected: Natural Resources
BRU: Land & Water Management/Geological Management/Management & Administration
Component: Land & Water Management/Geological Management/Administrative Services

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	229.4	216.6	199.8	208.9	218.2	228.3
TRAVEL	80.0	80.0	70.0	70.0	70.0	70.0
CONTRACTUAL	387.7	155.8	142.5	138.4	134.3	135.3
SUPPLIES	12.0	11.0	15.0	15.0	15.0	15.0
EQUIPMENT	150.0	150.0	150.0	100.0	50.0	50.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	859.1	613.4	577.3	532.3	487.5	498.6

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND	859.1	613.4	577.3	532.3	487.5	498.6
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME	3.0					
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Please see attached analysis.

Prepared by: Mary Lu Harle/Bill Long
Division: Land and Water Management
Geological and Geophysical Surveys
Approved by Commissioner: [Signature]
Agency: Department of Natural Resources

Phone: 762-2263/696-0070
Date: February 9, 1990
Date: _____

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

FISCAL NOTE

ANALYSIS:

INSTREAM FLOW DATA COLLECTION Division of Geological and Geophysical Surveys (DGGs)

CSHB210 would require that a percentage of the mean annual flow of the streams in Alaska be reserved during the summer and winter seasons respectively and that no other use be permitted if measured instantaneous flows drop below the appropriate percentage.

In order to calculate the percentage required by the bill it would be necessary to know the mean annual flow of a given stream. According to the Alaska Department of Fish and Game Anadromous Fish Catalog, there are approximately 12,000 anadromous streams in Alaska. Additionally there are thousands of Alaskan streams which contain other fish populations. Few of Alaska's streams have been measured for streamflow (discharge). Approximately 260 streams have flow records of one year or longer. Therefore, in order to operate the instream program required by CSHB210, a very intensive stream-gaging program is required.

The hydrological work to provide reasonable estimates or measurements of annual and instantaneous stream flows will require an ongoing program of hydrological gaging and the establishment of a gaging network. Five years of data are the minimum for good records of stream flow. Therefore, this program is proposed for a five to ten year period. The gaging of thousands of streams would take many decades. The problem can be approached in various ways.

Authors and supporters of CSHB210 suggest that a tiered system be used to evaluate the flow of a given stream depending on the competition for the water. For those streams with the least competition, the "Tennant" or "Montana" methods may be used.

D.L. Tennant of the U.S. Fish and Wildlife Service in Billings, Montana, analyzed 38 flows from 11 rivers in several of the contiguous 48 states and derived a somewhat universal classification for the percentage of flow of the stream values for fish habitat as follows:

Flow Type	Recommended Base Flow	
	Oct-Mar	Apr-Sept
Flushing (Maximum)	200% of Average Flow	
Optimum Range	60%-100% Average Flow	
Outstanding	40%	60%
Excellent	30%	50%
Good	20%	40%
Fair or Degrading	10%	30%
Poor or Minimum	10%	10%
Severe Degradation	10% to 0% Average Flow	

Tennant writes, "First, determine the average annual flow of the stream at the location(s) of interest (listed as AVERAGE DISCHARGE by U.S.G.S. and hereinafter called flow)."

The above quote stresses the point that streamflow records and data are needed in order to use the "Tennant Method" correctly. However, there are methods of estimating flows for streams based on characteristics of the basin, climatic records, stream channel morphology and data from nearby streams. All of this type of hypothetical flow estimation produces data with large errors, considered inaccurate by most hydrologists, and are inadequate data on which to base laws, adjudicate water rights, or use in court.

Other variables affecting Alaskan streams include the variation with latitude of streamflow patterns. The farther north and more extreme the climate, the more widely streamflow vary from winter to summer. The most extreme are the streams of the North Slope where the streams do not flow in the winter and most of a season's flow occurs during a period of a few weeks in the early summer. The geographical area covered by Alaska is about like all of the 48 contiguous states with the marine and interior differences. Therefore the stream variety is very large—much larger than the streams included in Tennant study.

Glacial streams have different flow patterns from non-glacial streams; small streams have different patterns than large streams. The streamflow patterns of the thousands of Alaskan streams will have to be analyzed, either by gaging (the best method) or by surveying the channels in the field in order to make a determination of the mean annual flow.

The Instream Flow Program proposed in the attached fiscal note provides a hydrologist in three DNR regions of Alaska—southeast, southcentral and northern—to devote full time to the determination of mean annual flows for the streams of the region. These hydrologists will use all of the various scientifically sound techniques to provide water managers, habitat biologists, and fish and game managers the streamflow data they need.

A major part of the project will be the expansion of the stream gaging network in Alaska. The increased number of gages will be of great value to all areas of natural resources management and environmental evaluation because there are so few gaging stations in Alaska at the present time.

The instream flow hydrologist will determine the streams of the region which are representative and use them as index streams for making estimates of flow for ungaged streams. This system is used in several ways in hydrology when inadequate data are present. The more and better the index streams, the more accurate the ungaged stream estimate.

The instream flow hydrologists will also calculate the necessary percentages for the streams in his region and devise techniques necessary to evaluate flows for consumptive and out-of-stream uses and applications. This work will be closely coordinated among the Department of Fish and Game and DNR's Division of Land and Water Management and Division of Geological and Geophysical Surveys. The project will require purchase of equipment for the gaging stations; improved computer equipment to store, retrieve and manipulate data; travel funds; and contractual monies for related laboratory expenses and for a cooperative program with the U.S. Geological Survey, Water Resources Division, for part of the stream gaging program.

INSTREAM FLOW DATA MANAGEMENT Division of Land and Water Management (DLWM)

This bill will require that DNR be able to track water that is withdrawn from appropriation for protection of fish habitat. The department presently has a computer filing system, the Land Administration System (LAS), to store information from casefiles. Water rights data from applications, permits, and certificates are stored in this system. However, this information is for single-point uses of water. This bill will require keeping track of information for withdrawn flows in segments of streams and rivers.

In the early 1980s DNR started a program to identify and record river miles on all streams in the state so that information can be stored for segments of streams in addition to single points. This system is the STORET system, which was developed by EPA. The procedures for mapping the river miles and physical work to identify, record, and index the river miles on USGS maps was begun. The project was approximately 50 percent complete when funding ran out.

The STORET system was identified as the best system for this type of tracking of stream flows in stream segments. This project and the mapping of the river mile index must be completed. The procedure manuals and original completed maps presently exist in DNR.

Initial programming to integrate the STORET system into the LAS system and link it to the water rights case file information system was completed in the early 1980s. It has not been used because the river mile index mapping was never completed. It will be necessary to evaluate the STORET system within LAS and make modifications if needed. Also, the river miles recorded on maps must be entered in the system.

Completion of the mapping, necessary programming, and data entry can be completed in one year. No new employees are requested. Funds will be required in subsequent years to pay programmer costs to maintain the STORET system in LAS.

SUMMARY

This fiscal note provides a DGGS hydrologist at each DNR regional office to work with water managers to determine flows for streams from which out-of-stream water rights are requested. It provides one senior hydrologist to conduct a statewide gaging program to produce data needed to calculate flows for instream flow needs and other uses. The hydrologists will conduct office, laboratory, and field work needed for various levels of instream flow analyses. The DLWM portion of the project will modify the DNR LAS system to accommodate instream flow data and out-of-stream appropriation data relative to instream flows and adoption of required regulations.

The project will develop a cooperative agreement with the U.S. Geological Survey Water Resources Division to cooperatively establish more critical and permanent streamflow gaging stations using joint (federal/state) funds.

BUDGET

	FY91	FY92	FY93	FY94	FY95	FY96
100 Personal Services						
Instream Flow Monitoring						
2 Hydrologist III (EBK, AWA)	101.2	106.3	111.6	117.2	123.0	129.2
1 Hydrologist II (JBC)	50.6	53.1	55.8	58.6	61.5	64.6
1 Hydrologist VI	7.0	7.4	7.7	8.1	8.5	9.0
Student Interns	20.0	20.0	20.0	20.0	20.0	20.0
Regulations Writer, Range 18A	50.6	25.3				
Ongoing STORET Maintenance						
1 Programmer, 1 month/year		4.5	4.7	5.0	5.2	5.5
Total Personal Services	<u>229.4</u>	<u>216.6</u>	<u>199.3</u>	<u>203.9</u>	<u>218.2</u>	<u>228.3</u>
200 Field Travel	50.0	50.0	50.0	50.0	50.0	50.0
Travel for Public Meetings	10.0	10.0				
Educational Training	<u>20.0</u>	<u>20.0</u>	<u>20.0</u>	<u>20.0</u>	<u>20.0</u>	<u>20.0</u>
Total Travel	<u>80.0</u>	<u>80.0</u>	<u>70.0</u>	<u>70.0</u>	<u>70.0</u>	<u>70.0</u>
300 LAS Modification						
1 Project Manager, 1/3 time	17.0					
1 Programmer, 1/3 time	41.6					
3 Drafting Techs, full time	102.0					
2 Data Entry Clerks, full time	56.0					
Expenses						
Cartographic Materials	2.0					
Mapping Equipment	0.6					
USGS Maps (1200 at \$2.00)	2.4					
Lab Work	30.0	30.0	30.0	30.0	30.0	30.0
Newspaper Advertising						
20 papers at \$300		6.0				
Duplicating and Mailing		4.0				
U.S. Geological Survey	50.0	50.0	50.0	50.0	50.0	50.0
Helicopter	10.0	10.0	10.0	10.0	10.0	10.0
Administrative Overhead	<u>76.1</u>	<u>55.8</u>	<u>52.5</u>	<u>48.4</u>	<u>44.3</u>	<u>45.3</u>
Total Contractual Services	<u>387.7</u>	<u>155.8</u>	<u>142.5</u>	<u>138.4</u>	<u>134.3</u>	<u>135.3</u>
400 Total Supplies	12.0	11.0	15.0	15.0	15.0	15.0
500 Equipment						
Stream Gages						
Datapods at \$5.0	100.0	100.0	100.0	50.0		
Field Structures	<u>50.0</u>	<u>50.0</u>	<u>50.0</u>	<u>50.0</u>	<u>50.0</u>	<u>50.0</u>
Total Equipment	<u>150.0</u>	<u>150.0</u>	<u>150.0</u>	<u>100.0</u>	<u>50.0</u>	<u>50.0</u>
Total Costs	\$859.1	\$613.4	\$577.3	\$532.3	\$487.5	\$498.6

*Software
technician*

BUDGET DETAIL

100 Personnel

Hydrologists II and III to be located in the three major regions of Alaska (southeastern, southcentral, and northern), to conduct all instream flow tasks necessary to develop a regional network of streamflow gaging stations, collect data, and make necessary analyses to support instream flow reservations of the region.

The southcentral region instream flow hydrologist, with Section Chief supervision, will also coordinate the regions into a statewide streamflow gaging network with identification of index stations to be used to evaluate ungaged streams in the regions.

Student interns will be used as assistants in field, office, and laboratories.

One computer programmer will be used for one month per year for ongoing maintenance of the STORET system.

This bill will require regulations to be adopted by DNR within 18 months of the effective date of the bill. The purpose of the regulations is to develop regional minimum instream flow withdrawals throughout the state of Alaska to protect habitat in anadromous fish streams. Regulations will be adopted under the Administrative Procedures Act. It will be necessary to review existing hydrologic and biologic information, procedures to calculate mean annual and mean monthly flows, and methods used to determine instream flow withdrawals. The regulations would establish an estimated 12 regions within the state. Meetings would be required to evaluate proposals with the public, Department of Fish and Game, and other agencies. Public hearings will be held in all of the proposed regions in accordance with the Administrative Procedures Act. Contractual funds will be required for newspaper advertisements, public notice, and duplicating and mailing the regulations.

200 Travel

The installation of up to 20 gages per year requires extensive field travel and the measurement of streamflow and gaging station data collection require regular travel to field sites (approximately four visits per year per site). Travel will be by airplane, helicopter, foot, boat or snowmachine depending on season and conditions.

Instream flow education courses are provided by the National Instream Flow Group at Colorado State University. The instream flow hydrologists for Alaska should enroll in short courses as time and funding allow.

300 Contractual Services

LAS modification will be contracted to the appropriate consultant or agency. This one-time expense is needed to evaluate the STORET system within LAS and make all necessary modifications. The contractor will also enter into this system all river miles recorded on maps.

400 Supplies

Supplies are needed for office, laboratory and field tasks.

500 Equipment

Stream-gaging equipment will be digital recording electronic devices such as "Datapod" and "Polycorder" which make digital recordings from sensors on the streambed. The digital data is read directly into the computer, to be stored or manipulated into a variety of calculations to provide mean annual flow, extreme flows and other streamflow characteristics needed for instream flow analysis.

Flow meters, wading rods, tag lines, sample bottles, and computer equipment for digital reading also will be needed, as well as the structures necessary to house and protect field installation equipment.

The DGGs cost per flow gaging site is approximately \$5,000. This can be compared to the USGS stream gaging station cost of \$8,000 to \$25,000 per site. Digital recording, computer technology, and reduced overhead are major factors for the low DGGs cost per site.

Position Title Hydrologist III		No. of Positions 1	Range/Step 18/A	Barg. Unit GGU
Person Status PFT	Staff Months 12	Location Eagle River		Election District 15I
Justification				
The Hydrologist III position will be in charge of the statewide instream flow data collection and data management project to ensure adequate statewide program of streamflow analysis for all instream flow reservations and conflicts with other streamflow use applications. A statewide gaging network will be designed, operated, and maintained. Also, a computer program to store and retrieve flow data will be developed and operated. Coordination of the instream flow statewide project with other agencies, particularly ADFG, will be an important duty of the position.				
Type of Expenses		Annual		
1	2	3		
Salary	37.4			
Benefits	13.2			
Practicing Pay				
Other				
Total Personnel Services	50.6			
Travel	15.0			
Contractual	8.0			
Commodities	0.5			
Equipment				
Other				
Total Cost	74.1			
Funding Source for Total Cost				
Federal Receipts	1002			
O. F. Fund	1003			
General Fund	1004			
I-A Receipts	1005			
CEP Receipts	1001			
Other				

**Request For
New Position**

Agency Natural Resources
 BRU Geological Management
 Component Geological Management

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 Revised Date 2/9/90

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Position Title Hydrologist III		No. of Positions 1	Range/Step 18/A	Barg. Unit GGU
Time Status PFT	Start Months 12	Location Juneau		Election District 4C
Justification				
The Hydrologist III position is needed to conduct field, laboratory, and office work to provide streamflow data and analyses needed to support the instream flow reservations as described in HB 219. Index stations to be used for regional evaluations will be designed, installed, and operated to provide data for ungaged streamflow determinations. The position will work with DLWM water managers and ADFG biologists to provide useful, accurate streamflow data for managing the water and fish resources of Alaska.				
Type of Expenditure		Amount		
1	2	3		
Salary	37.4			
Benefit	13.2			
Provision Pay				
Other				
Total Personnel Expenses		50.6		
Travel		15.0		
Contractual		8.0		
Commodities		0.5		
Management				
Other				
Total Cost		74.1		
Funding Source for Total Cost				
Recurrent Receipts		1032		
G. E. Receipts		1603		
General Fund		1604		
I-A Receipts		1034		
CIP Receipts		1061		
Other				
		74.1		

**Request For
New Position**

Agency Natural Resources
 BRU Geological Management
 Component Geological Management

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 Revised Date 2/9/90

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Position Title Hydrologist II		No. of Positions 1	Range/Step 16/A	Barg. Unit GGU
Time Status PFT	Staff Months 12	Location Fairbanks		Election District 19-21K
Justification				
The Hydrologist II position will provide technical water resources data for streams in the northern region needed to support instream flow reservations in the district. Data are needed from the streams to determine reasonably accurate mean annual flow as well as measuring flows at locations where other uses for the stream water are requested. Regional characteristics and patterns of streamflow will be determined and index stations established in order to evaluate appropriate percentage of streamflow for the instream flow reservations.				
Type of Expenditure		Amount		
I	2	3		
Salary	37.4			
Benefits	13.2			
Provision Pay				
Other				
Total Personal Services		50.6		
Travel		15.0		
Contractual		8.0		
Commodities		0.5		
Equipment				
Other				
Total Cost		74.1		
Funding Source for Total Cost				
Federal Revenues	1002			
G. F. Match	1603			
General Fund	1824	74.1		
I-A Receipts	1086			
CSP Receipts	1051			
Other				

**Request For
New Position**

Agency Natural Resources
 BRU Geological Management
 Component Geological Management

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 Revised Date 2/9/90

FY 91



STATE OF ALASKA
HOUSE OF REPRESENTATIVES
Box V, Juneau, Alaska 99811
(907) 465-2487 • 465-2498

REPRESENTATIVE CLIFF DAVIDSON • DISTRICT 27 • Box 746, Kodiak, Alaska 99615 • (907) 486-8250

M E M O R A N D U M

TO: HOUSE RESOURCE COMMITTEE MEMBERS
FROM: REPRESENTATIVE CLIFF DAVIDSON
CO-CHAIRMAN, HOUSE RESOURCES COMMITTEE
DATE: FEBRUARY 7, 1990
SUBJECT; PROPOSED CS FOR HOUSE BILL 210 (RES)

Enclosed are the changes between the original version of House Bill 210 and CS House Bill 210 (Res).

These changes were agreed upon between the Departments of Fish and Game and Natural Resources as indicated in the enclosed memorandums dated April 5, 1990 and in an additional memorandum dated February 7, 1990 from Fish and Game.

Mary Lu Harle, Water Manager for the Division of Land and Water Management for the Department of Natural Resources and Christopher Estes, Statewide Instream Flow Coordinator for the State of Alaska, Department of Fish and Game, are here to address any questions or concerns you may have about the proposed amendments.

There is also other proposed language in the enclosed memorandum from the Department of Fish and Game. However this language is not yet incorporated into House Bill 210 and is still under consideration.

Thank you.

6-0965H
Utermohle
2/7/90

Original sponsor(s): REP. DAVIDSON, Goll, Jacko, Ellis, Brown

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 210 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the reservation of instream flows
7 in water important for fish; and providing for an
8 effective date."

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

10 * Section 1. AS 46.15 is amended by adding a new section to read:

11 Sec. 46.15.146. RESERVATION OF INSTREAM FLOWS FOR FISH. (a)
12 Except as provided in (b), (c), (f), and (g) of this section and
13 AS 46.15.090, upon receipt by the commissioner of an application to
14 appropriate water from a river or stream that is important for the
15 spawning, incubation, rearing, or migration of fish, the commissioner
16 shall reserve an instream flow in the river or stream for the instream
17 use of fish and to maintain existing habitat for fish. The commis-
18 sioner shall base instream flow reservations on an instream flow
19 analysis using the best hydrological data or estimate of hydrological
20 conditions existing at the time of the application for appropriation.
21 For the months of April through October, the commissioner shall re-
22 serve an instream flow of at least 60 percent of the mean annual flow
23 of the river or stream. For the months of November through March, the
24 commissioner shall reserve at least 30 percent of the mean annual flow
25 of the river or stream.

26 (b) Notwithstanding (a) of this section, if the commissioner is
27 prevented from reserving the percentage of the mean annual flow re-
28 quired under (a) of this section because of the existence of an appli-
29 cation on record or a right to appropriate acquired before the

1 effective date of this section, the commissioner shall reserve all of
2 the instream flow that is available for reservation.

3 (c) Notwithstanding (a) and (b) of this section, the commission-
4 er may under AS 46.15.145, on the basis of an analysis of data ob-
5 tained from an instream flow study, adjust the quantity of water of a
6 river or stream required to be reserved under (a) or (b) of this
7 section if the adjustment maintains or improves existing habitat for
8 fish.

9 (d) The priority date of a reservation of water from a river or
10 stream designated under AS 16.05.870 or specified in a Department of
11 Fish and Game regional guide on or before the effective date of this
12 section is the effective date of this section. The priority date of a
13 reservation of water from a river or stream designated under AS 16.-
14 05.870 or specified in a Department of Fish and Game regional guide
15 after the effective date of this section is the date on which the
16 designation or specification takes effect.

17 (e) An instream flow reserved under this section is withdrawn
18 from appropriation.

19 (f) A reservation of water under this section does not affect
20 rights and applications on record before the effective date of this
21 section.

22 (g) This section does not apply to nonconsumptive appropriations
23 of water under AS 46.15.040.

24 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).
25
26
27
28
29

MEMORANDUM

State of Alaska

Department of Natural Resources - Division of Land and Water Management

TO: Rod Swope
Deputy Commissioner
Department of Natural
Resources

DATE: April 5, 1989

FILE NO:

TELEPHONE NO: 762-2680

and

SUBJECT: Technical Review of
HB210, Instream Flow
Reservation for Fish

Warren Wiley
Assistant Commissioner
Alaska Department of Fish and
Game

FROM: Mary Lu Harle
Water Resources Manager
Division of Land & Water Management
Department of Natural Resources

and

Christopher Estes
Statewide Instream Flow Coordinator
Division of Sport Fish
Research and Technical Services
Department of Fish and Game

On Friday, March 31, 1989, representatives of the Department of Natural Resources (DNR) and the Department of Fish and Game (DFG) met to discuss House Bill 210, a bill to reserve waters in the state to protect fish habitat. Representing DNR were Mary Lu Harle and Gary Prokosch of the Division of Land and Water Management and Bill Long and Mark Inghram of the Division of Geological and Geophysical Surveys. Representing DFG were Christopher Estes of the Division of Sport Fish and Kim Sundberg of the Habitat Division.

The goal of the meeting was to review HB 210 to determine what technical aspects we (1) agree on, (2) agree need changing, and (3) disagree on. At the conclusion of the meeting, we had identified nine items that we agreed on that require language amendments to the bill, two areas of disagreement, and two additional areas where more discussion might lead to additional amendments to the bill. The following summarizes these areas of agreement and disagreement. Underlining represents additions and brackets represent deletions.

* AREAS OF AGREEMENT

1. We agreed that the word "lake" should be deleted from the bill (page 1, lines 14,16,19,22 and page 2, line 4) because an instream flow rate cannot technically be determined for lakes.

Rod Swope Memo
April 5, 1989
Page 2

2. We agreed on page 2, lines 8 and 9, to revise this sentence to read: A reservation of water under this section does not affect rights and applications on record [IN EXISTENCE] before [ON] the effective date of this Act. The rationale for this change is to make clear that all water rights applications, permits, and certificates on record before the effective date of the act will not be affected. The word "on" was changed to "before" to clarify the date the act becomes effective.

3. We agreed to delete the word "instantaneous" and substitute the words "instream flow" in its place on page one, lines 15, 18, and 22. The rationale for this change is to make the language more consistent with the intent of the bill. The word "instantaneous" is already defined as part of the definition of instream flow in DNR's regulations, 11 AAC 93.970.19.

4. We agreed to delete "out of stream" before the word "appropriation" on page one, line 23. The reason of this change is because constitutionally in Alaska, "appropriation" refers to both surface and ground water. In this case, a shallow ground water appropriation could affect surface water and by deleting "surface water" this eventuality is covered.

5. Both agencies agreed that the use of the words "reservation" and "reserve" in the bill on page one, lines 6, 15, 18, 21, 22, 25, 28 and page two, lines 4 and 8, may be misleading and confusing but is probably technically correct. There seems to be uncertainty as to whether these words refer to a reservation of water under the procedures of AS 46.15.145 or whether the words refer to simply withdrawal of water from appropriation. Both agencies agreed that water should be administratively withdrawn from appropriation rather than generating an application for reservation of water, adjudication, and granting a certificate of reservation under AS 46.15.145.

6. Both agencies agreed that on page one, line 26, the words "an application on record or" be added before the words "...a right to appropriate...". This change will make this subsection consistent with the changes proposed above for subsection (d), page two, line 9.

7. Both agencies agreed on page two, lines 3 and 4 to delete the words "or the percentage of mean annual flow" because they are redundant.

8. Both agencies agreed on page two, line 1 to add language as follows, "Notwithstanding (a) of this section, and pursuant to AS 46.15.145, the commissioner may...". Both agencies agreed that any necessary adjustments to the quantity of water needed to improve

Rod Swope Memo
April 5, 1989
Page 3

fish habitat can be addressed through the procedures in AS 46.15.145. Both agencies agreed that it is not the intent of this bill to affect valid existing water rights that might be received between the dates of an original reservation under this bill and any subsequent adjustments to the quantity of the reservation. Using the procedures in AS 46.15.145 will ensure protection of valid existing rights filed before any such adjustments.

9. Both agencies agree that on page two, lines 7 and 8, the first sentence in subsection (d) should be deleted and language similar to the following be substituted in its place. "(d) Waters specified pursuant to AS 16.15.870(a) (the DFG Anadromous Fish Catalog) and the DFG Regional Guides prior to the effective date of this Act have priority dates effective the date of this Act. Waters specified pursuant to the DFG Anadromous Fish Catalog and Regional Guides after the effective date of this Act have priority dates when they become effective. A reservation of water under this section does not affect rights and applications on record before the effective date of this Act." Both agencies agreed that this language is needed to clarify when water reserved in fish streams is given a priority date, especially those streams that are added as fish streams after the effective date of this bill.

ISSUES FOR FURTHER DISCUSSION/RESOLUTION

The following two issues generated considerable discussion by both agency representatives and we were unable to come to agreement.

1. DNR believes the present water rights application review and comment procedures under AS 46.15.133 and the present statute to reserve water under AS 46.15.145 are adequate to protect fish habitat in the state. However, with respect to this bill, DNR supports limiting the scope of this bill to anadromous fish streams only rather than having a broad scope inclusive of all fish streams. DNR takes this position because administratively DFG cannot conclusively identify which stream reaches in the state have only resident fish population. DFG does have a public process for listing and cataloging anadromous fish streams, and DNR can easily identify which streams in the state would qualify for reservations under this bill, thus making the process administratively clear and less cumbersome. In addition, DNR believes that resident fish can be protected under the present water rights application notification and comment procedure under AS 46.15.133. DFG disagrees and supports the present version of the bill which would reserve flows in all fish streams. DFG believes it is important to maintain all fish in the legislation, including sport, commercial, and subsistence species (anadromous and resident). Both agency representatives did agree, however, that the bill will need to define the word "fish" and that DFG will need to identify

Rod Swope Memo
April 5, 1989
Page 4

resident fish stream reaches statewide.

2. The thorniest issue with this bill is the 60% and 30% mean annual flow reservation requirement. DNR does not believe the results of estimating mean annual flows for most ungaged streams and the application of unsubstantiated percentages to determine reservation flows is technically and hydrologically sound. If this scheme of determining reservation flows is supported, DNR recommends the percentages be lowered to 10% for the winter months and either 30% (the Tennant fair category) or 40% (the Tennant good category) for the summer months. DFG representatives support maintaining the 60% and 30% optimum level of protection for fish, with the possible exception of reducing the winter flow percentage on the North Slope where streams freeze solid. DFG supports an allocation system that would differentiate between gaged and ungaged streams, but did not have a specific proposal. Both agencies agreed that it would be desirable to modify the allocation formula, both the numbers and months of the year, on a regional or basin-wide basis, but that this kind of effort will require a commitment of time and resources by both agencies.

3. Finally, the group identified two areas that might warrant additional consideration, but would also require research. One suggestion was to exempt non-consumptive surface water rights from this bill, due to the non-consumptive nature of the water use. If this were done, a good definition of "non-consumptive" would be needed. A second suggestion was to develop a public interest determination process to reduce reserved flows if it were determined to be in the best interest of the state to reduce flows in favor of another use or circumstance.

At the conclusion of the meeting, all representatives believed the meeting was useful as a thorough review of the bill.

cc. Larry Ostrovsky
Shocky Greenburg
Gary Gustafson
Robert Forbes
Frank Rue
Norval Netsch
Bill Long
Mark Inghram
Gary Prokosch
Kim Sundberg
Mike Mills
Lance Trasky

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

P.O. BOX 3-2000
JUNEAU, ALASKA 99802-2000
PHONE: (907) 465-4100

February 7, 1990

The Honorable Cliff Davidson
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Representative Davidson:

At your request I am enclosing some suggested changes to HB 210, the instream flow bill, that we believe address the concerns that have been raised.

We have met with the Department of Natural Resources (DNR) as recently as yesterday to discuss these issues and have agreement on the modifications found in the enclosed memo of April 5, 1989, from Mary Lu Harle and Christopher Estes to Warren Wiley and Rod Swope. In addition, I believe we have agreement between the departments on the following points:

- Language to emphasize priority of public water supply:

On page 1, line 12, after the phrase "Except as provided in" insert: AS 46.145.090 (preference to public water supplies), and in (b), [AND] (c) (d), (e) and (f)...

- Referral to lakes should be deleted, as it is not realistic to establish an instream flow for them. On page 1, lines 14, 16, 19, and 22, and on page 2, line 4, delete the word "lake".
- For those concerned that this bill will affect nonconsumptive uses, the following language might address their concern, although it may be redundant.

Page 2, line 11, insert a new paragraph to read: This act does not apply to appropriations of water exempted as a nonconsumptive use in accordance with AS 46.15.020 and .040.

Another suggestion is to move the existing language on page 1, line 22, "An instantaneous flow reserved under this section is: withdrawn from [OUT-OF STREAM] appropriation." to a new subsection, (f). This new location will clarify that this statement applies to all portions of section 1 of HB 210.

The following recommendations are ours alone and do not have the endorsement of DNR. We have been continuing our dialogue with DNR in the hope that we could have these resolved in a timely manner.

February 7, 1990

Clarify iterative process for defining the quantity of water to be reserved by inserting following language and modifications.

Page 1, line 17, after the word "fish" insert: Instream flow reservations shall be based on an instream flow analysis using the best available hydrological data or estimate of hydrological conditions existing at the time of application for appropriation.

The Commissioner shall reserve seasonal instream flows to sustain fish by reserving percentages of the arithmetic calculation or estimate of the mean annual flow of the river or stream. The percentages and processes to calculate instream flows will be established by the Commissioner in concurrence with the Commissioner of the Department of Fish and Game within one year following the effective date of this act.

In lieu of establishing the percentages as specified above, the Commissioner will reserve the following percentages.

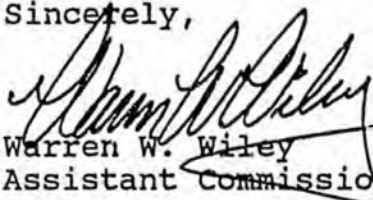
On Page 1, line ²¹~~17~~, beginning with the word "For", the language should read as follows: For the months of April through October, the Commissioner shall reserve an [INSTANTANEOUS] instream flow equal to at least 60 percent of the mean annual flow of the river [, LAKE,] or stream. For the months of November through March, the Commissioner shall reserve at least 30 percent of the mean annual flow of the river [, LAKE,] or stream.

Finally, the Department of Fish and Game feels that the bill should apply to all fish not just anadromous fish.

You also asked who would be present at the hearing on February 7. I will be in attendance along with Christopher Estes, Division of Sport Fish, and Deborah Greenberg, Special Assistant to the Commissioner.

We will be happy to answer any questions you may have at the hearing.

Sincerely,


Warren W. Wiley
Assistant Commissioner

Enclosures

FISCAL NOTE

REQUEST:

Revision Date: 3/23/89 Agency Affected: Natural Resources
 Title: An act relating to the reservation BRU: Geological Management
of instream flows in water...
 Sponsor: Davidson Components: Water Resources
 Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES		182.0				
TRAVEL		70.0				
CONTRACTUAL		290.0				
SUPPLIES		10.0				
EQUIPMENT		150.0				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		702.0				
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

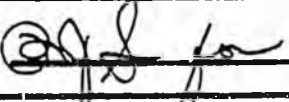
GENERAL FUND		702.0				
FEDERAL FUNDS		100.0				
OTHER						
TOTAL		802.0				

POSITIONS:

FULL-TIME		4.0				
PART-TIME						
TEMPORARY		2.0				

ANALYSIS : (Attach a separate page if necessary)

See attached sheet

Prepared by: Bill Long Phone: 696-0070
 Division: Geological & Geophysical Surveys Date: 3/23/89
 Approved by Commissioner:  Date: _____
 Agency: _____

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

HB 210: Instream Flow

ANALYSIS:

The Instream Flow Project provides a DGGs hydrologist at each DNR regional office to work with water managers to determine flows for streams from which out-of-stream water rights are requested. Provides one more senior hydrologist at the DGGs office to conduct a statewide gaging program to produce data needed to calculate flows for instream flow needs and other uses. The hydrologist will conduct office, laboratory, and field work needed for various levels of instream flow analyses. The project will modify the DNR LAS system in order to accommodate instream flow data and out-of-stream appropriation data relative to instream flows.

The project will conduct water quality sampling and laboratory analysis as needed. To provide the stream gaging equipment necessary for a statewide gaging program.

The project will develop a cooperative agreement with USGS Water Resources Division to cooperatively establish more critical and permanent streamflow gaging stations using joint (federal/state) funds.

HB 210, Instream Flow DNR Budget

100	4 Hydrologists	
	3 Hydro, II	115.0
	1 Hydro, III	40.0
	1 Hydro, VI (Supervisor)	7.0
	Student Interns	<u>20.0</u>
		182.0
200	Field Travel	50.0
	Educational Training	<u>20.0</u>
		70.0
300	LAS modification	200.0
	Lab Work	30.0
	USGS	50.0
	Other	<u>10.0</u>
		290.0
400	Supplies	10.0
500	Equipment	
	Stream gages	
	20 Datapods @ 5.0	100.0
	Other	<u>50.0</u>
		150.0
Total		702.0



STATE OF ALASKA
HOUSE OF REPRESENTATIVES
Box V, Juneau, Alaska 99811
(907) 465-2487 • 465-2498

REPRESENTATIVE CLIFF DAVIDSON • DISTRICT 27 • Box 746, Kodiak, Alaska 99615 • (907) 486-8250

M E M O R A N D U M

TO: HOUSE RESOURCE COMMITTEE MEMBERS
FROM: REPRESENTATIVE CLIFF DAVIDSON
CO-CHAIRMAN, HOUSE RESOURCES COMMITTEE
DATE: FEBRUARY 13, 1990
SUBJECT; PROPOSED CS FOR HOUSE BILL 210(RES)

Enclosed are three memorandums explaining the changes to the original version of House Bill 210:

- 1) Joint memorandum from the technical staff of the Department of Fish and Game and Department of Natural Resources dated April 5, 1989
- 2) Department of Fish and Game memorandum dated February 7, 1990
- 3) Administration memorandum dated February 12, 1990.

All of these changes are reflected in CSHB210(RES) and are agreed upon in writing by the Department of Natural Resources, and the Department of Fish and Game.

However, as sponsor of this legislation and Co-Chairman of the House Resources Committee, I wish to keep the original 60/30 percentages in the bill for two main reasons.

- 1) It will ensure that regional percentages will be adopted by the Department.

If the Department does not regionalize these percentages through regulation during the 18 months following the effective date of this act, the 60/30 percentages would be enacted by statute in lieu of any better proposed alternatives.

Page 2

2) It will provide for a water allocation system during the interim 18 months when regulations are developed.

I believe it is in the best interests of the public to leave the 60/30 percentages intact while regulations are being developed to ensure water is not over allocated during these 18 interim months.

Until the Department can clarify how they plan to appropriate water during these interim 18 months, I wish to leave the 60/30 percentages intact.

In brief, I believe it is in the best interests of the public to leave the 60/30 percentages intact until the Department of Natural Resources can clarify the above concerns.

Thank you.

6-0965H
Utermohle
2/13/90

Original sponsor(s): REP. DAVIDSON, Goll, Jacko, Ellis, Brown

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 210 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the reservation of instream flows
7 in water important for fish; and providing for an
8 effective date."

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

10 * Section 1. AS 46.15 is amended by adding a new section to read:

11 Sec. 46.15.146. RESERVATION OF INSTREAM FLOWS FOR FISH. (a)
12 Except as provided in (d), (e), (h), and (i) of this section and
13 AS 46.15.090, upon receipt by the commissioner of an application to
14 appropriate water from a river or stream that is important for the
15 spawning, incubation, rearing, or migration of fish, the commissioner
16 shall reserve under (b) or (c) of this section an instream flow in the
17 river or stream for the instream use of fish and to maintain existing
18 habitat for fish. The commissioner shall base instream flow reserva-
19 tions on an instream flow analysis using the best hydrological data or
20 estimate of hydrological conditions existing at the time of the appli-
21 cation for appropriation.

22 (b) Unless the commissioner has adopted regulations under (c) of
23 this section, the commissioner shall reserve for the months of April
24 through October, an instream flow of at least 60 percent of the mean
25 annual flow of the river or stream and for the months of November
26 through March, an instream flow of at least 30 percent of the mean
27 annual flow of the river or stream.

28 (c) The commissioner shall adopt regulations to reserve instream
29 flows in rivers and streams for instream use of fish and to maintain

1 existing habitat for fish. The commissioner shall consult the Depart-
2 ment of Fish and Game during the development of regulations adopted
3 under this subsection. The regulations adopted under this subsection
4 shall establish hydrologic regions within the state, and specify for
5 each hydrologic region the proportion of mean annual or monthly in-
6 stream flows in rivers and streams that are reserved from further
7 appropriation. The commissioner shall amend the regulations adopted
8 under this subsection on the basis of additional hydrological and
9 biological information, as the commissioner determines is necessary.

10 (d) Notwithstanding (a) of this section, if the commissioner is
11 prevented from reserving the percentage of the mean annual flow re-
12 quired under (a) of this section because of the existence of an appli-
13 cation on record or a right to appropriate acquired before the effec-
14 tive date of this section, the commissioner shall reserve all of the
15 instream flow that is available for reservation.

16 (e) Notwithstanding (a) and (d) of this section, the commission-
17 er may under AS 46.15.145, on the basis of an analysis of data ob-
18 tained from an instream flow study, adjust the quantity of water of a
19 river or stream required to be reserved under (a) or (d) of this
20 section following a written finding by the commissioner that the
21 interests of the state will be best served. The commissioner shall
22 coordinate adjustments under this section with the decisions of the
23 commissioner of fish and game under AS 16.05.020, 16.05.050, 16.05.-
24 840, and 16.05.870, regarding the protection of habitat for fish and
25 passage of fish.

26 (f) The priority date of a reservation of water from a river or
27 stream identified under AS 16.05.870 or identified in a Department of
28 Fish and Game regional guide on or before the effective date of this
29 section is the effective date of this section. The priority date of a

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reservation of water from a river or stream identified under AS 16.-05.870 or identified in a Department of Fish and Game regional guide after the effective date of this section is the date on which the identification takes effect.

(g) An instream flow reserved under this section is withdrawn from appropriation.

(h) A reservation of water under this section does not affect rights and applications on record before the effective date of this section.

(i) This section does not apply to nonconsumptive appropriations of water under AS 46.15.040.

* Sec. 2. The commissioner of natural resources shall adopt the regulations required under AS 46.15.146(c), enacted by sec. 1 of this Act, within 18 months of the effective date of this Act.

* Sec. 3. This Act takes effect immediately under AS 01.10.070(c).

MEMORANDUM

State of Alaska

Department of Natural Resources - Division of Land and Water Management

TO: Rod Swope
Deputy Commissioner
Department of Natural
Resources

DATE: April 5, 1989

FILE NO:

TELEPHONE NO: 762-2680

and

Warren Wiley
Assistant Commissioner
Alaska Department of Fish and
Game

SUBJECT: Technical Review of
HB210, Instream Flow
Reservation for Fish

FROM: Mary Lu Harle
Water Resources Manager
Division of Land & Water Management
Department of Natural Resources

and

Christopher Estes
Statewide Instream Flow Coordinator
Division of Sport Fish
Research and Technical Services
Department of Fish and Game

On Friday, March 31, 1989, representatives of the Department of Natural Resources (DNR) and the Department of Fish and Game (DFG) met to discuss House Bill 210, a bill to reserve waters in the state to protect fish habitat. Representing DNR were Mary Lu Harle and Gary Prokosch of the Division of Land and Water Management and Bill Long and Mark Inghram of the Division of Geological and Geophysical Surveys. Representing DFG were Christopher Estes of the Division of Sport Fish and Kim Sundberg of the Habitat Division.

The goal of the meeting was to review HB 210 to determine what technical aspects we (1) agree on, (2) agree need changing, and (3) disagree on. At the conclusion of the meeting, we had identified nine items that we agreed on that require language amendments to the bill, two areas of disagreement, and two additional areas where more discussion might lead to additional amendments to the bill. The following summarizes these areas of agreement and disagreement. Underlining represents additions and brackets represent deletions.

* AREAS OF AGREEMENT

1. We agreed that the word "lake" should be deleted from the bill (page 1, lines 14,16,19,22 and page 2, line 4) because an instream flow rate cannot technically be determined for lakes.

Rod Swope Memo
April 3, 1989
Page 2

2. We agreed on page 2, lines 8 and 9, to revise this sentence to read: A reservation of water under this section does not affect rights and applications on record [IN EXISTENCE] before [ON] the effective date of this Act. The rationale for this change is to make clear that all water rights applications, permits, and certificates on record before the effective date of the act will not be affected. The word "on" was changed to "before" to clarify the date the act becomes effective.

3. We agreed to delete the word "instantaneous" and substitute the words "instream flow" in its place on page one, lines 15, 18, and 22. The rationale for this change is to make the language more consistent with the intent of the bill. The word "instantaneous" is already defined as part of the definition of instream flow in DNR's regulations, 11 AAC 93.970.19.

4. We agreed to delete "out of stream" before the word "appropriation" on page one, line 23. The reason of this change is because constitutionally in Alaska, "appropriation" refers to both surface and ground water. In this case, a shallow ground water appropriation could affect surface water and by deleting "surface water" this eventuality is covered.

5. Both agencies agreed that the use of the words "reservation" and "reserve" in the bill on page one, lines 6, 15, 18, 21, 22, 25, 28 and page two, lines 4 and 8, may be misleading and confusing but is probably technically correct. There seems to be uncertainty as to whether these words refer to a reservation of water under the procedures of AS 46.15.145 or whether the words refer to simply withdrawal of water from appropriation. Both agencies agreed that water should be administratively withdrawn from appropriation rather than generating an application for reservation of water, adjudication, and granting a certificate of reservation under AS 46.15.145.

6. Both agencies agreed that on page one, line 26, the words "an application on record or" be added before the words "...a right to appropriate...". This change will make this subsection consistent with the changes proposed above for subsection (d), page two, line 9.

7. Both agencies agreed on page two, lines 3 and 4 to delete the words "or the percentage of mean annual flow" because they are redundant.

8. Both agencies agreed on page two, line 1 to add language as follows, "Notwithstanding (a) of this section, and pursuant to AS 46.15.145, the commissioner may...". Both agencies agreed that any necessary adjustments to the quantity of water needed to improve

Rod Swope Memo
April 5, 1989
Page 3

fish habitat can be addressed through the procedures in AS 46.15.145. Both agencies agreed that it is not the intent of this bill to affect valid existing water rights that might be received between the dates of an original reservation under this bill and any subsequent adjustments to the quantity of the reservation. Using the procedures in AS 46.15.145 will ensure protection of valid existing rights filed before any such adjustments.

2. Both agencies agree that on page two, lines 7 and 8, the first sentence in subsection (d) should be deleted and language similar to the following be substituted in its place. "(d) Waters specified pursuant to AS 16.15.870(a) (the DFG Anadromous Fish Catalog) and the DFG Regional Guides prior to the effective date of this Act have priority dates effective the date of this Act. Waters specified pursuant to the DFG Anadromous Fish Catalog and Regional Guides after the effective date of this Act have priority dates when they become effective. A reservation of water under this section does not effect rights and applications on record before the effective date of this Act." Both agencies agreed that this language is needed to clarify when water reserved in fish streams is given a priority date, especially those streams that are added as fish streams after the effective date of this bill.

ISSUES FOR FURTHER DISCUSSION/RESOLUTION

The following two issues generated considerable discussion by both agency representatives and we were unable to come to agreement.

1. DNR believes the present water rights application review and comment procedures under AS 46.15.133 and the present statute to reserve water under AS 46.15.145 are adequate to protect fish habitat in the state. However, with respect to this bill, DNR supports limiting the scope of this bill to anadromous fish streams only rather than having a broad scope inclusive of all fish streams. DNR takes this position because administratively DFG cannot conclusively identify which stream reaches in the state have only resident fish population. DFG does have a public process for listing and cataloging anadromous fish streams, and DNR can easily identify which streams in the state would qualify for reservations under this bill, thus making the process administratively clear and less cumbersome. In addition, DNR believes that resident fish can be protected under the present water rights application notification and comment procedure under AS 46.15.133. DFG disagrees and supports the present version of the bill which would reserve flows in all fish streams. DFG believes it is important to maintain all fish in the legislation, including sport, commercial, and subsistence species (anadromous and resident). Both agency representatives did agree, however, that the bill will need to define the word "fish" and that DFG will need to identify

Rod Swope Memo
April 5, 1989
Page 4

resident fish stream reaches statewide.

2. The thorniest issue with this bill is the 60% and 30% mean annual flow reservation requirement. DNR does not believe the results of estimating mean annual flows for most ungaged streams and the application of unsubstantiated percentages to determine reservation flows is technically and hydrologically sound. If this scheme of determining reservation flows is supported, DNR recommends the percentages be lowered to 10% for the winter months and either 30% (the Tennant fair category) or 40% (the Tennant good category) for the summer months. DFG representatives support maintaining the 60% and 30% optimum level of protection for fish, with the possible exception of reducing the winter flow percentage on the North Slope where streams freeze solid. DFG supports an allocation system that would differentiate between gaged and ungaged streams, but did not have a specific proposal. Both agencies agreed that it would be desirable to modify the allocation formula, both the numbers and months of the year, on a regional or basin-wide basis, but that this kind of effort will require a commitment of time and resources by both agencies.

3. Finally, the group identified two areas that might warrant additional consideration, but would also require research. One suggestion was to exempt non-consumptive surface water rights from this bill, due to the non-consumptive nature of the water use. If this were done, a good definition of "non-consumptive" would be needed. A second suggestion was to develop a public interest determination process to reduce reserved flows if it were determined to be in the best interest of the state to reduce flows in favor of another use or circumstance.

At the conclusion of the meeting, all representatives believed the meeting was useful as a thorough review of the bill.

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Shocky Greenberg
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Mike Mills
Lance Trasky

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

P.O. BOX 3-2000
JUNEAU, ALASKA 99802-2000
PHONE: (907) 465-4100

February 7, 1990

The Honorable Cliff Davidson
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Representative Davidson:

At your request I am enclosing some suggested changes to HB 210, the instream flow bill, that we believe address the concerns that have been raised.

We have met with the Department of Natural Resources (DNR) as recently as yesterday to discuss these issues and have agreement on the modifications found in the enclosed memo of April 5, 1989, from Mary Lu Harle and Christopher Estes to Warren Wiley and Rod Swope. In addition, I believe we have agreement between the departments on the following points:

- Language to emphasize priority of public water supply:

On page 1, line 12, after the phrase "Except as provided in" insert: AS 46.145.090 (preference to public water supplies), and in (b), [AND] (c) (d), (e) and (f)...

- Referral to lakes should be deleted, as it is not realistic to establish an instream flow for them. On page 1, lines 14, 16, 19, and 22, and on page 2, line 4, delete the word "lake".
- For those concerned that this bill will affect nonconsumptive uses, the following language might address their concern, although it may be redundant.

Page 2, line 11, insert a new paragraph to read: This act does not apply to appropriations of water exempted as a nonconsumptive use in accordance with AS 46.15.020 and .040.

Another suggestion is to move the existing language on page 1, line 22, "An instantaneous flow reserved under this section is: withdrawn from [OUT-OF STREAM] appropriation." to a new subsection, (f). This new location will clarify that this statement applies to all portions of section 1 of HB 210.

The following recommendations are ours alone and do not have the endorsement of DNR. We have been continuing our dialogue with DNR in the hope that we could have these resolved in a timely manner.

February 7, 1990

Clarify iterative process for defining the quantity of water to be reserved by inserting following language and modifications.

Page 1, line 17, after the word "fish" insert: Instream flow reservations shall be based on an instream flow analysis using the best available hydrological data or estimate of hydrological conditions existing at the time of application for appropriation.

The Commissioner shall reserve seasonal instream flows to sustain fish by reserving percentages of the arithmetic calculation or estimate of the mean annual flow of the river or stream. The percentages and processes to calculate instream flows will be established by the Commissioner in concurrence with the Commissioner of the Department of Fish and Game within one year following the effective date of this act.

In lieu of establishing the percentages as specified above, the Commissioner will reserve the following percentages.

On Page 1, line ²¹~~17~~, beginning with the word "For", the language should read as follows: For the months of April through October, the Commissioner shall reserve an [INSTANTANEOUS] instream flow equal to at least 60 percent of the mean annual flow of the river [, LAKE,] or stream. For the months of November through March, the Commissioner shall reserve at least 30 percent of the mean annual flow of the river [, LAKE,] or stream.

Finally, the Department of Fish and Game feels that the bill should apply to all fish not just anadromous fish.

You also asked who would be present at the hearing on February 7. I will be in attendance along with Christopher Estes, Division of Sport Fish, and Deborah Greenberg, Special Assistant to the Commissioner.

We will be happy to answer any questions you may have at the hearing.

Sincerely,


Warren W. Wiley
Assistant Commissioner

Enclosures

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 12, 1990

The Honorable Cliff Davidson
House Resources Co-Chairman
P.O. Box V
Juneau, AK 99811

Dear Cliff:

Below is substitute language for the draft CS for HB 210, dated February 7, relating to reservation of instream flows, that the departments of Natural Resources and Fish and Game believe would enhance the bill's effectiveness:

On page 1 substitute lines 18 - 25 with the following:

The Commissioner shall adopt regulations within 18 months of the effective date of this act to establish instream flows to maintain existing fish habitat and passage. The Commissioner shall work with the Commissioner of the Alaska Department of Fish and Game during preparation of these regulations.

The regulations will establish regions within the state and for each region specify instream flow reservations withdrawn from further appropriation. The reservations will be based upon best available hydrologic and biologic information and procedures available at the time of appropriation, and will establish percentages of mean annual or mean monthly flows as instream flow withdrawals.

The Commissioner shall revise the regulations including the regional boundaries and instream flow reservations, if needed, as additional hydrologic and biologic information and procedures are available.

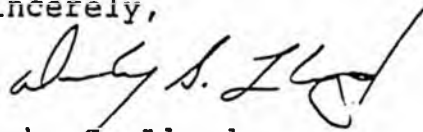
On page 2, beginning on line 3, make the following changes:

(c) Notwithstanding (a) and (b) of this section, the Commissioner may, under AS 46.15.145 and based on data obtained from an instream flow study, adjust the quantity of water of a river or stream required to be reserved pursuant to (a) or (b) of this section following a written finding

under AS 38.05.035(e) that the interests of the state will be best served. The Commissioner will coordinate the determination under this section with the Commissioner of Fish and Game's determination under AS 16.05.020, .050, .840, and .870 regarding the protection of fish habitat and fish passage.

Cliff, we appreciate your concern and indulgence. If you have any specific questions, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read "Denby S. Lloyd".

Denby S. Lloyd
Special Staff Assistant
to the Governor