

ALASKA LEGISLATURE COMMITTEE FILES 2001-2002

10392 HOUSE RESOURCES

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During the coordinated review process, each local, state, and federal agency is not only involved in helping the (DGC) make the consistency determination but is also responsible for reviewing, analyzing, and issuing their own numerous permits and authorizations. Individual members of the public have an opportunity to be involved in and to comment on not only the ACMP consistency review but also on each and every one of the agency permits.

The problem: If a single individual that lives in the district where the project is proposed submits comments to DGC during the public comment period and the agency subsequently issues a proposed determination that the project is "consistent" – this lone individual has the right to notify DGC of intent to petition the CPC. It does not matter that the coastal district in which the individual lives has approved the project, or the local government has approved the project, or that all the agencies involved have approved the project.

This single act of an individual petition automatically extends the consistency review period by up to 50 total days, which includes 20 days for the petitioner to draft the formal petition and then if submitted, another 30 days for the CPC to be convened and make its decision. Neither DGC nor the CPC get to review the merits of the Notice of Petition or the Petition itself. If the "petitioner" meets certain basic requirements, such as being a citizen in the district, and has submitted comments, regardless of the merit of the comments, the right to petition is automatically granted.

The petition process has been the source of concern, legal ambiguity and abuse since the ACMP began in Alaska. In 1984 the CPC itself wrote regulations to end the petition process but neglected to change the statute so petitions remained a problem. The Knowles Administration attempted to end the petition process through SB 186 (which did not pass for other reasons).

In 1994 the legislature attempted to correct the abuses and legal ambiguities of the petition process by limiting the right of petition to the single question of whether or not an individual's comments had been "fairly considered" by the DGC. Regulations were finalized in 1999.

From 2000 to date, 18 petitions were filed: 9 were filed since last year. Of the 18, nine were not accepted because of deficiencies in filing; nine were accepted (stopping the project clock); hearings were held on five (the Council ruled against the petitioner in each case); four were withdrawn near or on the day of the hearing, which meant the project was delayed the full time allocated for petition review.

HB 439 is fourth attempt to resolve the misuse of the petition process. We thank you for focusing on this issue and we support your effort.

Thank You.

Testimony of the Alaska Oil & Gas Association  
House Special Committee on Oil & Gas  
February 21, 2002  
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## Testimony Before House Oil and Gas Committee

February 21, 2002

Mr. Chairman, members of the committee, my name is Ken Donajkowski, I am the Manager responsible for permitting for Phillips Alaska, Inc. Thank you for the opportunity to testify today.

Phillips Alaska, Inc. is testifying in support of HB 439 because the ACMP petition process addressed in this bill significantly delayed a total of 5 consistency determinations. This petition process enables an individual to easily hamper responsible oil and gas development. HB 439 appropriately removes this needless component from the overall ACMP process.

The Alaska Coastal Management Program (ACMP) project approval process is extremely complex and in the short time I have to address Chairman Ogan and this Committee, I cannot attempt to fully discuss its complexities. However, although the following overview is necessarily simplified, it is accurate in characterization and sufficient to highlight Phillip's specific concerns.

The ACMP is set out in Alaska Statutes Title 46, Chapter 40 and its implementing regulations appear at 6 AAC 50. The ACMP is primarily a procedural and not a substantive "process." For most projects, the State Division of Governmental Coordination (DGC) is charged with coordinating on behalf of the state the determination of whether or not a proposed project in and around the State's coastal areas is "consistent" (in compliance) with the applicable standards of the ACMP at 6 AAC 80 and the standards of the applicable coastal district. During the coordinated review process, each local, state, and federal agency is not only involved in helping DGC make the consistency determination but is also responsible for reviewing, analyzing, and issuing their own numerous permits and authorizations.. Moreover, the public has an opportunity to be involved in and comment on the ACMP consistency review and each and every one of the agency permits.

It is here, where the petition process is being manipulated and misused. If a single individual that lives in the district where the project is proposed submits comments to DGC during the public comment period and the agency subsequently issues a proposed determination that the project is "consistent" – this lone individual has the right to notify DGC of intent to petition the Coastal Policy Council. This single act automatically extends the consistency review period by up to 50 total days, which includes 20 days for the petitioner to draft the formal petition and then if submitted, another 30 days for the Coastal Policy Council (CPC) to be convened and make its decision. Neither DGC nor the CPC get to review the merits of the Notice of Petition or the Petition itself. If the "petitioner" meets certain basic requirements, such as being a citizen in the district, and submitted comments, regardless of the merit of the comments, the right to petition is automatically granted.

Removal of the petition process will not decrease the right of the public to provide comments on a project. It will simply eliminate what is now a "right" to needlessly delay



February 26, 2002

The Honorable Scott Ogan  
Chairman, House Special Committee on Oil & Gas  
Alaska State House of Representatives  
State Capitol, Room 108  
Juneau, AK 99801-1182

Via Fax: (907) 465-3265, Original Via First Class Mail

RE: Support of HB 439

Dear Representative Ogan:

These comments on HB 439 are submitted on behalf of Chugach Alaska Corporation ("CAC"), the Alaska Native Regional Corporation for the Chugach region established pursuant to the Alaska Native Claims Settlement Act of 1971, as amended, 43 U.S.C. § 1601, *et seq.* ("ANCSA"). CAC owns or has valid selection rights to over 930,000 acres of surface estate, subsurface estate and oil and gas rights within the Chugach Region, which stretches from the outer Kenai Coast to Icy Bay along the Gulf Coast near Yakutat. In addition to ANCSA, CAC's rights with respect to its lands are governed by the Alaska National Interest Lands Conservation Act of 1980, 16 U.S.C. § 3101, *et seq.* ("ANILCA"), and the 1982 Chugach Natives, Incorporated Settlement Agreement ("1982 CNI Settlement").

Most of CAC's economically viable lands are within coastal zones subject to the ACMP consistency review process for development activities. For this reason, the ACMP program has an enormous impact on virtually any projects CAC contemplates on its lands.

HB 439 eliminates the ability of a citizen of a coastal district to file a petition, after a proposed consistency determination, asking that the Coastal Policy Council (CPC) determine whether or not their comments opposing the project had been "fairly considered". The petition process has been abused by those opposed to development projects, and has not resulted in any meaningful improvement of the important oversight the program provides to coastal communities. With the development of a lengthy and multi-tiered public comment process, the individual petition is no longer important as an opportunity to be heard but is used instead as an opportunity for delay.

Individual members of the public have an opportunity to be involved in and to comment on not only the ACMP consistency review but also on each and every one of the agency

The Honorable Scott Ogan February 26, 2002

permits. Under the current law if a single individual that lives in the district where the project is proposed submits comments to DGC during the public comment period and the agency subsequently issues a proposed determination that the project is "consistent" - this lone individual has the right to notify DGC of intent to petition the CPC. It does not matter that the coastal district in which the individual lives has approved the project, or the local government has approved the project, or that all the agencies involved have approved the project.

The problems associated with the petition process have been long recognized. In 1984 the CPC itself wrote regulations to end the petition process but neglected to change the statute so petitions remained a problem. The Knowles Administration attempted to end the petition process through SB 186 (which did not pass for other reasons). In 1994 the legislature attempted to correct the abuses and legal ambiguities of the petition process by limiting the right of petition to the single question of whether or not an individual's comments had been "fairly considered" by the DGC. Regulations were finalized in 1999.

In spite of these past efforts to "fix" this problem, from year 2000 to date, 18 petitions were filed. Of the 18, nine were not accepted because of deficiencies in filing; nine were accepted (stopping the project clock); hearings were held on five (the Council ruled against the petitioner in each case); four were withdrawn near or on the day of the hearing, which meant the project was delayed the full time allocated for petition review.

HB 439 removes once and for all this now extraneous right that is being used for delay rather than the original purpose of citizen comment. The legislation does not decrease the many rights and opportunities of individual citizens to provide comments on a project that have been added over the years since the ACMP was enacted. Any citizens can comment to their own coastal district about a project. Any member of the public can comment to a coastal district, or to any agency or to the DGC. Finally, any citizen can go to court.

CAC believes that while other significant reforms of the ACMP program are needed, the growth of frivolous petitions of consistency reviews requires expeditious and focused action provided by HB 439.

We appreciate your attention to our concerns on this issue.

Sincerely,



Rick Rogers,  
Vice President Lands and Resources

Testimony on

**HB-439, Regarding the Coastal Zone Petition Process**

Mr. Chairman, members of the committee. My name is Steve Borell, I am Executive Director of the Alaska Miners Association and I am testifying on behalf of the Association.

The Alaska Miners Association supports House Bill 439. This bill would remove a petition process which now appears is being used as a harassment tactic against some projects within the coastal zone. I am not aware of any mining projects that have yet been affected by this petition process, but at the same time I am not aware of any high-profile mining projects that have gone through this phase of the ACMP process in recent years.

The ACMP consistency review process is extremely detailed and thorough. Every member of the public has the opportunity to comment on the ACMP consistency review and on each of the individual permits that are required by the various agencies, including DNR, DEC and ADF&G.

There are two questions that I am often asked by Legislators:

First, What can be done to streamline the permitting process? and

Second, What can be done to encourage business investment in Alaska?

I believe that removing this redundant and un-necessary petition provision will help answer both of these questions. We urge passage of this bill.



# THE ALLIANCE

ALASKA SUPPORT INDUSTRY ALLIANCE

2002 GOVERNMENT RELATIONS PRIORITIES

## PRIORITY: OIL AND GAS DEVELOPMENT

The Alliance supports public policy that encourages responsible exploration and development of Alaska's oil and natural gas resources.

## PRIORITY: REGULATORY REFORM

The Alliance advocates for clear, streamlined and equitable state and federal permit systems based on sound science and economics that will encourage private sector investment in the state.

## PRIORITY: LONG TERM FISCAL PLAN

It is in the best interest of the State that the legislature and administration adopt a long-term fiscal plan to address the realities of the state's current fiscal gap. A state fiscal plan must address a strategy to bring state spending in line with revenues, encourage and promote economic development, and maintain the state's infrastructure. The most important factor to encouraging future oil and gas development in Alaska will be fiscally responsible government.

ALLIANCE

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## Priority:

## OIL AND GAS DEVELOPMENT

Alaska is unique from other states in the nation in that our abundant natural resources--primarily the oil and gas resources of the North Slope, have generated almost 80% of the state's annual operating budget for decades. At peak production the North Slope fields produced two million barrels of oil per day. Today North Slope production has declined to approximately one million barrels of oil per day. This is a strong indicator that the economics of the North Slope have and will continue to change. The only way to offset today's production is through new discoveries and added production. The cost of Alaskan oil and gas production coupled with the costs to deliver the product to market must be managed efficiently to remain competitive worldwide and attract investment capital.

The Alliance supports public policy that encourages responsible exploration and development of Alaska's oil and natural gas resources. The Alliance favors the following:

- ▶ Incentives that encourage exploration and production of oil and gas resources in satellite fields, in "frontier" acreage, and the extraction of heavy viscous oil deposits.
- ▶ Expedited permit process for oil and gas exploration and the same expedited process for projects such as a trans-Alaska gas pipeline, a gas-to-liquids facility, or new discoveries.
- ▶ Public policy decisions that improve the commercial viability of developing Alaska's stranded natural gas resources.
- ▶ A stable and predictable oil and gas tax regime.



## Priority: REGULATORY REFORM

The Alliance advocates for a clear, streamlined and equitable state and federal permit systems based on sound science and economics to encourage private sector investment in the state.

Specifically, The Alliance supports:

- ▶ The repeal of the "sunset" clause in last year's temporary water use bill. (HB 185)
- ▶ Legislative efforts to address misuse by "public interest" litigants against responsible resource development in Alaska.
- ▶ Partnering between industry and government to provide more reasonable regulations.
- ▶ Reform of the Alaska Coastal Management Program (ACMP) to a more comprehensive and equitable framework to ensure Alaska's regulatory climate is one that promotes private sector investment, namely:

*The ACMP process must confine its review of permits to activities with a "direct and significant" coastal impact; and*

*Provide better criteria for determining which projects are subject to ACMP review; and*

*Establish firm deadlines for consistency reviews; and*

*Define the authority of the Department of Governmental Coordination in relation to other state review agencies; and*

*Require review agencies and public commenters to raise issues in a timely manner; and*

*Establish better standards for approving or rejecting elevations and petitions.*



## Priority: LONG TERM FISCAL PLAN

Fiscally sound state and federal government is essential to maintain a healthy oil and gas industry in Alaska. The Alliance supports legislation, regulation and processes that establish sound fiscal management in government.

State revenues rely on substantial private investments in our natural resources. A fiscally sound state government provides the kind of stable environment that allows businesses to invest with confidence. The Alliance strongly supports legislative efforts to balance the state budget, including the use of such tools as results-based budgeting, development of performance measures to determine agency efficiency, and a two-year budgeting cycle. As the state begins to "live within its means," Alaska can more effectively encourage and promote business development, economic investment and jobs for Alaskans. Through fiscal reform, investors can rely on an environment that is stable and attractive to investment capital.

Today the oil and gas industry pays approximately four-fifths (which equates to about 80%) of the cost of state government. We believe that further corporate and industry assessments will discourage future investments in developing Alaska's oil and gas resources.

Additional industry taxes will make Alaska even less attractive, given its remote location as well as heavy crude resources that are more expensive to refine. Alaska cannot afford to discourage investors (and employers) with an unprofitable and punitive business environment.

**The Alliance membership is comprised of over 415 businesses and organizations. Collectively they employ over 35,000 people in Alaska.**

## The Alaska Support Industry Alliance

Founded in 1979, the Alaska Support Industry Alliance — also known as The Alliance, is a non-profit statewide trade association representing businesses and individuals engaged in activities related to oil and gas exploration, development, and production in Alaska. We are oilfield service companies, transportation enterprises, wholesale and retail businesses, professional firms and private citizens. Our mission is to promote responsible, safe, and environmentally sound exploration, development and production of oil and gas resources to benefit all Alaskans.

### Our Goals

- To improve public understanding of the relationship between political decisions, industry activity and Alaska's economic health;
- To promote safe and environmentally sound development of Alaska's natural resources;
- To foster and promote a conducive business climate; and
- To foster a skilled Alaskan work force through participation in educational programs.



## **THE ALLIANCE**

ALASKA SUPPORT INDUSTRY ALLIANCE

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# PETROLEUM NEWS

## A S K A



"History will look back on the year 2001 as a turning point for our great nation. After that morning of horror ... three months ago today, each of us was forever changed. Americans have responded with an overwhelming sense of national pride and solidarity. We are a people stronger and more unified than ever."

—Gov. Tony Knowles, Dec. 11, 2001

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Week of January 6, 2002

### GOVERNMENT

## AOGA says proposed ACMP regulations unclear, unfair, illegal

*Sealaska tells DGC in times of declining state revenues it is not good for state to volunteer to perform 'costly bureaucratic reviews'*

By Steve Sutherland  
PNA Managing Editor

In an unparalleled move, the 18 members of the Alaska Oil and Gas Association joined with other stakeholders to protest the state's proposed Alaska Coastal Management Program regulations in a Dec. 13 letter to the state Division of Governmental Coordination. Dependent upon the agencies for permits — and therefore normally cautious about strenuously objecting to their proposals — the state's oil and gas companies told DGC that the second draft of the ACMP regulations is unclear, undisciplined, unfair and illegal.

*"Ridding the draft regulations of ambiguities, unnecessary duplicitous reviews, permit conditions that agencies have no authority to enforce, and undefined timeliness will do much to clarify the regulations..."*

—Chugach Alaska Corp.

"Nothing less than Alaska's investment and development future is at stake," AOGA said in its cover letter.

AOGA contends the proposed regulations should, but do not, address four basic questions for every project applicant:

1. Does the ACMP apply to my project?
2. What information must I submit for my application to be complete?
3. What standards will be applied to the consistency review of my project?
4. How long will it take to obtain a consistency determination?

## AOGA Members include Alaska's major oil companies

The members of the Alaska Oil & Gas Association are companies that represent the majority of oil and gas exploration, production, refining, transportation and marketing activities in Alaska.

Members include the following:

- Alaska Pipeline Service Co.
- Anadarko Petroleum Corp.
- BP Exploration (Alaska) Inc.
- Chevron U.S.A. Inc.
- Cook Inlet Region Inc.
- Cross Timbers Oil Co.
- ExxonMobil Production Co.
- ExxonMobil Refining Co.
- Marathon Oil Co.
- Phillips Alaska Inc.
- Siberian Westam E&P Inc.
- Tecoma Alaska E&P
- TOTAL E&P U.S.
- Unocal
- Williams Alaska Petroleum Co.

### No clear boundaries

DGC's proposed regulations create confusion about which projects in Alaska do or do not require an ACMP review, AOGA said, and they expand the reach of the ACMP to lands beyond the intent of the Legislature. A DGC employee told PNA in September that the agency wants all projects north

see AOGA page 13



Judy Parrish

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**AOGA**

The Alaska Miners Association said the ACMP affects not only "big" business, but small business as well.

"The gravity of these proposed regulations for the mining industry must not be underestimated," the association said. "Many of our members are small business-

*AOGA contends the proposed regulations should, but do not, address four basic questions for every project applicant:*

1. Does the ACMP apply to my project?
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3. What standards will be applied to the consistency review of my project?
4. How long will it take to obtain a consistency determination?

es which do not have legal and permitting staff that can negotiate their way through these regulations. For all the regulated public, but especially for such small businesses, the ACMP regulations have historically been a major source of permitting difficulty and concern. The proposed regulations would both perpetuate the existing problems and even expand the problems for these small businesses."

**Coastal Policy Council to review results**

According to Bates, the division has received many comments on the proposed regulations, and will take several months to review and summarize them before proceeding.

"We'll take a hard look, and assuming we move forward, we'll send them to the Coastal Policy Council within the next few months," he said.

The Coastal Policy Council is charged with guiding the direction of the ACMP.

"We're trying to boil down what the issues are, and what the biggest impediments are," Bates said. "We'll look at the comments and see if they preclude us from

**Coastal Policy Council Members**

**Public members**

- Southern Southeast Region: Barry Bracker
- Northern Southeast Region: Eli Hanlon
- Prince William Sound Region: Currently Vacant
- Lower Cook Inlet Region: Jack Cushing, mayor, City Of Homer
- Upper Cook Inlet Region: James Colver
- Kodiak-Aleutians Region: Robin Heitichs, deputy mayor, Kodiak
- Southwest Region: Alice J. Ruby
- Bering Straits Region: Robert L. Fagerstrom
- Northwest Region: Charlotte Brower

**State agency officials**

- Office of Management and Budget: Amalee McConnell, director
- Department of Community and Economic Development: Debbie Sedwick, commissioner
- Department of Environmental Conservation: Michele Brown, commissioner
- Department of Fish and Game: Frank Rue, commissioner
- Department of Natural Resources: Patrick Pourchet, commissioner
- Department of Transportation and Public Facilities: Joe Perkins, commissioner

The Coastal Policy Council consists of six state agency officials, appointed by virtue of their position; and nine public members representing one of nine coastal geographic areas. Public members serve for two years or until a replacement is appointed. Public members are appointed by the governor from a list of names nominated by municipalities of each region. Nominees must be borough assembly or city council members or mayors.

moving forward."

Bates said DGC was actually trying to make the agency's review process more predictable by clarifying its regulations. If the changes create more problems than they solve, the division might abandon the proposed revisions.

Initially, Bates said, it appears that some of the comments are based on problems with statutes, which can't be changed by DGC, but must be addressed by the Legislature. For instance, the review processes and some of the appeal processes are codified by statute, he said.

"The Legislature must amend statutes, we're the body amending regulations," he said.

Bates said it has been 17 years since the

regulations have been put in place. DGC began an assessment in the early 1990s to address concerns that have arisen over the years, and it was suggested that changes be made to Chapter 50 of the regulations, regarding the contingency review process. That led to the current draft process, which has been under way for two and one-half years, Bates said.

He said there has been a wide range of public involvement, and that DGC has had significant input from both industry and environmental interests. He said the division had gathered a meaningful picture of existing concerns.

"We may be able to move forward," he said. "We'll need the support of everybody involved." ♦

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**PELICAN**

the ground and three track-mounted drills will bore to depths of 20 feet every 220 feet along a source line. A 4.4 pound charge of Dynoseal will be placed in each hole and the hole will be backfilled.

Source lines will be 990 feet apart. Recording cables with geophones will be placed on the ground, with recording lines 660 feet apart.

The charges will be detonated one at a time. The recording cables, flagging, stakes and cap-wire will be recovered and the process repeated until the program is complete.

The activity will be supported by a helicopter and fixed wing aircraft. The 30 person crew will be staged from existing facilities in Beluga, Tyonek or Shirleyville.

The program will be shot during the winter of 2001-2002 and take approximately 45 days.

—Kristan Nelson

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THE REST OF THE STORY

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**AOGA**

of the Brooks Range to be subject to an ACMP review. Rather than addressing "direct and significant impacts" on coastal resources, as intended by the Legislature when the program was adopted, the language in the proposed regulations expands the program to include activity that "may affect any coastal use or resource," or activity that "may have a reasonably foreseeable direct or indirect effect on any coastal uses or resources." The DGC employee said even projects that were hundreds of miles from the coast or a river might be subject to an ACMP review because of a "possible indirect effect on coastal uses or resources."

*"In these times of declining state revenues, it is not good government for the office of the Governor to volunteer to perform costly bureaucratic reviews of small projects that will only have minor and occasionally esoteric 'effects' on some coastal resources."*

—Sealaska Corp.

The state received numerous comments about how difficult it was to determine which projects would fall within the review area. Randy Bates, DGC project analyst told PNA recently.

"It's a source of frustration for stakeholders," Bates said. "There is a clear threshold, but not a clear boundary."

AOGA said DGC is required by state law to identify "the boundaries of the coastal areas subject to the district coastal management program."

In contrast, Washington state regulations clearly limit reviews to upland areas 200 feet landward from the edge of waters covered under its program.

**Agencies stop 's' clock on projects**

Another problem, AOGA said, was that it is impossible to determine how long the process will take.

"As currently drafted, the rules contain too many exceptions and loopholes that either stop the clock entirely or allow the schedule to be sequentially extended," AOGA said. "Because the coordinating agency can unilaterally modify the schedule at nearly every step, the applicant is left with no meaningful ability to predict the amount of time that will be needed to complete the process."

To illustrate the problem, AOGA notes the vast majority of pending ACMP consistency determinations for oil and gas exploration and development projects are on a "stopped consistency review clock." PNA's analysis of oil and gas project files shows that in the majority of cases the clock has been stopped by the state Department of Environmental Conservation.

**Illegal requirements on permits**

AOGA said the draft regulations would "institutionalize" illegal requirements known as "homeless stipulations" on permits for oil and gas projects.

The proposed regulations continue to allow state resource agencies to attach stipulations from the ACMP consistency determination as a requirement of permit approval, AOGA said. By this device, state agencies exceed the authority granted them by the Legislature.

AOGA said homeless stipulations impose new obligations on oil and gas projects, yet have no basis in statute or regulation and are therefore illegal.

**AOGA's excerpts from DGC letter**

"Despite DGC's best intentions, we believe the current draft is a significant step backward toward an unlawful and dysfunctional permitting scheme, lacking in even the minimum necessary predictability and discipline."

"We do not offer this very critical judgment lightly. Indeed, we want to emphasize that our membership is collectively and individually deeply disturbed by the current draft."

"The significance of the ACMP process looms even larger as advocacy groups increasingly see the ACMP process as the procedural avenue of choice to pursue national and special interest political positions by blocking, delaying or increasing the cost of activities they oppose."

"Unfortunately, AOGA, DGC and other stakeholders face a serious challenge because after much time and effort the current draft regulations are anything but a success story. Alaska cannot sustain further degradation of its regulatory reputation by adoption of ACMP regulations so unclear, undisciplined and ultimately, unfair and unlawful."

Further, the proposed regulations delay state permits until after the consistency determination is final. Projects can be delayed by allowing DGC to impose conditions no agency is authorized to impose by attaching them as provisions of other state permits.

**Elevation and petition process — a morass**

AOGA member companies said they encounter major difficulties with the elevation and petition processes. The association suggests eliminating the current two-tiered elevation process.

An elevation occurs when an issue cannot be resolved at the staff level. If such a stalemate occurs an agency can "elevate" the issue to the appropriate directors of the resource agencies within the Department of Natural Resources, the Department of Fish and Game and DEC.

DGC coordinates the elevation. If, after a series of meetings between the directors, the issue remains unresolved, then the whole process begins again with an elevation of some or all of the issues to the resource agency commissioners.

AOGA believes the directors' level elevation is an unnecessary step in an already flawed process. Most of the issues that are elevated to directors are matters of policy and not fact or science. It is unusual for policy issues to find resolution at the director level; most elevations continue on to the commissioners. AOGA, not a proponent of the elevation process in any form, believes issues should be elevated only to commissioners. At least this eliminates one step that generally just wastes the time of the agencies and the applicants and provides little or no benefit.

Even with modification of elevations to a one-tiered process, procedures under the proposed regulations for conducting elevation meetings and petition hearings must be clarified, AOGA said.

In order to make sense of the proposed regulations, AOGA members attempted to prepare a detailed flow chart of the process, including timelines. The association said ambiguous and circular language made it impossible to develop a clear diagram that would show the required steps in the ACMP process.

In its comments, AOGA suggests that

DGC attempt to create a flow chart of the permitting process under the proposed regulations, noting that many conflicts and complexities are brought to light by diagramming the process.

**Diverse interests, similar concerns**

Other stakeholders from around Alaska expressed concerns that often coincided with AOGA's criticisms of the proposed regulations.

Sealaska Corp. comments mirrored concerns about the effect of the regulations on economic development in the state.

"As we've stressed in the past, these are the most important procedural regulations in Alaska; they are complex; and every turn is fraught with the possibility of costly unintended consequences," Sealaska said.

The Juneau-based Native regional corporation also addressed the practical need to limit the reach of the ACMP review to definable boundaries, as intended by the Legislature: "In these times of declining state revenues, it is not good government for the office of the Governor to volunteer to perform costly bureaucratic reviews of small projects that will only have minor and occasionally esoteric 'effects' on some coastal resource."

Chugach Alaska Corp. said, "Ridding the draft regulations of ambiguities, unnecessary duplicative reviews, permit conditions that agencies have no authority to enforce, and undefined timelines will do much to clarify the regulations..."

The Anchorage-based Native regional corporation said in order for DGC to attain its goals with the regulations, such as consensus building among stakeholders, a clear timeline for the review process must be established.

"In today's world, we can expect virtu-

ally all projects to become controversial," Chugach said. "In order for consensus building to work in these cases, definite deadlines must be established and responsibility clearly assigned."

The Resource Development Council — Alaska said, "Developing a clear, well-organized, equitable framework for the ACMP will be critical to ensure Alaska's regulatory climate is one that does not unduly discourage private sector investment and economic development."

see AOGA page 15

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Pocket  
GUIDE  
to the

*Alaska Coastal  
Management  
Program project  
review process*



*5 steps to project approval in Alaska's coastal zone*



*Pocket Guide*

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*Working together for  
the long-term economic and  
environmental productivity  
of Alaska's coast.*

## *Is this guide for you?*

This guide is for you if you have little or no experience obtaining permits for projects in Alaska's coastal zone or you just want to learn more about the Alaska Coastal Management Program (ACMP). Here you will learn



*Once you understand the permits your project will require, you can design a project that will address these requirements up front and avoid delays later during the permitting process.*

### ***How do I know if the ACMP applies to my project?***

If your project meets the following two criteria, or if you are unsure, you should contact DGC. One of DGC's Project Review Coordinators will help you determine if your project requires an ACMP consistency review and guide you to the state agencies and coastal districts you may need to contact.

If your project is:

1. located in or will affect resources of the coastal zone; *and*
2. requires a state, federal, or local permit(s), your project may require an ACMP consistency review.

If you are not sure about the location of your project in relation to Alaska's coastal zone or the permits required for your project, keep reading.

### ***How do I know if my project is located in the coastal zone?***

Alaska's coastal zone boundaries include more than 44,000 miles of coastline and can extend inland along river drainages as far as 250 miles. This variability can make it difficult to tell if your project is within the coastal zone. The map on pages 20-21 shows a representation of Alaska's coastal zone and coastal districts.

If your project is located within a coastal district, you should contact either DGC at (907) 465-3562 (Juneau) or 269-7470 (Anchorage), or the coastal district to determine whether your project is within its coastal zone. Coastal district contact information is located at the end of this booklet.

Please note that the ACMP also applies to projects in large areas of Prince William Sound and southeast Alaska that are in the coastal zone but not within a coastal district.

### ***How do I know if my project will require state or federal permits?***

If you are not sure what permits your project might require, fill out a Coastal Project Questionnaire (CPQ) (for your own information). Even if you don't require an ACMP consistency review, the questions in the CPQ will help you identify what permits might apply to your project and who to contact for more information. If you discover your project requires an ACMP consistency review, you will be well on your way to fulfilling the requirements in Step 1.

*Keep reading to learn more about the ACMP consistency review process and how DGC, your local coastal district, and state resource agencies can be of assistance.*

## Questions & Answers

### *What is the Alaska Coastal Management Program?*

In 1972 Congress passed the Coastal Zone Management Act (CZMA) to promote the orderly development and protection of the country's coastal resources. The CZMA resulted from concern spurred by the increasing demands for development of the nation's coastal areas, population increases near the coast, and declining productivity of the coastal environment. The CZMA established a voluntary partnership among the federal government, coastal states, and local governments to develop individual state programs for managing coastal resources.

The Alaska Coastal Management Program (ACMP) implements legislation passed by the State of Alaska in 1977. With this legislation, called the Alaska Coastal Management Act, Alaska joins the partnership envisioned by the CZMA.

The ACMP improves stewardship of Alaska's coastal land and water uses, and natural resources by creating a network of local, state, federal, and applicant interests in the project approval process. The networking provided by the ACMP helps to ensure that all aspects of a project are considered during a single review and approval process. This integrated approach promotes both economic and environmental productivity of Alaska's rich and diverse coastal resources.

The ACMP requires that projects in Alaska's coastal zone be reviewed by coastal resource management professionals and found consistent with the statewide standards of the ACMP. These standards and the enforceable policies of an affected coastal district ensure that development interests observe the vision set out for the future by the state and coastal communities. It is called the consistency review process. A finding of consistency with the ACMP must be obtained before permits can be issued for the project.

### *Mission of the Alaska Coastal Management Program:*

*"The ACMP provides stewardship of Alaska's rich and diverse coastal resources to ensure a healthy and vibrant coast that sustains long-term economic and environmental productivity."*

### *What criteria does the ACMP use to evaluate my project?*

The ACMP applies to projects within or affecting Alaska's coastal zone. The statewide standards (6 AAC 80) and coastal district enforceable policies of the ACMP provide direction for coastal resources and uses, such as:

- coastal development (whether a project is water-dependent or water-related),
- habitats (such as wetlands, tideflats, or streams),
- air, land, and water quality,
- transportation and utility routes and facilities,
- timber harvest,
- mining and mineral processing,
- subsistence opportunities,
- recreation designations,
- geophysical hazard areas,
- historical and archaeological resources,
- energy facilities, and
- fish and seafood processing.

Using the statewide standards and local enforceable policies, the ACMP evaluates the effects a project will have on the above coastal resources and uses. Projects must be consistent with the requirements found in the standards and enforceable policies.

### *What is the Coastal Consistency Review Process?*

The coastal consistency review process, or *consistency review process*, helps ensure your project meets the statewide standards and coastal district policies. It also serves as the review process for most permits you will need from state resource agencies. This 5-step process advances your project through review and approval requirements in a timely fashion.

The consistency review process is a coordinated review process that benefits applicants and project reviewers alike. Applicants have a single, primary point of contact for their projects. Reviewers benefit by comprehensively reviewing a project only once.

This booklet explains the consistency review process in more detail and how you can get your project approved with a minimum of difficulty. The Division of Governmental Coordination, as well as state resource agencies and coastal districts, are available to help you understand and navigate your project through the consistency review process.

### **Who is DGC?**

The Division of Governmental Coordination (DGC) is home to the ACMP. Located in the Office of the Governor, DGC is responsible for the overall administration and operation of the ACMP. In this role, DGC provides assistance to applicants, coastal districts, and state agencies in carrying out their duties and responsibilities under the ACMP.

DGC has connections throughout the ACMP network.

As such, *your first ACMP contact should probably be one of DGC's helpful Project Review Coordinators.* DGC also serves as the coordinator for the consistency review process if your project requires a federal permit or permits from more than one state agency.



The staff at DGC perform a variety of other activities that support the ACMP, including

- preapplication meetings for applicants
- federal funding for the ACMP
- assistance to local districts in getting their coastal management programs approved
- assistance resolving conflicts
- appeals, elevations, and petitions
- ACMP education and training

### **Who are the State Resource Agencies?**

The State of Alaska has three agencies primarily responsible for managing its natural resources and uses of those resources. These resource agencies have permitting authorities for specific activities. If your project requires a permit(s) from only one state resource agency, that agency coordinates the consistency review process.

Your project will most likely require one or more permits from at least one resource agency. The state resource agencies include:

- *Department of Natural Resources (DNR)* manages state-owned land and natural resources, including sales and leases.
- *Department of Fish and Game (DFG)* manages the state's fish and wildlife resources and their habitats.

- *Department of Environmental Conservation (DEC)* serves to safeguard the public health and environment from human uses.

### **What is a coastal district?**

*Coastal districts* are generally local governments, such as cities and boroughs, that contain a portion of Alaska's coastal area. In coastal areas outside the boundaries of local government, coastal districts known as Coastal Resource Service Areas (CRSA) may be formed.

Most coastal districts develop a coastal management program that requires a rigorous state and federal approval process. A district coastal management program contains enforceable policies that guide development affecting the coastal resources within its boundaries. Once approved, a district coastal management program becomes a part of the ACMP.

During the consistency review process, an affected coastal district reviews your project against the enforceable policies of its coastal management program. By complying with its enforceable policies, your project can help the district achieve its goals and objectives for coastal development within its boundaries.

### **The ACMP consistency review process provides:**

- *a one-stop, consolidated state response to coastal development projects and related state and federal permit applications;*
- *specific timeframes and deadlines for reviewing project applications; and*
- *a fast appeal (elevation) process.*

# Step 1

## Complete a Coastal Project Questionnaire (CPQ)

### *What is the CPQ?*

The Coastal Project Questionnaire, commonly called the CPQ, serves as the application for getting your project started in the ACMP consistency review process. A project in the coastal zone must receive an ACMP consistency determination, the end product of the consistency review process, before agencies can issue permits for the project.

The CPQ also helps you identify which state and federal permits will be required for your project. In addition, your completed CPQ provides reviewers with a description of your project and serves as your certification that your project will be conducted in a manner consistent with the ACMP. The CPQ (and this guide) includes a list of state agency and coastal district contacts for your convenience.

### *Who has to fill out a CPQ?*

Anyone proposing a project within or affecting coastal areas of Alaska must submit a CPQ, with the following exceptions:

1) Placer miners: submit an *Annual Placer Mining Application* to the Department of Natural Resources (DNR).

2) Aquatic farmers: submit a *State of Alaska Aquatic Farm Permits Application* to DNR.



Federal agencies should contact DGC for information on how the consistency review process is used to review federal activities.

### *How do I get a CPQ?*

Copies of the CPQ are available from DGC, state resource agencies (see the back of this brochure), the

U.S. Army Corps of Engineers (toll-free at 1-800-478-2712), other federal permitting agencies, and local coastal district offices.

### *What else do I need to know?*

One of DGC's Project Review Assistants will help you determine what you need to do and who to contact to get your project ready for the consistency review process.

If your project is located within a coastal district, be sure to contact the district's ACMP coordinator and the planning department early to find out what will be required at the local level.

Once you've determined what permits will be required, be sure to contact those agencies to learn their permitting requirements.

### *How do I apply for my other permits?*

Alaska has streamlined the permitting process to provide developers with a single point of entry. Your CPQ packet will include applications and fees for the permits you will need.

The consistency review process also serves as the permit review process for state resource agencies.

### *How much does it cost?*

There is no charge for the ACMP consistency review process. However, agencies issuing permits for the project may require fees.

### *Is there anything I can do to pave the way for my project?*

Before you finalize project plans or submit your CPQ and other information necessary for a complete application packet, the state can arrange a preapplication meeting with you and other review participants to discuss your draft plans. This meeting identifies concerns and information needs, helps you avoid 'pitfalls', and promotes a mutual understanding of your project. To

*Pave the way for your project by identifying and addressing concerns before you turn in your application packet. Ask the state for a pre-application meeting.*

arrange a preapplication meeting, contact the coordinating agency. In lieu of a meeting, the coordinating agency can distribute materials to review participants for preapplication assistance.

**Fill in all the blanks**

To complete the CPQ, fill in all the blanks and contact agencies as directed on the CPQ. Filling out the questionnaire properly is important and helps agencies process your project application without delays. If a question is not applicable then put "N/A." If you answer yes to a question and are not applying to that agency for a permit, explain why.

Your signature on the CPQ certifies that you believe your project is consistent with the standards and enforceable policies of the Alaska Coastal Management Program. The standards and enforceable policies are available from DGC and your local coastal district. If you need assistance, contact DGC or your local coastal district.

**Is your application packet complete?**

Your CPQ package should include:

- The completed CPQ and signed Certification of Consistency;
- Copies of any necessary state and federal permit applications, topographic maps, and plan drawings required by the approving agency. DGC encourages you to send original applications to the state or federal agency issuing the permit. Any fees associated with these permits also go to the issuing agency.
- Any additional pertinent information. Make sure you include a complete description of your entire project to minimize the need to provide more information later.

# Step 2

## Coordinating agency receives packet

**Where do I send the CPQ?**

Once you have a completed CPQ and application packet, you should submit it to the state agency responsible for coordinating the coastal consistency review for your project, commonly referred to as the **review coordinating agency**. You can determine the review coordinating agency for your project from the following:

- If your project requires a permit(s) from only one state agency, submit your CPQ and permit applications to that state agency. That agency will coordinate the consistency review for your project.
- If your project requires permits from two or more state agencies, or a permit from a federal agency, then you should submit your CPQ packet to the Division of Governmental Coordination, which will coordinate the consistency review for your project.

If you are not sure where to send your CPQ packet, contact DGC.

**What happens next?**

The review coordinating agency receives the application packet, decides whether it is complete, and determines if the project needs to undergo a coastal consistency review.

**Does my project qualify for expedited review?**

Some projects that have no significant impact on coastal resources, or are routine activities, may be exempt from further coastal consistency review requirements. The state maintains a list of permits and projects that qualify for expedited review in 6 AAC 50.050. The list is



referred to as the "Classification of State Agency Approvals" but is commonly known as the "ABC List."

To find out if your project qualifies for expedited review in the ABC List, contact DGC or your review coordinating agency. Projects that are in the coastal zone and not exempt from further review in the ABC List must undergo a full ACMP coastal consistency review.

# Step 3

## Consistency review starts

### *50-day coastal consistency review begins*

Once your application is received by the review coordinating agency and determined to be complete, the coordinating agency initiates the required public notices. The consistency review starts once all public notices have been issued.

The coordinating agency issues a deadline for reviewer and public comments and circulates your application packet to review participants. The coordinating agency tracks the project during the review and makes sure all interested parties take the opportunity to participate within the designated time frames.



The review coordinating agency will notify you of your review's start date, review number, review schedule, and any other pertinent information. With a few exceptions, the state must complete the consistency review of your project 50 days after the start date.

### *Do all consistency reviews last 50 days?*

Although most projects require a 50-day review, the actual time frame may be shortened or extended under certain circumstances. Alternatives to 50-day consistency reviews are identified below:

- The consistency review of your project may be expedited if your project is a routine activity identified in the ABC List. For more information, refer to *Does my project qualify for expedited review?* in Step 2.
- The 50-day review schedule for your project may be extended for specific reasons. For more information, refer to *Extensions to the review schedule* below.

50-Day Consistency Review Schedule	
ACMP Consistency Review Process	Day
Step 1 – Complete CPQ	0
Step 2 – Turn in your Packet	0
Step 3 – Consistency Review Starts	1
Deadline for information requests	25
Comment deadline	34
Step 4 – Proposed Determination	44
Deadline to file for elevation or petition*	49
Step 5 – Final Determination	50

\*See page 17

- If all necessary permits for your project are legally required to be issued within 30 days, the consistency review can be completed within a 30-day time frame as provided in 6 AAC 50.110 (a).
- Federal activities (projects conducted by or for a federal agency) may require a different review schedule. However, this booklet is not designed to address specific review or consistency requirements for federal activities. Contact DGC for more information at (907) 465-8794.

**Who reviews the project?**

The participants in the coastal consistency review process include: (1) you, the applicant; (2) state resource agencies and the Division of Governmental Coordination; (3) the affected coastal district; (4) other interested members of the public; and (5) federal agencies.

*Having had a preapplication meeting can really pay off during step 3. Identifying concerns before the review begins can avoid delays and the need for additional stipulations.*

**Extensions to the review schedule**

The review schedule may be extended for certain reasons as provided in 6 AAC 50.110(b). For example, after demonstrating a need for an extension, reviewers may request an extension:

- For you to provide additional information on your project that is needed for their analysis. The project review may be stopped within specified deadlines until that information is received. Within 7 days of receipt of the additional information, you will be notified of its adequacy.
- To perform a field review within a 10-day limit.
- To coordinate with DNR's process for disposals of interest in state land or resources.
- For a public hearing held as part of the consistency review process.

# Step 4

## Proposed consistency determination

**What happens after reviewers submit comments?**

After receiving comments from participants during the review process, the coordinating agency tries to resolve any issues that were raised. The coordinating agency then develops a **proposed consistency determination**. The proposed determination is discussed with you, state resource agencies, and the affected coastal district for concurrence.

**What are stipulations?**

The proposed consistency determination may include stipulations that modify your project and are necessary to bring it into compliance with the ACMP. These stipulations, or conditions of approval, are attached to permits issued for the project. Applicants and reviewers may discuss, or negotiate, the stipulations that will be included in the final determination.

**What happens if I don't concur with the proposed consistency determination?**

If concurrence cannot be reached by the review deadline, an elevation and/or petition can be requested by you or certain review participants. Please note that the instances of elevation are low. In fact, our statistics show that less than one percent of proposed consistency determinations receive requests for elevation or petition.

For a brief explanation of these processes, refer to *Elevations, Appeals, and Petitions* after Step 5. DGC can provide you with more information than is presented here in the unlikely event that this becomes an issue for your project.

# Step 5

## Final determination

### *When does my project get a final consistency determination?*

A final consistency determination is issued when you and the project reviewers concur with the proposed determination, including the stipulations. The final consistency determination must be issued by the review deadline, generally 50 days.

### *When do I get my permits?*

Once the final consistency determination is completed, most state agencies issue state permits covered by the determination within five days. However, an agency may find that additional time is necessary to fulfill its statutory requirements. For example, leases and other disposals of state land or resources issued by DNR generally require additional time. DGC or the permitting agency can provide you with more information on when you can expect to receive the permits for your project.



*Once all your permits are in place, the real work begins.*

## Elevations, Appeals, and Petitions

### *Elevation*

If you disagree with the proposed determination on your project, you may request elevation (further review) to division directors within state resource agencies. A resource agency or affected coastal district may also request an elevation. This request must be in writing and include a proposed alternative consistency determination that would effectively address your concerns. The directors review the proposed determination and the alternative determination included in the elevation request, then issue a director-level proposed determination.

If you do not agree with the director-level review, you may elevate the review to the commissioners of the resource agencies, who issue a final determination. This is the last step in the administrative process. Each elevation review can take up to 15 days.

### *Petition*

Under AS 46.40.096, certain eligible parties may petition the Coastal Policy Council to review a project if the petitioner believes their comments related to the enforceable policies of an affected coastal district were not fairly considered. These parties may include the project applicant, an affected coastal district, a state agency, or a citizen of an affected coastal district. The petition process must be completed within 30 days. Contact DGC for more information.

### *Appeal*

If your project requires a federal approval and you disagree with the state's final consistency determination, you may also appeal to the U.S. Secretary of Commerce in Washington, D.C., as provided in 15 CFR 930.125(h). DGC can provide you with information on this appeal process upon request.

## Looking for more information?

Where you go to obtain more information will depend on the type of information you are seeking and your familiarity with the ACMP consistency review process. Generally, DGC can provide answers to your questions or direct you to the right person. However, before and during the application and review process, you will also likely benefit from contacting the local coastal district, and the agency or agencies that will be issuing permits.

If you are new to the ACMP or are unsure where to go, we recommend you contact the Division of Governmental Coordination (DGC). As the administrator of the Alaska Coastal Management Program, DGC's duties include helping applicants navigate the consistency review process and obtaining the information they need to succeed in getting their projects approved.

### What other information can DGC provide?

The Division of Governmental Coordination (DGC) serves as the information center for the ACMP and the consistency review process. DGC can provide quick answers to whether or not your project is in the coastal zone, what permits you will need, and other questions you have about the project approval process.

DGC also retains copies of:

- all coastal district management programs,
- coastal zone boundary maps,
- ACMP statutes and regulations,
- policies, procedures, special project papers,
- ACMP history and legal opinions, and
- other documents related to the ACMP.

For projects requiring permits from two or more state agencies, or a federal permit, DGC serves as the coordinating agency for the consistency review. In addition, DGC coordinates the review for federal projects proposed in the coastal zone.

### What information can other state resource management agencies provide?

The Department of Natural Resources (DNR), Department of Environmental Conservation (DEC), and the Department of Fish and Game (DFG) can provide information about the ACMP consistency review process but specialize in providing applicants with permitting requirements under their authority. For projects only requiring a permit from one of these state resource agencies, that agency coordinates the consistency review.

### What information can coastal districts provide?

Coastal Districts can provide information about the ACMP consistency review process, but most importantly can share with you local permitting requirements for your project. In addition, coastal districts have expertise of local conditions and community standards, including development priorities, cultural values, and environmental conditions.

### What information can I find on the Internet?

If you have access to the internet, be sure to visit the ACMP Website at:

<http://www.alaskacoast.state.ak.us/>

This new site will feature:

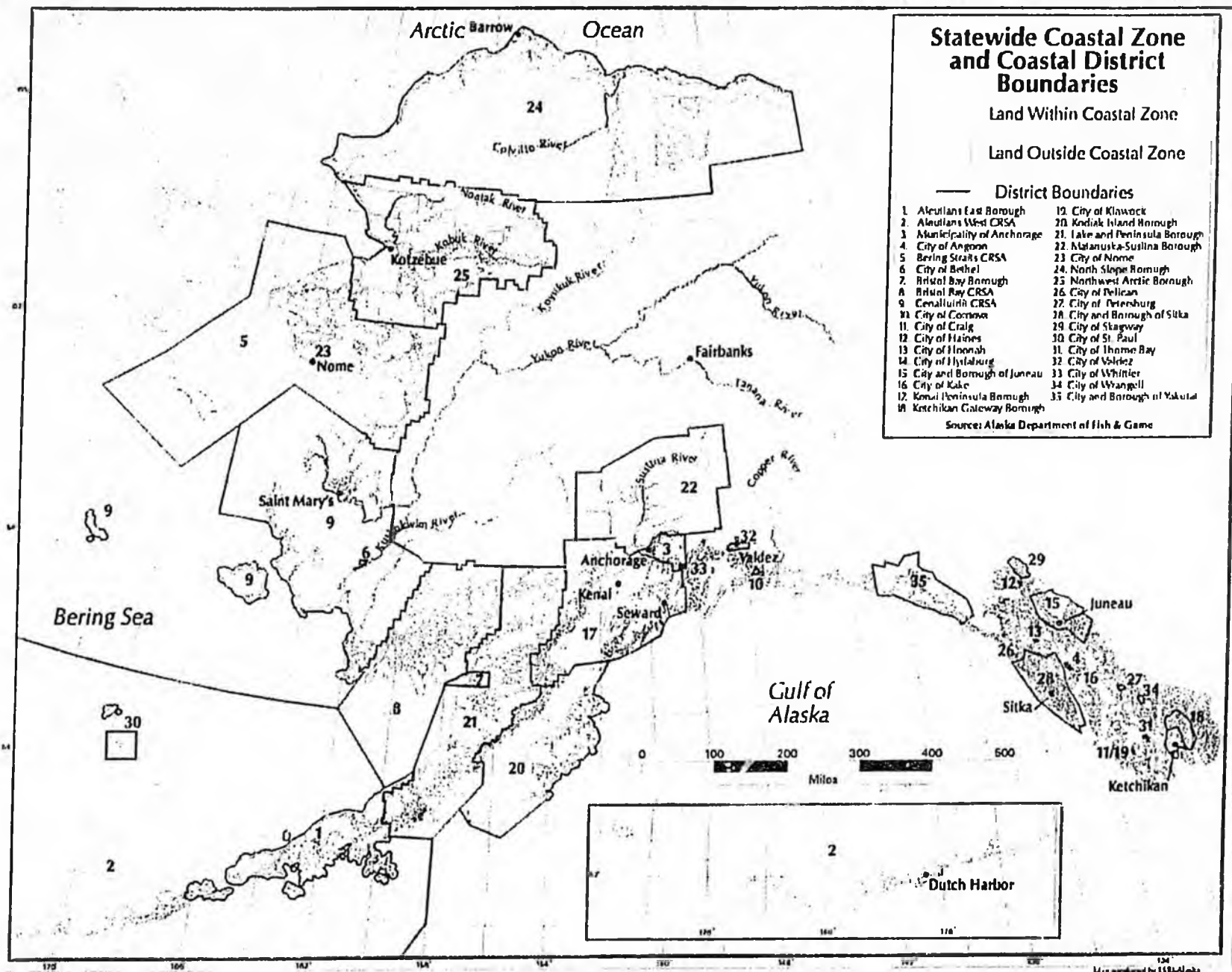
- a downloadable CPQ,
- more complete information about who to contact to help you through the consistency review process,
- access to DGC's project review database,
- coastal district enforceable policies,
- the ACMP statewide standards in 6 AAC 80,
- and much more.

If you need detailed information about an Alaskan community, visit the Department of Community and Regional Affairs community profiles database web page at:

[http://www.comregaf.state.ak.us/CF\\_ComDB.htm](http://www.comregaf.state.ak.us/CF_ComDB.htm)

*DGC can provide answers to your questions or direct you to the right person.*





*DGC Contacts: addresses are on back cover*



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Main Line ..... (907) 465-3562  
Fax ..... (907) 465-3075  
Web Site Address:  
<http://www.alaskacoast.state.ak.us>

*Director of DGC*..... 465-3562  
*Project Review Coordinators* ..... 465-2142  
*Project Review Analysts*  
ABC List ..... 465-3529  
ANILCA ..... 269-7477  
Federal Consistency/Supervisor ..... 465-8794  
Mining and Timber ..... 465-8791  
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**ANCHORAGE DGC OFFICE**

Main Line ..... (907) 269-7470  
Fax ..... (907) 561-6134

*Project Review Coordinators* ..... 269-7472

**JOINT PIPELINE OFFICE**

Main Line ..... (907) 271-4317  
Fax ..... (907) 272-0690

*Project Review Coordinator* ..... 271-4317

*Coastal District Contacts*

**Aleutians East Borough**

P.O. Box 349  
Sand Point, AK 99661  
Phone: (907) 383-2699  
Telecopy: (907) 383-3496  
E-mail: aebclerk@aol.com

**Aleutians West CRSA**

P.O. Box 920045  
Dutch Harbor, AK 99692  
Phone: (907) 581-2212  
Telecopy: (907) 581-1306  
E-mail: awcrsa@ptialaska.net

**Anchorage, Municipality of**

Department of Community  
Planning and Development  
P.O. Box 196650  
Anchorage, AK 99519-6650  
Phone: (907) 343-4261  
Telecopy: (907) 343-4220  
E-mail: TobishTG@ci.anchorage.ak.us  
Web Site: <http://www.ci.anchorage.ak.us>

**Angoon, City of**

P.O. Box 189  
Angoon, AK 99820  
Phone: (907) 788-3653  
Telecopy: (907) 788-3821

**Bering Straits CRSA**

P.O. Box 190  
Unalakleet, AK 99684  
Phone: (907) 624-3062  
Telecopy: (907) 624-3811

**Bethel, City of**

P.O. Box 388  
Bethel, AK 99559  
Phone: (907) 543-5301  
Telecopy: (907) 543-4186  
E-mail: john\_malone@ddc-alaska.org

**Bristol Bay Borough**

P.O. Box 189  
Naknek, AK 99633  
Phone: (907) 246-4224  
Telecopy: (907) 246-6633  
E-mail: bbbmgmt@bristolbay.com

## *Coastal District Contacts*

### **Bristol Bay CRSA**

Nanvaq Building, Room 207  
P.O. Box 849  
Dillingham, AK 99576  
Phone: (907) 842-2666  
Telecopy: (907) 842-2776  
E-mail: bbcrsant@nushotel.com

### **Ceñaliulriit CRSA**

P.O. Box 368  
St. Mary's, AK 99658  
Phone: (907) 438-2638  
Telecopy: (907) 438-2643

### **Cordova, City of**

P.O. Box 1210  
Cordova, AK 99574  
Phone: (907) 424-6200  
Telecopy: (907) 424-6246  
E-mail: samflora@cordovanet.com

### **Craig, City of**

City of Craig  
P.O. Box 725  
Craig, AK 99921  
Phone: (907) 826-3275  
Telecopy: (907) 826-3278  
E-mail: jbolling@ptialaska.net

### **Haines, City of**

City of Haines  
P.O. Box 1049  
Haines, AK 99827  
Phone: (907) 766-2231  
Telecopy: (907) 766-3179  
Web Site: <http://www.haines.ak.us>

### **Hoonah, City of**

P.O. Box 360  
Hoonah, AK 99829  
Phone: (907) 945-3663  
Telecopy: (907) 945-3445

### **Hydaburg, City of**

P.O. Box 49  
Hydaburg, AK 99922  
Phone: (907) 285-3761  
Telecopy: (907) 285-3760

## *Coastal District Contacts*

### **Juneau, City and Borough of**

Community Development Department  
155 South Seward Street  
Juneau, AK 99801  
Phone: (907) 586-5230  
Telecopy: (907) 586-3365  
Email: Terry\_Stone@mail.ci.juneau.ak.us  
Web Site: <http://www.juneau.Lib.ak.us>

### **Kake, City of**

P.O. Box 500  
Kake, AK 99830  
Phone: (907) 785-3804  
Telecopy: (907) 785-4815  
E-mail: clerkake@scaknet.alaska.edu

### **Kenai Peninsula Borough**

144 N. Binkley Street  
Soldotna, AK 99669-7599  
Phone: (907) 262-4441 x337  
E-mail: Giandua@borough.kenai.ak.us  
Web Site: <http://www.borough.kenai.ak.us>

### **Ketchikan Gateway Borough**

344 Front Street  
Ketchikan, AK 99901  
Phone: (907) 228-6610  
Telecopy: (907) 247-8439  
E-mail: ktnczm@ktn.net

### **Klawock, City of**

P.O. Box 113  
Klawock, AK 99925  
Phone: (907) 755-2261  
Telecopy: (907) 755-2403

### **Kodiak Island Borough**

Community Development Department  
710 Mill Bay Road  
Kodiak, AK 99615-6340  
Phone: (907) 486-9360  
Telecopy: (907) 486-9376  
E-mail: lfred@kib.co.kodiak.ak.us (no caps)

### **Lake and Peninsula Borough**

P.O. Box 495  
King Salmon, AK 99613  
Phone: (907) 246-3421  
Telecopy: (907) 246-6602  
E-mail: lpboro@bristolbay.com

## *Coastal District Contacts*

### **Matanuska-Susitna Borough**

350 E. Dahlia Avenue  
Palmer, AK 99645-6488  
Phone: (907) 745-9865  
Telecopy: (907) 745-9876

### **Nome, City of**

P.O. Box 281  
Nome, AK 99762  
Phone: (907) 443-5242  
Telecopy: (907) 443-5349  
Web Site: <http://www.alaska.net/~nome/>

### **North Slope Borough**

P.O. Box 69  
Barrow, AK 99723  
Phone: (907) 852-0440 x266  
Telecopy: (907) 852-5991  
E-mail: [jdunham@co.north-slope.ak.us](mailto:jdunham@co.north-slope.ak.us)

### **Northwest Arctic Borough**

P.O. Box 1110  
Kotzebue, AK 99752  
Phone: (907) 442-2500  
Telecopy: (907) 442-2930  
E-mail: [acar@eagle.ptialaska.net](mailto:acar@eagle.ptialaska.net)  
Web Site: <http://www.northwestarcticborough.com>

### **Pelican, City of**

P.O. Box 737  
Pelican, AK 99832  
Phone: (907) 735-2202(wk)  
Telecopy: (907) 735-2258

### **Petersburg, City of**

P.O. Box 329  
Petersburg, AK 99833  
Phone: (907) 772-4533  
Telecopy: (907) 772-4876  
E-mail: [luczak@alaska.net](mailto:luczak@alaska.net)

### **Sitka, City and Borough of**

100 Lincoln Street, #201  
Sitka, AK 99835-7540  
Phone: (907) 747-1812  
Telecopy: (907) 747-7403  
E-mail: [campbell@cityofsitka.com](mailto:campbell@cityofsitka.com)  
Web Site: <http://www.CityofSitka.com>

## *Coastal District Contacts*

### **Skagway, City of**

P.O. Box 415  
Skagway, AK 99840  
Phone: (907) 983-2297  
Telecopy: (907) 983-2151

### **St. Paul, City of**

P.O. Box 901  
St. Paul, AK 99660  
Phone: (907) 546-2331  
Telecopy: (907) 546-3199

### **Thorne Bay, City of**

P.O. Box 19110  
Thorne Bay, AK 99919  
Phone: (907) 828-3380  
Telecopy: (907) 828-3374

### **Valdez, City of**

P.O. Box 307  
Valdez, AK 99686  
Phone: (907) 835-4313  
Telecopy: (907) 835-2992  
E-mail: [vdzacm@alaska.net](mailto:vdzacm@alaska.net)

### **Whittier, City of**

P.O. Box 729  
Whittier, AK 99693  
Phone: (907) 472-2326  
Telecopy: (907) 472-2404

### **Wrangell, City of**

P.O. Box 531  
Wrangell, AK 99929  
Phone: (907) 874-2381  
Telecopy: (907) 874-3952  
E-mail: [ecodev@wrangell.com](mailto:ecodev@wrangell.com)

### **Yakutat, City and Borough of**

P.O. Box 160  
Yakutat, AK 99689  
Phone: (907) 784-3323  
Telecopy: (907) 784-3281

## State Agency Contacts

*Primary State Resource Management Agency Contacts*

### Department of Natural Resources

Web Site: <http://www.dnr.state.ak.us>

#### *Southcentral Alaska:*

Public Information Office  
3601 C Street, Suite 200  
Anchorage, AK 99503-5929  
Phone: 269-8400  
Fax: 269-8901

#### *Southeast Alaska:*

Public Information Office  
400 Willoughby, Fourth Floor  
Juneau, AK 99801-1790  
Phone: 465-3400  
Fax: 586-2954

#### *Northern Alaska:*

Public Information Office  
3700 Airport Way  
Fairbanks, AK 99709-4699  
Phone: 451-2700  
Fax: 451-2751

### Department of Fish and Game Division of Habitat and Restoration

Web Site: [http://www.state.ak.us/local/akpages/  
FISH.GAME/adfghome.htm](http://www.state.ak.us/local/akpages/FISH.GAME/adfghome.htm)

#### *Southcentral Alaska:*

333 Raspberry Rd.  
Anchorage, AK 99518-1599  
Phone: 267-2335  
Fax: 267-2464

#### *Southeast Alaska:*

P.O. Box 240020  
Douglas, AK 99824-0020  
Phone: 465-4290  
Fax: 465-4272

## State Agency Contacts

#### *Northern Alaska:*

1300 College Rd.  
Fairbanks, AK 99701-1599  
Phone: 459-7289  
Fax: 456-3091

### Department of Environmental Conservation

Web Site: [http://www.state.ak.us/local/akpages/  
ENV.CONSERV/home.htm](http://www.state.ak.us/local/akpages/ENV.CONSERV/home.htm)

#### *Southcentral Alaska:*

555 Cordova St.  
Anchorage, AK 99501  
Phone: 269-7500  
Fax: 269-7652

#### *Southeast Alaska:*

410 Willoughby Ave. Suite 105  
Juneau, AK 99801  
Phone: 465-5350  
Fax: 465-5274

#### *Northern Alaska:*

610 University Ave.  
Fairbanks, AK 99709-3643  
Phone: 451-2360  
Fax: 451-2187

## *Federal Agency Contacts*

### **U.S. Army Corps of Engineers**

<http://www.usace.army.mil/alaska>

P.O. Box 898  
Anchorage, AK 99506-0898  
ATTN: NPACO-RF  
Phone: 1-800-478-2712

*Your project may also require permits from other federal agencies such as those listed below. However, these agencies do not have consistent or single points of contact for permit information and ACMP requirement. DGC can provide you with appropriate contact information if your project may require permits from these agencies.*

#### ***Bureau of Land Management***

<http://www.ak.blm.gov/>

#### ***Environmental Protection Agency***

<http://www.epa.gov/region10/www/search.html>

222 W. 7th Ave. #19  
Anchorage, AK 99513-7588  
1-800-781-0983

#### ***Federal Aviation Administration***

#### ***Federal Energy Regulatory Commission***

#### ***Minerals Management Service***

949 E. 36th Ave.  
Anchorage, AK 99508  
(907) 271-6010

#### ***U.S. Coast Guard***

<http://www.uscg.mil.d17uscgd17.html>

#### ***U.S. Forest Service***

<http://www.fs.fed.us/r10/>

*For more information about federal consistency or appeals to the U.S. Secretary of Commerce contact*

#### **Office of Ocean and Coastal Resource Management (OCRM)**

<http://www.nos.noaa.gov/ocrm/>

OCRM, National Ocean Service  
National Oceanic & Atmospheric Administration  
U.S. Department of Commerce  
1305 East-West Hwy., N/ORM4  
Silver Spring, Maryland 20910



State of Alaska,  
Office of the Governor

#### **Division of Governmental Coordination (DGC)**

##### ***DGC Web Site:***

<http://www.alaska-coast.state.ak.us>

##### ***Juneau DGC Office***

Address: 240 Main St.,  
Suite 500, Juneau, AK

Mailing: P.O. Box 110030,  
Juneau, AK  
99811-0030

Telephone: (907) 465-3562  
Fax: (907) 465-3075

##### ***Anchorage DGC Office***

Address: 3601 "C" St., Suite 370  
Anchorage, AK  
99503-5930

Telephone: (907) 269-7470  
Fax: (907) 561-6134

##### ***Joint Pipeline Office***

Address: 411 W. 4th Ave.  
Suite 2-C, Anchorage,  
AK 99501-2342

Telephone: (907) 271-4317  
Fax: (907) 272-0690



Funding for this publication provided by the State of Alaska and through the Coastal Zone Management Act of 1972, as amended in 1990, administered by the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration, U.S. Department of Commerce. These booklets were printed at a cost of .96 each in Anchorage, Alaska during June, 1998.

**HB**

**462**

# FISCAL NOTE

**STATE OF ALASKA**  
**2002 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: HB 462  
 (H) Publish Date: 3/6/02

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Fish and Game  
 Title Release of certain confidential records BRU Multiple  
and reports Component \_\_\_\_\_  
 Sponsor Representative Stevens  
 Requester House Fisheries Component No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2002) cost: 0.0  
 Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

Prepared by: Gordy Williams Phone 465-6143  
 Division: Commissioner's Office Date/Time 3/1/02 10:17 AM  
 Approved by: Gordy Williams for Commissioner Frank Rue Date 3/1/2002  
 Agency: Fish and Game

# FISCAL NOTE

STATE OF ALASKA  
2002 LEGISLATIVE SESSION

Fiscal Note Number: 2  
Bill Version: HB 462  
(H) Publish Date: 3/6/02

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Public Safety  
Title An Act relating to the release of BRU Fish & Wildlife Protection  
certain confidential records and reports . . . Component Enforcement & Investigations  
Sponsor Representative Stevens  
Requester House Fisheries Component No. 490

**Expenditures/Revenues (Thousands of Dollars)**

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>					
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<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>					
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**FUND SOURCE (Thousands of Dollars)**

FUND SOURCE	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2002) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

**POSITIONS**

POSITIONS	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Full-time	0					
Part-time	0					
Temporary	0					

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

This bill does not conflict with the Department's programs objectives and has no significant impact on our budget.

Prepared by: Captain Al Cain Phone 269-5589  
Division Fish & Wildlife Protection Date/Time 3/4/02 10:20 AM  
Approved by: Commissioner Glenn G. Godfrey Date 3/4/2002  
Agency Department of Public Safety



22-LS1401F  
Utermohle  
3/21/02

**CS FOR HOUSE BILL NO. 462( )**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-SECOND LEGISLATURE - SECOND SESSION**

**BY**

**Offered:**  
**Referred:**

**Sponsor(s): REPRESENTATIVE STEVENS**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the release of certain confidential records and reports concerning**  
2 **fishing, fish buying, or fish processing; and providing for an effective date."**

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

4 **\* Section 1. AS 16.05.815(a) is amended to read:**

5 (a) Except as provided in (b) and (c) of this section, records required by  
6 regulations of the department concerning the landings of fish, shellfish, or fishery  
7 products, and annual statistical reports of fishermen, buyers, and processors required  
8 by regulation of the department are confidential and may not be released by the  
9 department or by the Alaska Commercial Fisheries Entry Commission except as set  
10 out in this subsection. The department may release the records and reports set out in  
11 this subsection to the Alaska Commercial Fisheries Entry Commission. The  
12 department and the Alaska Commercial Fisheries Entry Commission may release the  
13 records and reports set out in this subsection to the recipients identified in this  
14 subsection if the recipient, other than a recipient under (5) - (9) [(5) - (8)] of this

1 subsection, agrees to maintain the confidentiality of the records and reports. The  
2 department and the Alaska Commercial Fisheries Entry Commission may release

3 (1) any of the records and reports to the National Marine Fisheries  
4 Service and the professional staff of the North Pacific Fishery Management Council as  
5 required for preparation and implementation of the fishery management plans of the  
6 North Pacific Fishery Management Council within the exclusive economic zone;

7 (2) any of the records and reports to the professional staff of the  
8 Pacific States Marine Fisheries Commission who are employed in the Alaska Fisheries  
9 Information Network project for the purpose of exchanging information with users  
10 authorized by the department;

11 (3) any of the records and reports to the Department of Revenue to  
12 assist the Department of Revenue in carrying out its statutory responsibilities;

13 (4) records or reports of the total value purchased by each buyer to a  
14 municipality that levies and collects a tax on fish, shellfish, or fishery products if the  
15 municipality requires records of the landings of fish, shellfish, or fishery products to  
16 be submitted to it for purposes of verification of taxes payable;

17 (5) such records and reports as necessary to be in conformity with a  
18 court order;

19 (6) on request, the report of a person to the person whose fishing  
20 activity is the subject of the report, or to a designee of the person whose fishing  
21 activity is the subject of the report;

✓ 22 (7) on request, annual statistical reports of a fisherman, buyer, or  
23 processor to the fisherman, buyer, or processor whose activity is the subject of  
24 the report, or to a designee of the fisherman, buyer, or processor whose activity is  
25 the subject of the report;

26 (8) fish tickets, [AND] fish ticket information, saltwater charter  
27 logbooks, saltwater charter logbook information, and annual statistical reports of  
28 fishermen, buyers, and processors and information in those reports to the  
29 [DIVISION OF FISH AND WILDLIFE PROTECTION,] Department of Public  
30 Safety;

31 (9) [(8)] fish tickets, [AND] fish ticket information, and annual

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✓

statistical reports of fishermen, buyers, and processors and information in those reports to the law enforcement personnel of the National Marine Fisheries Service and the National Oceanic and Atmospheric Administration for the purpose of enforcing fishery laws in waters of this state and in waters of the exclusive economic zone adjacent to this state;

(10) [(9)] fish tickets and fish ticket information regarding halibut to the International Pacific Halibut Commission; and

(11) [(10)] any of the records and reports to the child support enforcement agency created in AS 25.27.010, or the child support enforcement agency of another state, for child support purposes authorized under law.

\* Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

# Alaska State Legislature

**SESSION ADDRESS:**

Alaska State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-4925  
Fax: (907) 465-3517  
Toll Free: 1-800-821-4925



**INTERIM ADDRESS:**

112 Mill Bay Road  
Kodiak, Alaska 99615  
(907) 486-4925  
Fax: (907) 486-5264

## Representative Gary Stevens

### SPONSOR STATEMENT – HB 462

*HB 462, "An act relating to the release of certain confidential records and reports concerning fishing, fish buying, or fish processing", provides state and federal enforcement agencies access to certain reports of fishing, buying and processing activity to help ensure proper compliance with reporting requirements.*

In addition, this bill would allow fishermen, buyers, and processors to obtain certain reports of their own activity from the Department of Fish & Game or the Commercial Fisheries Entry Commission, or to designate that such reports be released to a specified third party.

**HB**

**474**

# FISCAL NOTE

**STATE OF ALASKA**  
**2002 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: CSHB 474 (CRA)  
 () Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: \_\_\_\_\_  
 Title Alaska Coastal Wildlife Refuge BRU \_\_\_\_\_  
 Component \_\_\_\_\_  
 Sponsor Representative Green \_\_\_\_\_  
 Requester House C&RA Component No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2002) cost: 0.0  
 Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

Prepared by: Lorali Carter, HC&RA Committee Aide Phone 465-6588  
 Division \_\_\_\_\_ Date/Time 3/19/02 12:58 PM  
 Approved by: \_\_\_\_\_ Date 3/19/2002  
 Agency \_\_\_\_\_

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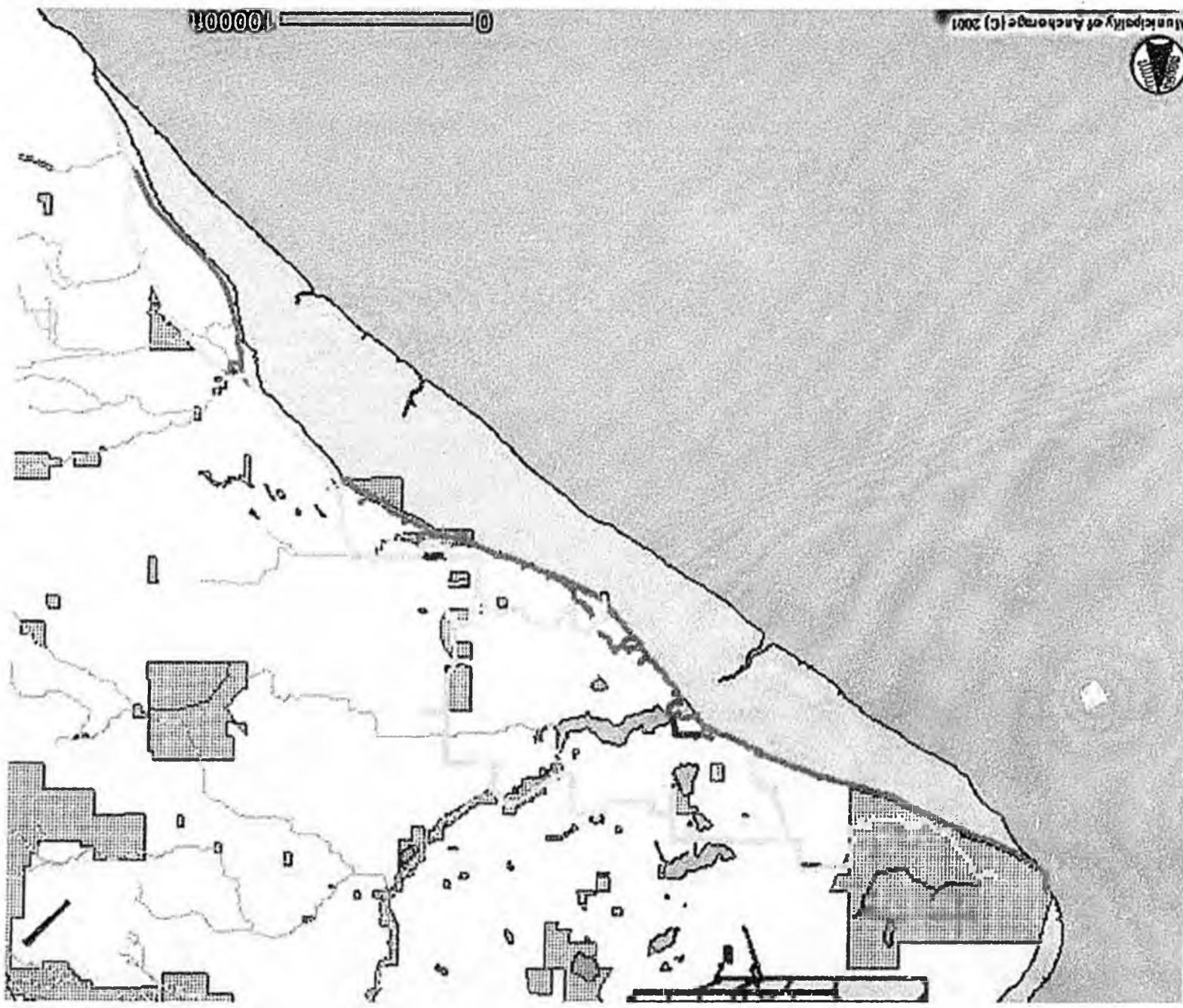


Municipality of Anchorage (c) 2001

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- Water
- Coastal Wetlands
- Land
- LANDWATER
- Parks
- 2
- 1
- Reports
- Streams
- Rod Abatement
- Orange Abatement
- GOU Abatement

*Pop. Stream*  
↑



TONY KNOWLES, GOVERNOR

DEPARTMENT OF FISH AND GAME

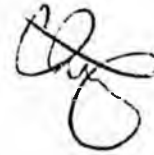
HABITAT AND RESTORATION DIVISION

P.O. BOX 25526  
JUNEAU ALASKA 99802-5526  
PHONE: (907) 465-4105/4125  
FAX: (907) 465-4759

To: Kurt Parkan, Deputy Commissioner, ADOT&PF  
From: Chip Dennerlein, Director, H&R Division, ADF&G

Date: March 14, 2002

Subject: ADF&G Proposed Route Alternative. South Anchorage Coastal Trail



Overview

The purpose of this memo is to communicate and confirm in writing the following points.

1. **The Alaska Department of Fish and Game (ADF&G) proposes a new alternative alignment for the proposed South Anchorage Coastal Trail.** This new alignment has been tentatively referred to in discussion as the "Fuchsia" route, and I will use that term here. ADF&G presented the Fuchsia route concept to the inter-agency project team in February. It was discussed in detail and further refined. We believe all members of the team (state agencies and the Municipality of Anchorage) support the requested actions outlined in this memo.
2. **ADF&G proposes that the existing "Orange" route be deleted from the pending list of viable alternatives currently being reviewed by FHWA, and that the new Fuchsia route be added in its place.** We want all interested parties and the general public to be given full opportunity to clearly review and comment on this proposed alignment as part of the NEPA/EIS process.
3. **ADF&G will assist the inter-agency project team in preparing the description of the Fuchsia route for the draft EIS.** We believe this will enhance the public's ability to review and comment on the specific attributes of this alternative – particularly the potential of the Fuchsia alignment to provide opportunities for a broad spectrum of users to experience and enjoy the character and values of the coast and the Anchorage Coastal Wildlife Refuge, while avoiding and minimizing potential impacts to wildlife and other refuge values.
4. **ADF&G requests that ADOT&PF communicate the information in this memo to FHWA as soon as possible, so that the NEPA review and decision-making process required for the proposed South Anchorage Coastal Trail extension can proceed expeditiously without further delay.**

Background

Agency and public concerns and disputes regarding the potential impacts of various proposed trail alignments on wildlife and other values of the Anchorage Coastal Wildlife Refuge are well documented in the correspondence and meeting record for the South Anchorage Coast Trail extension project, dating back to the inception of the concept in the early 1980s, and especially since active development of specific alternative routes in the latter 1990s. In the present situation, these concerns have focused principally on the "Orange" route, and more specifically on several particular segments of that alignment.

**In early January, following my appointment as Director of Habitat and Restoration, I undertook a detailed review of the issues and reached three conclusions.**

**First, that as Director, I could not recommend that ADF&G issue required agency permits for construction of the Orange route as proposed due to its high potential for adverse affects on specific habitats and areas within the Refuge, and the use of those habitats by certain species at certain times of the year.**

**Second, I could not envision any way that these potentially significant adverse effects could be avoided or sufficiently minimized except by substantial relocation of the proposed alignment in several areas (as opposed to addressing these concerns through design, construction and/or management techniques). As a result, I concluded that ADF&G could not "concur" that the Orange route was a "viable alternative" (within the meaning of that term) at this stage in the process.**

**Third, I concluded that ADF&G biologists (from both the Division of Habitat and the Division of Wildlife Conservation) most knowledgeable about the Refuge and its use by wildlife could envision and help design an alternative that provided a "coastal" experience, fulfilled the "Purpose and Need" statement for the trail – and avoided the significant negative impacts that would result from certain portions of the Orange route. Such an alignment could also be designed to provide opportunities to better "connect" people to the Refuge and its values in appropriate ways that would serve the public use, enjoyment and education purposes of the unit.**

I convened a working group of key people from ADOT&PF, ADF&G and the Municipality of Anchorage most involved in this project over the past several years. The group reviewed all pertinent information, from the core issues raised over the past several years to a recently completed study on winter wildlife movement and small mammal use of the Refuge. We outlined a clear set of "principles" based on the "Purpose and Need" statement for the trail, and on wildlife and refuge values. We also defined a full spectrum of users (from those interested chiefly in distance athletic/aerobic exercise to those of all ages and abilities who primarily take short strolls, to wildlife watchers, target shooters, hunters and adjacent neighborhood residents), and considered their individual needs.

The result of these meetings was the development of the Fuchsia route, which this memo now proposes as a reasonable, viable alternative, in place of the Orange route.

#### In Closing

I want to emphasize several points that I consider to be compelling.

**First, the Fuchsia route developed with the assistance of the inter-agency work is a pro-active proposal on its own positive merits. ADF&G has consistently supported the concept of extending the South Anchorage Coastal Trail in a manner that does not harm refuge values. The Anchorage Coastal Wildlife Refuge Management Plan states, in part, "Coastal trail access may be allowed within the refuge where disturbance to... fish and**

South Anchorage Coastal Trail, ADF&G Proposed Alternative Route 3/14/02

wildlife populations and their habitat is avoided", and where conflicts, including safety, between hunters, rifle range users and trail users would not be created. We believe the Fuchsia alignment, if properly constructed and managed can accomplish this objective.

Where the Fuchsia alignment is immediately adjacent to, and/or within, the boundaries of the refuge, it is there deliberately – because these specific locations provide access and "connection" for people to the character and values of the refuge, without harming those values. This is entirely consistent with the education and appropriate enjoyment purposes of the unit. Where the Fuchsia alignment avoids the refuge, it does so in locations where intrusion would be damaging to sensitive refuge values. At the same time, the alignment in these locations provides better pedestrian connections between the trail and local neighborhoods, and better parking and trail access opportunities for citywide residents, while minimizing traffic and parking impacts on trail adjacent neighborhoods.

**Second, while there are still substantive details to be worked out regarding specific issues at certain locations along the Fuchsia route, we believe that these are resolvable through appropriate trail design, engineering and management decisions within the bounds of the general Fuchsia alignment as proposed in this memo.**

Unlike some of the problems and impacts associated with the Orange route, we see no issues on the Fuchsia route where resolution of important wildlife or habitat concerns would require substantial relocation of the basic alignment as proposed. **In other words, ADF&G (and we believe other resource agencies) will "concur" with the Fuchsia alignment as a reasonable and viable alternative appropriate for the next stage of public review.** In our view, assuming that the cooperative project team will successfully work out the remaining detailed design and management issues, should the public favor the Fuchsia route, ADF&G believes that this route could then receive the agency approvals and permits required for construction of the trail. In my experience, this is exactly the kind of process that Section 4(f) and NEPA were designed to achieve.

The most important thing now is that the public have the opportunity to clearly review the Fuchsia route, so they can make their own judgment based on a range of truly "viable alternatives". If that happens, I believe we will be able to create a trail that truly meets the multiple interests of the community in both enjoying and sustaining the wildlife and natural values of Anchorage's coast.

If you have any questions, or if I can be of any further assistance in your communications with FHWA, please call. **A map depicting the Fuchsia route is attached.**

Cc Frank Rue, Commissioner, ADF&G  
Joe Perkins, Commissioner, ADOT&PF  
Pat Pourchot, Commissioner, ADNR  
Lance Trasky, Region 2 Supervisor, Habitat and Restoration, ADF&G  
Jeff Hughes, Region 2 Supervisor, Wildlife Conservation, ADF&G  
Jim Childers, Project Manager, South Anchorage Coastal Trail, ADOT&PF  
Lori Schenche, Parks and Recreation, MOA

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## Representative Joe Green

District 10

### **Sponsor Statement for House Bill 474**

**"An Act relating to public rights-of-way and easements for surface transportation affecting the Anchorage Coastal Wildlife Refuge."**

The Alaska State Legislature created the Potter Point State Game refuge in 1971, later expanding it to form the Anchorage Coastal Wildlife Refuge (ACWR) in 1988. ACWR runs 16 miles along Anchorage's coastline, from Point Woronzof to Potter Marsh.

The ACWR is one of few coastal salt marshes in Cook Inlet and is heavily used by waterfowl and shore birds. In addition, other animals call the refuge home including coyotes, bears, moose, lynx and hares.

House Bill 474 recognizes the value of ACWR to the people of Anchorage and seeks to protect this fragile habitat from further human encroachment by prohibiting any additional trails or roads that would affect the refuge without Legislative approval.

# Winter Distribution and Movement Patterns of Wildlife Along the Coastal Bluff in Anchorage, Alaska: Interim Report

Rick Sinnott  
Wildlife Biologist  
Alaska Department of Fish and Game  
January 11, 2002

## Introduction

Although it is difficult to estimate population size of wild animals using their tracks, tracking can provide information on species composition, distribution, and movement patterns. I began this study in October 2001, after the first snowfall of the winter, initially with the intent of tracking several black bears. The bears were using the Anchorage Coastal Wildlife Refuge and adjacent neighborhoods and upland natural areas. During three bear tracking attempts (October 18-23), I became aware of the opportunity to track other species on the refuge and adjacent lands. Beginning October 26, I began recording all mammal tracks and concentrations of bird tracks. I will continue to conduct track surveys through the winter as conditions and time permit.

## Methods

I conducted each survey after a fresh snowfall obscured previous tracks. This let me judge the age of the fresh tracks, usually within plus or minus a day. Surveys were conducted 1-8 days after a fresh snowfall. I surveyed tracks along proposed Coastal Trail routes--Orange (primarily along the toe of the bluff), Red and Gold (in Klatt and Jewel Lake bogs)--and in Connor's Bog. These routes are depicted in the series of orthophoto maps (1 inch = 200 feet) produced by HDR Alaska, Inc. (dated November 5, 2001). I zigzagged often to compare tracks in areas adjacent to the routes. Locations were recorded using a GPS unit. Locations recorded in 2001 with WGS84 coordinates were converted to NAD27 for mapping purposes.

Most local mammal species are easy to identify by tracks: moose, black bear, brown bear, lynx, snowshoe hare, porcupine, red squirrel, and muskrat. Raven and magpie tracks are also easy to identify. Other species were differentiated as follows.

Coyote tracks can be confused with dog tracks. I used physical and behavioral clues to differentiate these species. Dog tracks are often associated with human tracks. Dogs tend to be more erratic; turning, circling, and running for no obvious reason. Tracks clearly larger or smaller than a coyote track were considered to belong to a dog. Coyotes tend to have a regular stride and when trotting the hind tracks register almost exactly on the front tracks, unlike dogs, which tend to have a less efficient gait.

Both least and short-tailed weasels are found in the Anchorage area. Short-tailed weasels are also known as ermine. Small weasels have distinct track patterns; however, a male least weasel can be about the size of a female short-tailed weasel,

REDORT

making tracks difficult to identify to species. Therefore, unless a track was clearly too large to be a least weasel, all weasel tracks were lumped.

Several species of voles and shrews inhabit woods and marshes in the Anchorage area. It is difficult to impossible to distinguish between species of voles and shrews by their tracks, therefore these small mammals were lumped.

I recorded encounters with people and dogs along the proposed routes and noted well-used trails. I also noted areas used by snowmachiners.

## Results

I completed 4 track surveys from Kincaid motocross area to Oceanview Bluff Park between October 26, 2001, and January 9, 2002. The total distance surveyed was about 30.3 miles along the coastal bluff, not including side trips. Several additional partial surveys were conducted for black bear tracks along the coastal bluff. I also surveyed Klatt Bog twice (total 4.2 miles), Jewel Lake Bog once (1 mile), and Connor's Bog 3 times (total 2.5 miles).

**October 18:** I took advantage of the winter's first snowfall to track a black bear around Mrs. Kyzer's property, west of the mouth of Campbell Creek. The woman who reported the bear had seen it at about 0700 yesterday morning. It had also been seen in her yard yesterday morning during the snowfall. It was still snowing lightly, but I decided to follow its tracks in case it had a den nearby. I started tracking about 1530.

The woman lived at 4411 Edinburgh. The bear had been seen walking between two houses across the street, so I began there. The tracks were somewhat obscured by today's flurries. Initially, several sets of tracks were going in two directions, but then I found a relatively fresh set, from that morning, on Mrs. Kyzer's property.

I followed the bear's tracks west through the woods along the proposed Red route. Near the Jade Street easement the bear's tracks headed down the bluff to the old wooden fence on the coastal flats that demarks Mrs. Kyzer's boundary. After walking a few feet along the edge of the marsh, the bear headed uphill. I heard brush cracking uphill and found a fresh day bed (N 61.13327 W 149.97184) approximately 30 feet from the overlook shown on the 11/5/01 orthophoto maps of the Coastal Trail routes prepared by HDR. The bear had obviously been sleeping there most of the day. I followed the bear's tracks, now fresh, up the bluff, south of the houses on Byrd Street. The bear turned and went back downhill near Jade Street. It then walked along the "bench" at the toe of the bluff to the bend of Campbell Creek that is closest to the bluff. The bear's trail went uphill, then down, then up again over the southernmost point of the bluff, then downhill. The bear continued walking between the top and toe of the slope until it finally stayed on top, crossed Mrs. Kyzer's access road and then the clearing in the trees near her house. The bear then walked north and west, following the proposed Red route, back to the exact spot I started following its tracks. The bear's tracks continued west, but I returned to my truck.

This odyssey suggests several important points. The bear did not want to leave the woods and enter a neighborhood in the middle of the day, even when pressed. The bear didn't want to walk out onto the flats. The bear had a day bed a few feet above the

"bench" that the proposed Orange route would use. The bear used the "bench" and wooded strip at the toe of the bluff for 1,800 feet along the proposed Orange route. The bear used the proposed Red route for an additional 2,600 feet. The entire course was about a mile, all on Mrs. Kyzer's property.

**October 21:** A black bear was reported in a spruce tree at 6262 W. Dimond. It was still in the tree when I arrived. When the bear came down it grabbed a bag of garbage. I shot it in rump three times with rubber slugs. It dropped the garbage and ran over the bluff. I back-tracked its trail down the bluff about 100 yards to a well-defined day bed (N61.13990 W150.00209) under a large spruce tree about 20 yards up the bluff from the lower bench. The bear had slept there for a while because there were no tracks leading to the tree, previous tracks were covered with today's snow. There were signs of digging in the soft dirt under the new snow, but the bear did not den there.

I received another call about half an hour after I had chased the bear over the bluff. The same bear had walked along the top of the bluff and was in garbage about 6 houses (900 feet) east of the original house. The bear climbed a tree as I approached. I left 20 minutes later as it was getting dark.

**October 23:** Black bear tracks from last night were seen in the back yard of 200 Pacific View Drive (near Johns Road). I followed them east along and just below the top of the bluff. The bear crossed the Johns Road easement at the top of the bluff. It checked out two empty bird feeders in back yards. In one back yard the bear turned sharply, walked around the house to the garage door, grabbed a bag of garbage, pawed through it in the side yard, then walked back to the top of the bluff and continued east. It was obvious that the bear smelled the garbage from the back yard. Two houses east of Admiralty Place the bear walked onto Oceanview Drive and I lost the trail in the neighborhood. Total distance traveled along the top of the bluff was about 1,800 feet.

**October 26:** I looked for tracks along the toe and slope of the bluff between the Kincaid motocross area and Campbell Creek, a distance along the bluff of about 2.7 miles. It hadn't snowed for 3 days. Snow depth was about 6 inches along the bluff, although it was over a foot near the toe of the bluff, in the coastal marsh, and less than an inch under dense spruce trees.

*Black bear.* Black bear tracks were found on the bluff slope below 6262 West Dimond. The tracks had no snow in them and were estimated to be 2 days old. The bear walked through the day bed I found on October 21. Several bear trails zigzagging up and down the bluff intersected in this area. I followed one set east about halfway between the top and toe of the bluff. It angled downhill to the bench at the toe of the bluff, then turned west along the bench. The bear found a pile of old moose bones (mostly spinal column and pelvic girdle) and dug them up (N 61.13904 W 149.99973). It walked the bench another ¼ mile, perhaps 1/3 mile overall, then angled back uphill to where I first saw its trail.

I found an older set of bear tracks, perhaps 3-4 days old and about ½ full of snow, below 6262 West Dimond. I back-tracked the bear along the bench for 0.3 miles, then up the bluff. I lost the trail on top of the bluff about 100 yards west of Seacliff Condos in a tangle of people and moose tracks. This and the previous trail crossed the switchback on the Red route shown on the 11/5/01 orthophoto maps of the Coastal Trail provided by HDR.

Another bear trail crossed this one near the top of the bluff about halfway between the Carey's house on this largely undeveloped lot and Seacliff Condos. This trail was heading downhill. It may have been the same bear, but not the same day, as the two trails angled downhill in opposite directions and this trail was about 4-5 days old. The trail soon came to the bench at the toe of the bluff and headed east on the bench. I left the trail at the Jade Street easement to try to catch a snowmachiner in the refuge. The last two bear trails followed the toe of the bluff for 0.85 miles.

*Moose.* Moose trails were observed along the toe of the bluff from the Kincaid motocross to below Jodhpur Drive, then again near Campbell Creek. Moose walked along the toe of the bluff in the marsh and on the bench. At least 5 moose trails crossed Campbell Creek on the fill over the culverts; this was obviously a major corridor over lower Campbell Creek. Moose had walked up and down the bluff in several areas, but I saw no clear movement corridors up and down the bluff.

*Coyotes.* Coyote tracks were abundant. Coyotes used the toe of the bluff as a movement corridor. If there was no bench, they used the wetlands within 20 feet of the toe. They seemed to prefer using the benches, however. I found two, well-defined coyote day beds (N 61.13358 W 149.99683) under a spruce tree about 5 feet above the bench. Several well-used trails radiated out from this spot. However, coyotes also traveled well out into the marsh, so their tracks were constantly veering away from the main trails along the bluff and then back to the bluff. There was no place along the entire route that you couldn't see one or more coyote trails from. On Mrs. Kyzer's property the coyotes also trotted along the bank of Campbell Creek. A well-used trail of old and fresh tracks was already evident. In some places there were many trails circling through the sedges. The coyotes were hunting voles in the sedges on the flats. I heard two coyotes yapping near Campbell Creek about 1400. One was near the AWWU pump station and one was at least ¼-mile offshore. I saw the latter coyote a few minutes later. I found a small den (N 61.13350 W 149.97340) near the Jade Street easement. It was in the upturned end of a root wad. The entrance was about a foot in diameter, but there were no tracks to identify the occupant.

*Weasels.* The characteristic dumbbell prints of weasels were abundant in the marsh near the toe of the bluff. They occasionally ventured away from the bluff, but didn't seem to go far. I found some tracks on the benches, but didn't see any tracks going up or down the bluff above the benches. There were areas with concentrations of tracks, such as between the Kincaid motocross area and Jodhpur Road and between Seacliff Condos and Kyzer's property. However, weasel tracks were abundant along the entire route.

*Magpies.* Black-billed magpie tracks and wing prints were abundant near the many, unfrozen seeps at the toe of the bluff. They appeared to be scratching at the sodden leaves, perhaps finding invertebrates.

*Raptors.* A bald eagle was perched in a large cottonwood near the west end of Mrs. Kyzer's property (N 61.13275 W 149.96992).

**October 29:** I walked from Furrow Creek to Bayshore Creek, mostly along the base of the bluff, a distance of about 2.2 miles. Snow was about 6 inches deep. Furrow Creek has created an alluvial fan and the forested area extends farther from the bluff than most

areas. The forest is mixed birch, cottonwood, alder, and white spruce, no different in composition from other areas along the bluff.

*Voles and shrews.* Some trails and holes in the snow were found in the forested areas, but tracks and holes of these small mammals were most abundant in the *Calamagrostis* zone between the forest and the marsh sedges.

*Weasels.* Weasel tracks were observed in forested areas; however, they were one of the most common tracks in open areas heavily used by voles. These areas included the *Calamagrostis* and sedges near the bluff from Victor Drive to Bayshore Creek, especially between the sewer berm and the bluff.

*Snowshoe hares.* The forested area below the bluff was criss-crossed with numerous snowshoe hare tracks. The strip of trees between Furrow Creek and the west end of Botanical Heights Circle had the highest density of hares I've seen in the Anchorage Bowl so far this winter. Snowshoe hare tracks were also relatively abundant in other forested areas along the entire route. Hares seldom seemed to venture into the open marsh.

*Lynx.* Because of the abundant hares, the number of predators also appears high. Lynx tracks were numerous in Johns Park below the bluff and the adjacent refuge, in all directions. Some tracks went up and down the bluff, but most tracks were on the flat area between the toe of the bluff and the open marsh. As the forested area narrowed to a strip along the base of the bluff south of Shore Drive, the lynx tracks continued to be abundant only in cover, with occasional short forays into the marsh along the ecotone. Lynx tracks followed the sewer berm and the toe of the bluff from Victor Drive to the Klatt peat disposal peninsula. I did not follow the sewer berm west of the peat dump, but two sets of lynx tracks followed the toe of the bluff from the peat dump to Bayshore Creek and beyond. At least two sets of lynx tracks were visible at every point during this survey. This area had the highest density of lynx tracks I've ever seen in the Anchorage Bowl.

*Coyotes.* Coyote tracks were also numerous in Johns Park below the bluff and the adjacent refuge. Coyotes were less confined to the forested strip along the toe of the bluff. Their tracks often went well into the open marsh. However, their tracks were most concentrated in the forested area at the base of the bluff. Coyotes obviously use the toe of the bluff as a movement corridor. Coyote tracks were more numerous than lynx tracks in areas with only a thin strip of cover at the toe of the bluff; i.e., from Victor Drive to Bayshore Creek. Coyotes also followed the sewer berm.

*Moose.* Johns Park was well-used by moose below the bluff, judging from the tracks in all directions. As the forested area narrowed to a strip along the base of the bluff below Shore Drive, the moose tracks and beds were concentrated on the sewer berm until it became less prominent near Spyglass Circle.

*Raptors.* Feathers from a small passerine killed by a raptor were found at the toe of the bluff near Spyglass Circle.

**October 30:** I walked from Furrow Creek to the sledding hill at Oceanview Bluff Park, about 1.1 miles along the bluff. Snow conditions were the same as yesterday. The Orange route along the toe of the bluff is a treacherous area, with frequent seeps or

upwelling pools of water from the bluff creating open water or thin ice conditions. It was difficult to walk through the underbrush and deadfalls without stepping or slipping into these icy puddles, and some were well over knee deep.

From the sledding hill at Oceanview Bluff Park to the old Oceanview sewer berm lies a sweetgale (*Myrica gale*) brush zone sandwiched between the black spruce near the bluff and the sedges farther out in the marsh. The sweetgale, about 2 or 3 feet high, was holding a heavy load of snow off the ground. I saw no tracks in this area except moose trails. The high, snowy brush may limit visibility and movement of medium-sized mammals (e.g., hares and coyotes) until the snow pack builds up.

*Voles and shrews.* The tracks and holes of these small mammals were most abundant in open areas.

*Weasels.* A few weasel tracks were seen in the forest. I didn't spend much time in the *Calamagrostis* and sedges beyond the forest where weasel tracks are normally more abundant.

*Snowshoe hares.* Hare tracks were abundant in forested cover, comparable to yesterday. I saw no hare tracks in the sweetgale brush between the sledding hill at Oceanview Bluff Park and the old Oceanview sewer berm. As I walked from the black spruce bog towards the bluff, hare tracks and droppings did not become abundant until the black spruce mixed with alders.

*Lynx.* Lynx tracks were abundant in all forested areas, comparable to yesterday. Lynx appeared less likely than coyotes to follow hares into the black spruce/alder zone away from the toe of the bluff.

*Coyotes.* Coyote tracks were abundant in forested areas and in the open marsh, comparable to yesterday. Coyote tracks were also abundant in the black spruce/alder zone between the sledding hill at Oceanview Bluff Park and the old Oceanview sewer berm. Coyotes traveled the entire length of the old sewer berm.

*Black bears.* Bear tracks were observed climbing the bluff on the ridge east of Furrow Creek. They joined a well-defined human trail on top of the bluff. I back-tracked the trail down the ridge and to the east, where it came out of the subdivision and down the bluff. Another set of bear tracks climbed down the bluff nearby and headed east. The total distance traveled by both sets of tracks in Johns Park and the refuge was 0.2 miles. There were so many lynx, coyote, and moose tracks stepping into the bear prints in this part of Johns Park and the refuge that the bear tracks were frequently obscured.

Another set of bear tracks climbed the bluff into the subdivision about 100 yards east of the last set. I back-tracked this trail for 0.5 mile until they came down the bluff out of the Oceanview subdivision, between Beach and Gulf circles.

I found another set of bear tracks heading eastward near the sledding hill at Oceanview Bluff Park. I back-tracked this trail 0.2 mile until I lost it on a human/moose trail coming out of the Oceanview subdivision at the base of the old sewer berm.

It is likely that all of the bear trails followed today were made by the same bear. All appeared to be almost two weeks old, made after the major snowfall but before the

flurries ended. Except for the trails directly up and down the bluff, all of the trails hugged the toe of the bluff, sometimes following a narrow bench above wet areas, sometimes veering away from the bluff to get around tangles of dead trees. In total, black bear tracks were found along 0.9 miles of the 1-mile route I walked today along the toe of the bluff.

*Moose.* Moose tracks were numerous in forested areas and moose occasionally forayed into the marsh. The old Oceanview sewer berm had numerous moose trails heading in and out. Moose apparently use the berm as a movement corridor.

*Raptors.* I saw or heard no raptors; however, I found a blood stain from a hare killed, probably by a goshawk, on the top of the bluff adjacent to Furrow Creek. I found a pile of feathers from a robin killed by another raptor at the toe of the bluff about halfway between Furrow Creek and Oceanview Bluff Park.

*Humans and dogs.* People use the marsh in winter more than I thought. There were well-defined human trails at several access points, including the old Oceanview sewer berm, Johns Road, and Furrow Creek. Yesterday I found well-defined human trails at west Johns Park, Victor Road, Spyglass Circle, and Bayshore Creek, to name a few. I saw one person walking 2 dogs without leashes in the refuge near Shore Drive.

**November 3:** I walked from Kincaid motocross area to Bayshore Creek, about 3.6 miles along the bluff. About 6 inches of snow had fallen on the old snow, erasing most tracks more than a week old. The snow stopped falling about 30 hours ago, which helped age new tracks.

*Voles and shrews.* I found some tracks on the new snow. Holes in the snow were the most abundant sign.

*Weasels.* Numerous weasel tracks were seen in the open marsh near the toe of the bluff between the Kincaid motocross area and Retherford's boardwalk. Tracks were less common between the boardwalk and the AWWU lift station. Several sets were found in the open marsh at the toe of the bluff between the AWWU lift station and Bayshore Creek. Weasels were primarily using the open marsh, especially in areas with *Calamagrostis* and drift logs; however, their tracks also ventured into the forest edge along benches.

*Red squirrels.* Sporadic networks of tracks on the bluff face and benches, rarely in open marsh. The networks generally radiated from a large spruce or group of spruces with large piles of cone detritus and den holes.

*Snowshoe hares.* No concentrations of tracks. Hares tend to stay on benches or parallel the bluff slope rather than move up and down the bluff. A small area on the bench and slope between the AWWU lift station and Bayshore subdivision had many hare tracks. Noticeable lack of fresh tracks of any kind in pole stand of birch on bluff near Resolution Pointe subdivision.

*Lynx.* Fresh lynx tracks were seen at the toe of the bluff near Retherford's boardwalk traveling east about 200 yards. One or more old sets of lynx tracks also began here and continued east to Seacliff Condominiums. More fresh lynx tracks were found between Carey's house, west of Seacliff condos, and Shorecrest Drive (about 300 yards total).

Another set of fresh lynx tracks moved up and down the bluff all along Mrs. Kyzer's property. The fresh tracks occasionally led to the edge of Campbell Creek. Another set of fresh lynx tracks was found along the toe of the bluff below Bayshore subdivision to Bayshore Creek. The lynx climbed the bluff at Bayshore Creek and continued east along the top of the bluff, but this trail was not followed. Lynx seemed to prefer walking on the bench or just inside the edge of the forest, unless deadfalls or heavy brush forced them into the open marsh at the toe of the bluff.

*Coyotes.* Old coyote tracks were always in sight. Old tracks criss-crossed the open marsh. Fresh tracks were almost as abundant, but they were predominantly on the benches and in the open marsh within 30 yards of the forest edge. Unlike lynx, coyotes seemed to prefer traveling along the open edge and in the marsh to forested areas, although almost every bench had at least one fresh trail. Coyotes crossed the culverts on Campbell Creek.

A coyote had investigated the day bed I found last time. However, they had another day bed nearby under a large spruce tree at the toe of the bluff (N 61.13774 W 149.99354) with four beds that were used since the new snow. Many trails radiated up the bluff, out into the marsh, and both east and west along the bench and toe of the slope from this day bed. Nearby, about 10 feet into the open marsh (N 61.13844 W 149.99786), was a rendezvous site where at least 4 coyotes had joined from different directions and trampled an area about 10 feet by 10 feet, before splitting up. One coyote had a freshly killed hare, judging from spots of blood and an impression in the snow. There were no hare tracks leading to the rendezvous site, suggesting the hare was caught and killed elsewhere.

A dead beluga whale had been carried by high tides to within 200 feet of the base of the bluff off Shorecrest Drive (N 61.13337 W 149.97726). Fresh coyote tracks radiated in all directions from the carcass. A group of 5 coyotes had approached the carcass from the east, and a large communal day bed was trampled in the fresh snow about 20 yards from the carcass.

*Black bears.* Old tracks were observed up and down the bluff at the Kincaid motocross area.

*Moose.* Old moose tracks were found on all benches and in the open marsh at the toe of the bluff along the entire route. Fresh moose tracks were sporadic. The fresh trails angled downslope and then walked on the benches or open marsh near the forest edge. Several fresh beds were found on benches or in the open marsh near the edge.

Three sets of moose tracks crossed Campbell Creek over the culverts. These same 3 moose had walked through the municipal uplands near Resolution Pointe subdivision north of the AWWU lift station and across the access road. These three moose (one left spots of blood in left hind prints) eventually turned and walked back west along the toe of the bluff, and then climbed the bluff back into the municipal uplands. Other moose had walked up and down the access road. Moose seemed to prefer walking in the open marsh below Resolution Pointe and Bayshore subdivisions due to the thick undergrowth and occasional deadfalls in this area.

*Raptors.* Two eagle perches were found in large cottonwood trees at the toe of the bluff on Mrs. Kyzer's property (N 61.13275 W 149.96992; N 61.13140 W 149.96653). The eastern roost tree was near the bend of Campbell Creek closest to the bluff.

*Ravens and magpies.* Ravens and magpie tracks were abundant along the base of the bluff. Open seeps between the Kincaid motocross area and Retherford's boardwalk had again attracted magpies. The snow within 10 feet of the largest seeps was packed by magpie tracks.

Ten or more ravens were feeding on the beluga carcass (see coyote section).

*Humans and dogs.* The only heavily used human trail entered the refuge through a natural cut in the bluff from the municipal uplands near Resolution Pointe subdivision. Fresh dog tracks were seen there and in several locations at the base of the bluff near Bayshore subdivision. Several of these free-ranging dog trails led into the open marsh.

**November 5:** For comparison with the Orange route, I walked one of the least developed segments of the Red route, through Klatt Bog from the junction of C Street/Klatt Road to Northwood Drive, about 2.1 miles. I took occasional side loops through adjacent habitats. A snowfall of 4-6 inches 2 days ago covered most existing small and medium-sized mammal tracks and a snowfall of 2 inches about 24-30 hours ago covered all existing small mammal and bird tracks. This allowed me to age tracks as fresh (less than 1 day old), 1-2 days old, and 2-7 days old.

*Voles and shrews.* A few fresh vole tracks and holes were found, primarily in *Calamagrostis*.

*Red squirrels.* A few fresh squirrel tracks were found in wooded areas near Tower Road and the Klatt/Northwood corner.

*Weasels.* No weasel tracks were seen.

*Snowshoe hares.* Fresh hare tracks were abundant, even more abundant in some places than below Johns Park. Hares used disturbed habitat along Tower and Klatt roads. Disturbed areas along Tower and Klatt roads have narrow strips, about 10 yards wide, of alder and birch trees mixed with spruce parallel to the road. Fresh hare tracks were abundant in heavy cover, with trees at least 8-10 feet tall. Areas with low black spruce trees had few hare tracks and long distances with no tracks at all. Undoubtedly, the abundant hare population will attract lynx, coyotes, and avian predators like goshawks and great horned owls. However, it is notable that there was fresh sign of only one predator in 2.1 miles. This area is not used by predators as frequently as the refuge and adjacent marsh and ecotone along the bluff.

*Lynx.* One set of 1 to 2 day-old tracks cut across the proposed Red route just north of the proposed parking lot near the corner of Klatt/Northwood roads. A fresh set of lynx tracks paralleled Northwood Drive where the Red route would cross the road.

*Coyotes.* Two sets of 2 to 7-day-old coyote tracks were observed. One set was near the west edge of the subdivision north of Klatt Road and one near Northwood Road.

*Moose.* Fresh and old moose tracks were seen sporadically following and crossing the Red route. There was no obvious movement corridor like that below the bluff. Moose had fed in the disturbed habitat along Klatt Road. Other areas along the route had little or no browse and moose were just passing through. Moose had crossed Klatt Road at several locations. The number of fresh moose tracks seemed comparable to many areas at the toe of the bluff.

*Humans and dogs.* There were no wild mammal or bird tracks from C Street to Tower road, about ½ mile. This area around the softball fields was heavily used by sledders and people walking dogs. Humans, with and without dogs, had also walked along the north shoulder of Klatt Road and along both of the roadbeds in Klatt Bog that exit the proposed parking lot near the corner of Klatt and Northwood. All or most of the dogs were off leash, judging from their tracks. One dog walker was seen along the route with his dog on a leash.

**November 8:** I walked the Orange route from Oceanview Bluff Park to Bayshore Creek, a distance of about 3.3 miles along the bluff. I took occasional side trips through adjacent habitats. A snowfall of 4-6 inches 5 days ago covered most existing small and medium-sized mammal tracks and a snowfall of 2 inches 4 days ago covered all existing small mammal and bird tracks.

*Voles and shrews.* Many fresh vole tracks and holes were found, primarily in *Calamagrostis* or, in the forest, under deadfalls.

*Red squirrels.* Squirrel tracks were common in wooded areas. They were most abundant in areas with large white spruce.

*Weasels.* Weasel tracks were common in the alder/black spruce bog between Oceanview Bluff Park and the old Oceanview sewer line. Weasel tracks were abundant in the alder and *Calamagrostis* habitat in Johns Park and between the Klatt peat disposal peninsula and Bayshore Creek. They were most abundant in the *Calamagrostis* south of Shore Drive and Diligence Circle. An estimated 60-70 sets of fresh (1-4 day old) tracks were seen in this area alone (some of these were undoubtedly made by the same weasel). Some weasel tracks were found in the forested habitat at the toe of the bluff.

*Snowshoe hares.* Hare tracks were common to abundant throughout the forested habitat and in all cover with trees or shrubs at least 8 feet tall. Hares occasionally ventured into the open marsh between "islands" of low shrubs.

*Lynx.* At least one set of lynx tracks transected the entire forested strip between the toe of the bluff and the open marsh. Lynx occasionally walked up to 10 yards into the open marsh along the ecotone. From Johns Road to the west edge of Johns Park lynx tracks of various ages (fresh to over 5 days old) were abundant and criss-crossed in all directions. Lynx tracks were observed at the outermost fringe of alder shrubs around the mouth of Furrow Creek (e.g., N 61.10388 W 149.89164 and N 61.10346 W 149.89310). The fringe of alder shrubs extends to the lower edge of HDR's orthophoto map sheet 11, well into the wildlife refuge. Some tracks were about 800 feet from the toe of the bluff, measured with GPS. A lynx bed (1-2 days old) was found under a birch tree near the mouth of Furrow Creek, about 50 yards from the bluff (N 61.10444 W 149.88751). A set of 2-4 day old lynx tracks followed the toe of the bluff south of Shore Drive. Fresh (1-2

days) and old (at least 5 days) sets of lynx tracks followed the toe of the bluff between the Klatt peat disposal peninsula and Bayshore Creek. A hare killed by a lynx was found on top of the bluff east of the mouth of Bayshore Creek. Lynx tracks criss-crossed the top of the bluff in all directions at Bayshore Creek where only one set was present on November 3. Some of the trails went up and down the bluff into the wildlife refuge.

The alder habitat at the mouth of Furrow Creek is one of the most hazardous areas along the route. The habitat is about half tussocks and half pools and watercourses. I broke through the ice into water 3-24 inches deep at least once every 5 steps and was soon wet to the crotch. About a foot of snow held up by *Calamagrostis* stems covered the ground, compounding the difficult footing because I couldn't see my feet or the condition of the substrate.

*Coyote.* I found coyote tracks 2-4 days old near the bottom of the sledding hill at Oceanview Bluff Park. Coyotes had used the old Oceanview sewer berm in the last 4 days. Two sets of coyote tracks (2-4 days old) left the base of the sewer berm and headed west into the open marsh. The only fresh coyote tracks (less than 1 day old) were seen heading west into the open marsh from the Klatt peat disposal peninsula. Many sets of old coyote tracks (over 5 days old) were observed in the open marsh along the forested strip and angling to and from the open marsh along the entire route walked.

*Black bear.* No recent bear tracks were observed. One set of old bear tracks (over 10 days) walked east along the top of the bluff at Johns Park. The bear's tracks left a well-packed human/dog trail in Johns Park and crossed into the wildlife refuge heading toward the houses on Pacific View Drive. I did not follow it onto the first private lot.

I found a large cottonwood tree (over 4 feet in diameter) with clawed bark leading to a large horizontal limb about 25 feet above the ground. The tree was about 20 yards from the toe of the bluff (N 61.10413 W 149.88470).

*Moose.* Moose tracks were ubiquitous, especially in the open marsh along the forested strip at the base of the bluff. Moose often walked along the toe of the bluff as well, and tracks were seen criss-crossing in all directions. Occasionally moose traveled up or down the bluff. Some routes up and down the bluff are used more than others. Many moose tracks converged at the sledding hill at Oceanview Bluff Park, the old Oceanview sewer berm access road, the old road leading into the refuge south of Beach Circle, Johns Road easement, Furrow Creek, the Klatt peat disposal peninsula, and Bayshore Creek. These appear to be movement corridors that moose use to enter and leave the wildlife refuge.

Moose tracks were abundant in the open marsh south of Shore Drive where they were moving along the forest fringe and between low, heavily browsed willows in the marsh.

Moose tracks were the only tracks found in the black spruce bog between the sledding hill at Oceanview Bluff Park and the old Oceanview sewer berm. Deep snow, suspended by *Myrica gale* and *Calamagrostis* stems made it difficult to walk on the snow.

Moose had walked around the Klatt peat disposal peninsula, especially near the base and the isthmus. I counted 12 moose beds (1-3 days old); 6 of the beds were along the

sewer berm south of Shore Drive. I saw 1 cow browsing at the toe of the bluff south of Shore Drive.

*Humans and dogs.* Human and dog tracks were abundant at the sledding hill in Oceanview Bluff Park, along the old Oceanview sewer berm and access road, on the Johns Road easement, on the refuge access trail at the west edge of Johns Park, south of the corner of Shore and Skyway drives, on the Victor Road and Spyglass Circle easements, the local sledding hill and 2 nearby skating rinks in the marsh south of Seaport Circle, and Bayshore Creek.

November 17: I walked the Orange route from the sledding hill at Oceanview Bluff Park to Campbell Creek, a distance of about 4.2 miles. I took occasional side loops through adjacent habitats. About 1/2 inch of snow fell 3 days ago.

*Voles and shrews.* Many fresh vole and some shrew tracks and holes were found, primarily in *Calamagrostis* and beach rye or, in the forest, between and under logs.

*Red squirrels.* Squirrel tracks were found in wooded areas. They were most abundant in areas with large white spruce.

*Muskrats.* A muskrat den was dug into the bank at the toe of the bluff near the west end of Bree Drive (N 61.10462 W 149.88633). Fresh tracks were on the ice and snow on and around a small, mostly unfrozen puddle.

*Weasels.* Weasel tracks were abundant in the *Calamagrostis* south of Shore Drive and Diligence Circle. Some weasel tracks were found in the forested habitat at the toe of the bluff. About 20 small weasel, presumably least weasel, trails were found in the birch forest on top of the bluff east of Campbell Creek.

*Snowshoe hares.* Hare tracks were common to abundant throughout the forested habitat and in all cover with trees or shrubs. Hares occasionally ventured into the open marsh between "islands" of low shrubs.

*Lynx.* Old lynx tracks were seen in the brush between the sledding hill and the old Oceanview sewer line. Old lynx tracks were abundant between the old Oceanview sewer line and Shore Drive in all directions. These old tracks were more abundant than last time (i.e., 4-9 days old) and at least one set was about 3 days old. A lynx had walked down Bayshore Creek about 3 days ago. A fresh set (today) of lynx tracks went up Bayshore Creek. I backtracked this set and an older set (about 3 days old) into all the brush at the mouth of Bayshore Creek, almost out to the sewer berm. Another set of fresh lynx tracks, probably the same lynx, was on top of the bluff east of Campbell Creek along with old lynx tracks.

*Coyote.* Coyote tracks were not as abundant, compared with previous visits, between the sledding hill and Shore Drive; however, fresh and old tracks were in Furrow Creek canyon and were very abundant from the Shore Drive sewer line to Campbell Creek, in all directions. Old sets of coyote tracks were found along the entire route, but were most abundant west of Johns Park. Old and fresh coyote tracks were on top of the bluff east of Campbell Creek.

*Moose.* Old moose tracks were ubiquitous. Fresh tracks were discontinuous, but common. Two yearling bulls were seen near the old Oceanview sewer line and on a bed near the toe of the bluff 200 yards east of the Klatt peat disposal peninsula. The latter bull ran west along the toe of the bluff over the peat disposal isthmus and continued west along the toe of the bluff.

Old moose tracks followed the old Oceanview sewer line and turned east and west from the southern end of the berm. A well-defined moose trail led from near the southern end of the berm northwest towards Johns Road. I followed it through the *Myrica gale* and black spruce bog until it seemed to peter out in the brush about halfway to the bluff. Another heavily used moose trail left the bluff near the base of the sewer line and crossed the other trail in the *Myrica gale*, heading southwest into the ghost forest.

A heavily used moose trail ran along the toe of the bluff from Johns Road to the sewer berm near Shore Drive. Another moose trail came down the bluff near the eagle nests and headed south into the open marsh and refuge. The trail was less defined in sections with lots of blowdowns. The trail split at the berm with one fork following the berm and one staying at the toe of the bluff. The trail split at the Klatt peat disposal peninsula and then rejoined along the toe of the bluff to Campbell Creek. Lots of moose tracks on top of the Klatt peat disposal peninsula.

*Raptors.* One eagle was flying parallel to the bluff near the Klatt peat disposal peninsula. A goshawk or great horned owl had killed and eaten a snowshoe hare at a perch near the toe of the bluff about 100 yards west of Furrow Creek.

*Humans and dogs.* Human and dog tracks were abundant at the sledding hill in Oceanview Bluff Park. People had snowshoed from the sledding hill to the sewer line along a survey line cut roughly parallel to the bluff. Skiers and snowshoers had used the sewer line and swung back from the end toward the sledding hill. These trails should be clear in an aerial photo. Other trails heavily used by people and dogs came down the bluff east of Furrow Creek and into the refuge, west of Furrow Creek to the creek, at the west end of Johns Park and into the refuge, Victor Drive, and the local sledding hill at Seaport Drive, Bayshore subdivision out into the open marsh and parallel to the bluff toward Campbell Creek. The two skating rinks in the marsh near Bayshore had been obliterated by high tides and blocks of ice. Several heavily used trails were on top of the bluff east of Campbell Creek. Lots of free-ranging dog tracks entered the refuge near Bayshore subdivision. Snowmachines, walkers, and dogs used the AWWU access road to access the refuge.

**November 18:** I walked approximately 1 mile through Connor's Bog and edge habitat adjacent to the athletic fields at de la Vega park. About ½ inch of snow fell 4 days ago.

*Voles.* Two short vole trails were observed. The black spruce bog was essentially a clean slate, with no other small or medium-sized mammal tracks or bird sign on the snow.

*Moose.* Old moose tracks were common and some fresh trails were observed. There was no obvious direction of trails, except along fence lines.

*Humans and dogs.* Human and dog tracks were abundant along the sewer berm, fence lines, and following several old snowmachine tracks in the bog. Three skijorers with dogs passed by on the sewer berm.

**November 20:** I walked from the Kincaid motocross area to Campbell Creek, a distance of about 2.7 miles. A light freezing rain fell 2 days ago. Recent high tides left ice and crusty snow at the toe of the bluff between the motocross area and Retherford's boardwalk and below Shorecrest Drive and the Kyzer's property. This proved to be a good substrate for tracking larger mammals, as coyote and moose tracks were clearly visible and could be aged.

*Voles and shrews.* Snow conditions were not ideal for finding small mammal tracks. Some vole and shrew trails were observed in the same locations as before.

*Red squirrels.* Tracks were not abundant, and were only observed in wooded areas and along the edge of the open marsh.

*Weasels.* Tracks were not abundant; however, snow conditions were not ideal for finding small tracks in open areas due to tidal flooding.

*Snowshoe hares.* Tracks were common, but not abundant along ecotone.

*Lynx.* Two sets of old lynx tracks were observed along the ecotone, beginning where the bench widens west of Retherford's boardwalk. They were 1-2 weeks old (i.e., newer than my last set of tracks but before last week's snow). A fresh set (less than 1 day) of lynx tracks was observed below Seacliff Condos, heading east. Another set, probably a day older, was also observed below Seacliff Condos. Both sets of lynx tracks were lost on the bluff at Kyzer's property. Lynx tracks usually followed the bench in the trees, but occasionally ventured up to 10 yards into the open marsh.

*Coyote.* Fresh coyote tracks were very abundant along the entire route. As many as 4 coyotes (1 adult, 3 pups) had traveled in a group and singly along the entire route in both directions at the edge of the open marsh and along all benches during the last 1-3 days. Fresh and old tracks also went up the bluff and out into the marsh.

A coyote had dug up and inspected a moose leg bone on the bluff near the motocross area, about 40 yards below the top (N 61.14231 W 150.01987), about a week ago. A coyote had inspected on an old beaver carcass at the toe of the bluff less than 100 yards east of the motocross area (N 61.14176 W 150.01954). This was probably a beaver I left near the antenna tower on top of the bluff last June. One or two coyotes had dug up and played with the old goose carcass (mostly feathers) on the bench west of Retherford's boardwalk (N 61.14051 W 150.01057). Since yesterday at least 2 coyotes had dug up and inspected the old moose vertebral column and pelvic girdle (on the bench) that the black bear had found and inspected several weeks ago. Multiple old and fresh coyote tracks led to and from the beluga carcass near Campbell Creek. In addition to these scavenging efforts, several dozen digs were observed in the sedges near the toe of the bluff where coyotes had attempted to catch a vole or shrew.

Groups of 3-4 coyote day beds, used in the last 1-2 days, were found at the toe of the bluff under a large spruce and adjacent birch tree (N 61.14073 W 150.01245), about 15 feet above the bench under two large spruce trees (N 61.13876 W 149.99898), and on

the bench under a large spruce tree (N 61.13781 W 149.99317). The last set of day beds was the same as those observed on November 3. The coyotes had trampled another rendezvous site in the snow about 200 yards to the east of these day beds over a week ago. Like the one I observed on November 3, this rendezvous site was about 10 feet in diameter and was located about 10 feet into the open marsh.

*Moose.* Moose tracks were ubiquitous. There is an obvious trail in the open marsh at the edge of the trees and on every bench from the motocross to Campbell Creek. Moose beds were observed mostly in the open at the edge of the trees, but several were on the benches.

*Magpies and ravens.* Pools of open water are still available at the toe of the bluff between the Kincaid motocross area and Retherford's boardwalk. Magpies and ravens continue to use the pools and the surrounding snow surface. A group of 10-20 ravens has been seen near the west boundary of Kyzer's property on every visit. Today approximately 15 were in the cottonwoods, occasionally flying to the beluga carcass, which is in the same location as last time. Ravens had left almost no untracked snow for 200 feet along toe of the bluff, centered on Mrs. Kyzer's wooden fence, and from inside the tree line to about 20 yards into the open marsh.

*Raptors.* A bald eagle flew the length of Campbell Lake and over the dam into the refuge.

*Humans and dogs.* Human tracks were abundant at the motocross area and some people had walked part way down the bluff. Human tracks were also abundant in the trees below Seacliff Condos, but people had not entered the open marsh, which is flooded, with a thin crust of ice. Many people and dogs had walked along the AWWU access road.

Snowmachines have run the entire route from Campbell Lake to Point Campbell, and presumably beyond. Most or all of the snowmachines are coming from houses around the lake. Below the motocross area, several sets of old trails were 20-40 yards offshore. Trails tended to stay farther from the tree line between the motocross area and Mrs. Kyzer's property to avoid wet areas and hidden logs. At Mrs. Kyzer's the trails funneled into the area between the creek and the bluff. Snowmachines crossed Campbell Creek at the culverts below the dam. Old and new snowmachine trails ran along the east bank of the creek and between the lake and the refuge along the AWWU access road.

**November 21:** I walked the portion of the Red route through Klatt Bog from the junction of C Street/Klatt Road to Northwood Drive, about 2.1 miles. I took occasional side loops through adjacent habitats. The last snowfall, about ½ inch, was 7-8 days ago.

*Voles and shrews.* A few fresh vole tracks and holes were found, primarily in *Calamagrostis*.

*Red squirrels.* A few fresh squirrel tracks were found in wooded areas near Tower Road and the Klatt/Northwood corner.

*Snowshoe hares.* Hare tracks were abundant in the same areas they were found last time. Hares seldom ventured into the black spruce bog. A few hare tracks were found just inside the fence east of Tower Road.

*Coyotes.* Two sets of fresh coyote tracks were observed in the irrigation ditch west of Tower Road. Another fresh set of tracks was in the gravel pits west of the housing area. A hare was killed near the route in this area judging by the pieces of fur, but the kill site was not found, so the predator is unknown.

*Moose.* Fresh and old moose tracks were seen sporadically following and crossing the Red route. The only movement corridors appeared to be along the strip of disturbed habitat along Klatt Road, where moose are browsing on alders and birches along the strip, and the dike behind the subdivision, where moose seem to follow the fence line. Moose had crossed Klatt Road at many locations. The number of fresh moose tracks seemed comparable to many areas at the toe of the bluff.

*Humans and dogs.* There were no wild mammal or bird tracks from C Street to Tower road, about ½ mile. This area around the softball fields was heavily used by sledders and people walking dogs. Humans, with and without dogs, had also walked along the north shoulder of Klatt Road and along both of the roadbeds in Klatt Bog that exit the proposed parking lot near the corner of Klatt and Northwood. One dog walker was seen along the route with her dog on a leash. A couple had two dogs not on leashes. Another pair of dogs was seen with no owner.

**November 22:** I walked approximately 1/2 mile through Connor's Bog and edge habitat adjacent to the athletic fields at de la Vega park. The last snowfall was 8-9 days ago; however recent heavy hoarfrost facilitated identification of recent tracks.

*Voles.* No vole or shrew trails were observed.

*Snowshoe hares.* A few hare tracks were observed in the black spruce bog near clumps of taller spruce and in the fringe of mixed birch/spruce next to the athletic fields.

*Moose.* Old moose tracks were common and some fresh trails were observed. There was no obvious direction of trails, except along fence lines.

*Humans and dogs.* Human and dog tracks were abundant along the sewer berm, fence lines, and following several old snowmachine tracks in the bog. One skier was observed with 2 loose dogs.

**December 22:** I walked approximately 1 mile through Connor's Bog and edge habitat adjacent to the athletic fields at de la Vega park. It had snowed about ½ inch 4 days before.

*Voles.* No vole or shrew trails were observed.

*Red squirrels.* One set of tracks was observed in a black spruce "island."

*Snowshoe hares.* No tracks were observed, even in suitable habitat.

*Moose.* No new tracks were observed.

*Humans and dogs.* Human and dog tracks were abundant along the sewer berm.

January 8, 2002: I walked approximately 0.6 mile along the "adjusted Gold Route" and 0.4 mile along the "original Gold Route" in a loop through Jewel Lake Bog and edge habitat between Jewel and Sand lakes. It snowed about 1 inch about 24 hours ago.

*Voles.* Two vole trails were observed on the brushy berm near where it intersects with the northernmost crossing of the bog.

*Snowshoe hares.* No tracks observed.

*Weasels.* One set of short-tailed weasel tracks (36" bounds) crossed the original Gold Route at the southwest corner of the loop.

*Moose.* Old moose tracks were visible. A fresh cow and calf trail crossed the proposed trail near the Sand Lake canal. There was no obvious direction of trails.

*Humans and dogs.* Human and dog tracks were abundant along a packed snowmachine trail at the northernmost crossing of the bog and in the southeast corner of the loop, where it connects with 84<sup>th</sup> Avenue. A person with two loose dogs and a person with one leashed dog had walked the western side of the loop. A loose dog had crossed the bog at the southern crossing, and dog tracks were seen along the east side of the bog. Numerous old snowmachine tracks crossed the bog in all directions.

January 9: I walked from Campbell Creek to the Kincaid motocross area, approximately 2.7 miles. It snowed about 2 days ago; however chinook winds glazed all but this morning's tracks. The crusty snow and large expanses of ice obscured most tracks smaller than coyote.

*Muskrats.* Three muskrat pushups were found about 20 yards from the bluff near Retherford's boardwalk (N 61.14039 W 150.00442). One of the pushups had an unfrozen hole through the ice.

*Moose.* Fresh moose tracks were observed on the AWWU access road. One to two day old tracks were observed around Campbell Creek and west along the toe of the bluff on Kyzer's property. Many older tracks followed the same movement pattern as previous observations.

*Coyotes.* I saw a group of 3 coyotes in the vicinity of the beluga carcass. They were moving slowly east and crossed Campbell Creek about 150 yards from the bluff. The creek was about ½ full of water, with large overhanging cornices of ice lining both banks. The map marks the location where the coyotes were last seen, hunting voles in a sedge meadow. The coyotes had examined the beluga carcass a few minutes earlier, judging from tracks and a fresh scat. I backtracked the sets of tracks to the bluff and along the toe of the bluff to the Kincaid motocross area. The 3 coyotes had followed benches and the ecotone at the toe of the bluff, with occasional loops into the open marsh.

*Lynx.* A 1-day-old set of lynx tracks walked east and west along the toe of the bluff below Kyzer's property. Snow conditions were not ideal for following these tracks, but occasional 1-2 day old lynx prints were seen as far west as Retherford's boardwalk, probably from the same lynx.

*Raptors.* At least 2 eagles soared slowly overhead repeatedly during the entire survey. A goshawk was observed flying along the top of the bluff at the Kincaid motocross area.

*Ravens and magpies.* As many as 10 ravens were seen in the vicinity of the beluga carcass. The beluga was entirely covered with ice. Ravens had pecked through the ice to the carcass to feed. These ravens also followed and swooped on the coyotes in the same area. Most of the seeps between the Kincaid motocross area and Retherford's boardwalk were still open, although icing and recent cold weather had closed some of them. Magpie tracks were visible around the openings.

Humans and dogs. Human and dog tracks were abundant on the AWWU access road and at the toe of the bluff below Seacliff condos. A person had walked along the toe of the bluff most or all the way from Seacliff condos to the Kincaid motocross area.

Snowmachine tracks were numerous on the AWWU access road and both banks of Campbell Creek. A snowmachine had been driven down the bluff on the Kyzer's property. At least one old snowmachine track was visible from Campbell Creek to the Kincaid motocross area and beyond.

## Conclusions

The strip of natural habitat below the coastal bluff between Oceanview Bluff Park and the Kincaid motocross is heavily used by wildlife for several reasons. First, it is natural habitat in and adjacent to the wildlife refuge, with relatively little disturbance from people and pets compared to other parts of the Anchorage Bowl.

Second, the marsh and woodland form an ecotone, or edge between two habitat types. Ecotones often support more abundant and diverse wildlife populations than a single habitat type. Coastal marshes are relatively rare in Cook Inlet, and the Anchorage Coastal Wildlife Refuge encompasses over 95% of the coastal marsh in the Anchorage Bowl. The coastal marsh-woodland ecotone at the toe of the coastal bluff supports large numbers of snowshoe hares and, in some areas, voles and shrews. Small birds and squirrels are found primarily in the wooded habitat. These small animals attract numerous small and medium-sized predators. Goshawks and great-horned owls hunt the voles, squirrels, hares, and small birds. Trees provide nest sites and perches for raptors and other birds that forage in the coastal marsh. Lynx hunt primarily hares. Coyotes hunt hares and voles. Weasels hunt voles and shrews.

Third, the coastal bluff is a physical barrier. Moose moving along the bluff usually walk at the toe of the slope or in the open marsh along the wooded edge. The bluff is too steep in many areas for a moose to easily walk up, down, or across and they usually avoid doing so. Coyotes, lynx, and bears can negotiate the steep slope, but they tend to follow the path of least resistance at the toe of the bluff as well. Black bears also walk along the top of the bluff when they are foraging for garbage and bird seed.

Finally, some species tend to avoid the phalanx of houses, roads, and yards in neighborhoods on top of the bluff.

For all of the above reasons, the toe of the bluff is a critical movement corridor for moose, coyotes, lynx, and black bears. No other area in the Anchorage Bowl is

comparable. Species use the wildlife refuge and adjacent lands in different patterns, as follows.

*Moose.* Moose tend to walk along "benches" adjacent to the open marsh or in the marsh along the edge of the trees if there is no bench and the bluff is steep. Where the woods extend seaward of the toe of the bluff, for example in Johns and Oceanview Bluff parks, moose follow the toe of the slope and the wooded edge. Moose also follow sewer berms. Sometimes moose leave the toe of the bluff and wooded areas to walk well into the marsh, even as far as the mud flats. There are several well-defined routes up and down the bluff, primarily the sledging hill at Oceanview Bluff Park, the access road to the Oceanview sewer berm, several ravines in Johns Park, Bayshore Creek, and the AWWU access road near Campbell Creek. Moose use these routes to travel between upland areas and the coastal marsh. The density of moose seems to be comparable to that in parks and greenbelts in the Anchorage Bowl.

*Coyotes.* Coyotes also tend to follow benches and the open marsh along the edge of the trees. However, they frequently wander out into the marsh and occasionally climb the bluff. At least 5 coyotes have used the surveyed area. They are most often seen west of Campbell Creek. A group of 3 or 4 coyotes seen by a homeowner near Shore Drive may have been the same animals. On the other hand, west of Campbell Creek the coyotes often travel together, while east of Campbell Creek it is unusual for more than 2 coyotes to travel together. There is a concentrated area of day beds and rendezvous sites west of Campbell Creek along the toe of the bluff. Residents often report hearing and seeing this group in the marsh. This area has the highest use by coyotes of any I have seen in the Anchorage Bowl. Wolves are seen every year in the coastal marsh between Potter Marsh and Point Campbell; however, no tracks were observed during this study.

*Lynx.* Lynx seldom stray more than 10 yards from the trees and woody shrubs where the hares are found. Along most of the coastal bluff lynx tracks generally follow the toe of the bluff. Exceptions are in Johns Park and Bayshore Creek where lynx hunt throughout the riparian habitat on alluvial fans and occasionally walk up and down the creeks and hunt on top of the bluff. The strip of woods along the toe of the bluff in Johns Park is the only place I know in the Anchorage Bowl where one can expect to find lynx tracks within 2 days after a snowfall. At least 2 lynx use the study area.

*Black bears.* Most local black bears were in dens, or at least out of town, by the first snowfall; however, at least 2 black bears and a brown bear were seen in or near the study area in October and November. The brown bear was seen in Kincaid Park. It approached the coastal bluff south of the chalet, but tracks were not found in the study area. The 2 black bears were seen on top of the bluff, and tracks were found on several occasions on the top and at the toe of the bluff. Based on many reports from bluff homeowners, black bears are increasingly common along the coastal bluff. At least 4 black bears were seen in the study area during summer and fall 2001. Homeowners observed bears traveling on top of the bluff, but judging from tracks the bears also followed the toe of the bluff. Black bears often cross Campbell Creek below the dam; however, it is unclear where, so this segment of the general movement corridor along the toe of the coastal bluff is not depicted on the maps.

*Weasels.* Weasels were found in areas with abundant voles and shrews; i.e., primarily in grasses or sedges. I have never seen a density of weasel tracks as high as the area east of the Klatt peat disposal peninsula.

*Snowshoe hares.* The density of hare tracks below the bluff in Johns Park 1-2 days after a snowfall is among the highest I have seen in the Anchorage area.

*Raptors.* The bluff is critical habitat for goshawks and great horned owls, due to the density of hares. Some areas are critical habitat for bald eagles, particularly around nest and roost trees.

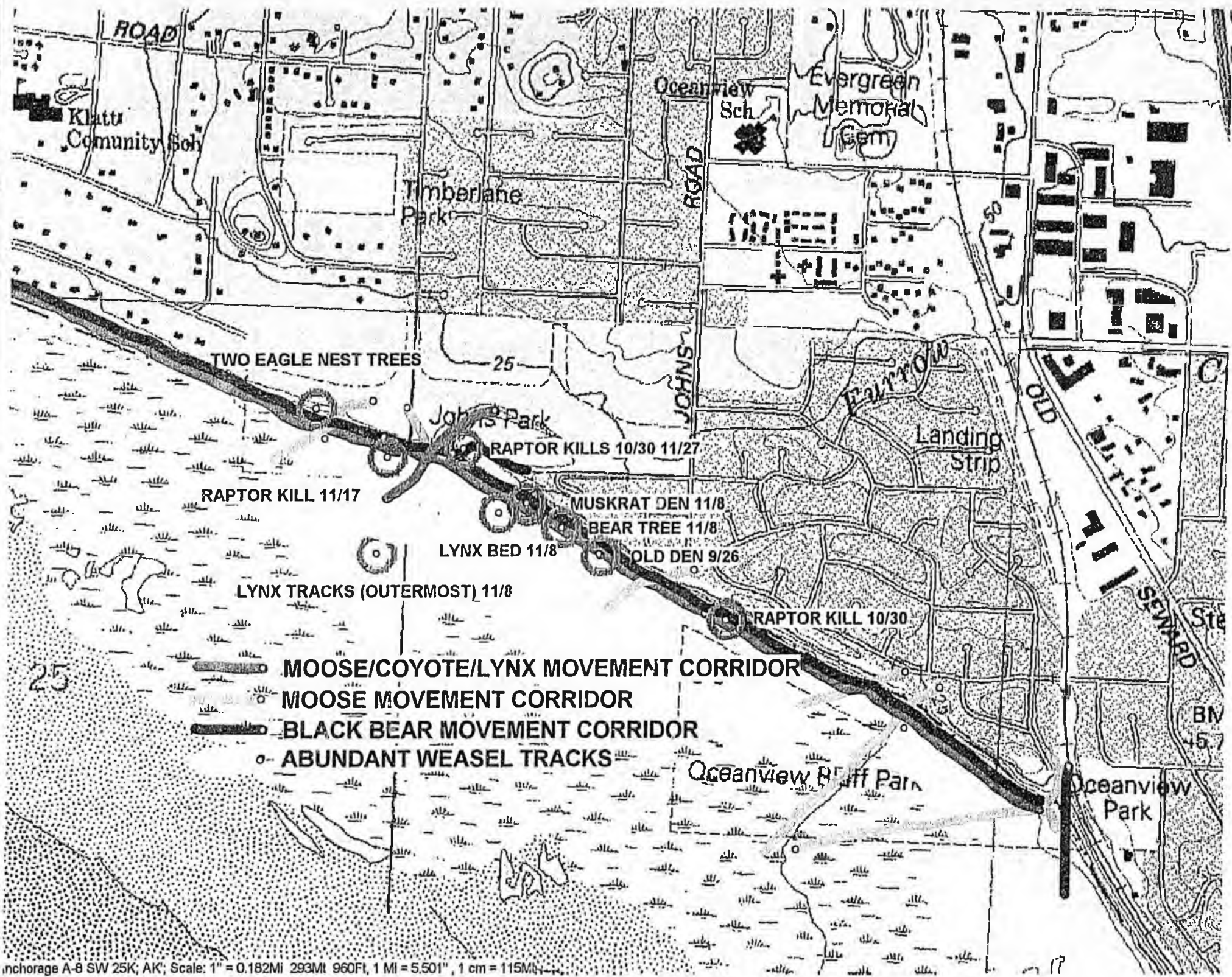
*Humans and dogs.* Humans and dogs were seldom observed below the coastal bluff; however, tracks were common in several areas. The Oceanview Bluff sledding hill was the most popular area. The bluff was used as a neighborhood sledding hill on Seaport Circle and there were 2 skating rinks built in the marsh nearby. People used many routes to access the refuge for snowshoeing, skiing, and walking a dog. The routes included the Oceanview Bluff Park sledding hill, the access road to the Oceanview sewer berm, Johns Road easement, several trails in Johns Park, the Victor Road and Spyglass Circle easements, Bayshore Creek, several places in Bayshore and Resolution Pointe subdivisions, the AWWU access road, and the Seacliff Condominium's trail. People generally used these access routes to walk into the open marsh; they seldom walked along the toe of the bluff. In most cases, dogs were not on leashes, but their tracks were associated with human tracks; i.e., most were not free-roaming. No cat tracks were seen below the bluff.

Numerous snowmachine tracks come out of the Campbell Lake neighborhood and turn west and east to run in the open marsh. Snowmachine tracks were seldom close to the bluff, except where they left the mouth of Campbell Creek. Snowmachiners probably stay offshore to avoid brush, thin ice, and driftwood logs. Snowmachine tracks were observed as far west as Point Campbell. I did not attempt to follow tracks to the east; however, snowmachines from Campbell Lake have been seen as far east as the Oceanview sewer outfall. Snowmachine use seems to be heaviest on weekends, but residents have also reported use at night. Most snowmachiners using the refuge are probably minors. Recreational snowmachining is prohibited in the refuge, but the regulation is difficult to enforce.

*Freshwater bogs.* Wildlife and human use of Klatt, Jewel Lake, and Connor's bogs was much different than below the coastal bluff. Animal tracks were seldom found in the black spruce bogs, except moose in transit. Disturbed habitats along roads, trails, and berms supported hardwoods eaten by hares. The density of hares in a small area west of Tower Road in Klatt Bog was among the highest I have seen in the Anchorage Bowl. This area was also frequented by at least 1 coyote. Moose foraged in these disturbed habitats. There was little other use by wild mammals. Unlike in the coastal marsh, people and dogs were common along almost every road, trail, and berm in these bogs. Most of the dogs observed were either not leashed or free-roaming. Snowmachine use was heavy on Jewel Lake Bog.





The Anchorage Coastal Wildlife Refuge is a well-known sanctuary for waterfowl, shorebirds, cranes and other wildlife in spring, summer, and fall. Until now, winter wildlife use was a well-kept secret. Tracks and other sign left in the snow are clear evidence of the importance of the coastal marsh-woodland ecotone to avian and

terrestrial predators, hares, and moose in winter. Although this survey was conducted during winter, taking advantage of snow for tracking, it is likely that the same habitats and movement corridors are used year-round. The forested bluff and ecotone at the toe of the bluff are critical in maintaining wildlife populations in the refuge, irrespective of property lines.



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-  MOOSE/COYOTE/LYNX MOVEMENT CORRIDOR
-  MOOSE MOVEMENT CORRIDOR
-  BLACK BEAR MOVEMENT CORRIDOR
-  8 ABUNDANT WEASEL TRACKS

LYNX KILL 11/8

Klatt

RAPTOR KILL 10/29

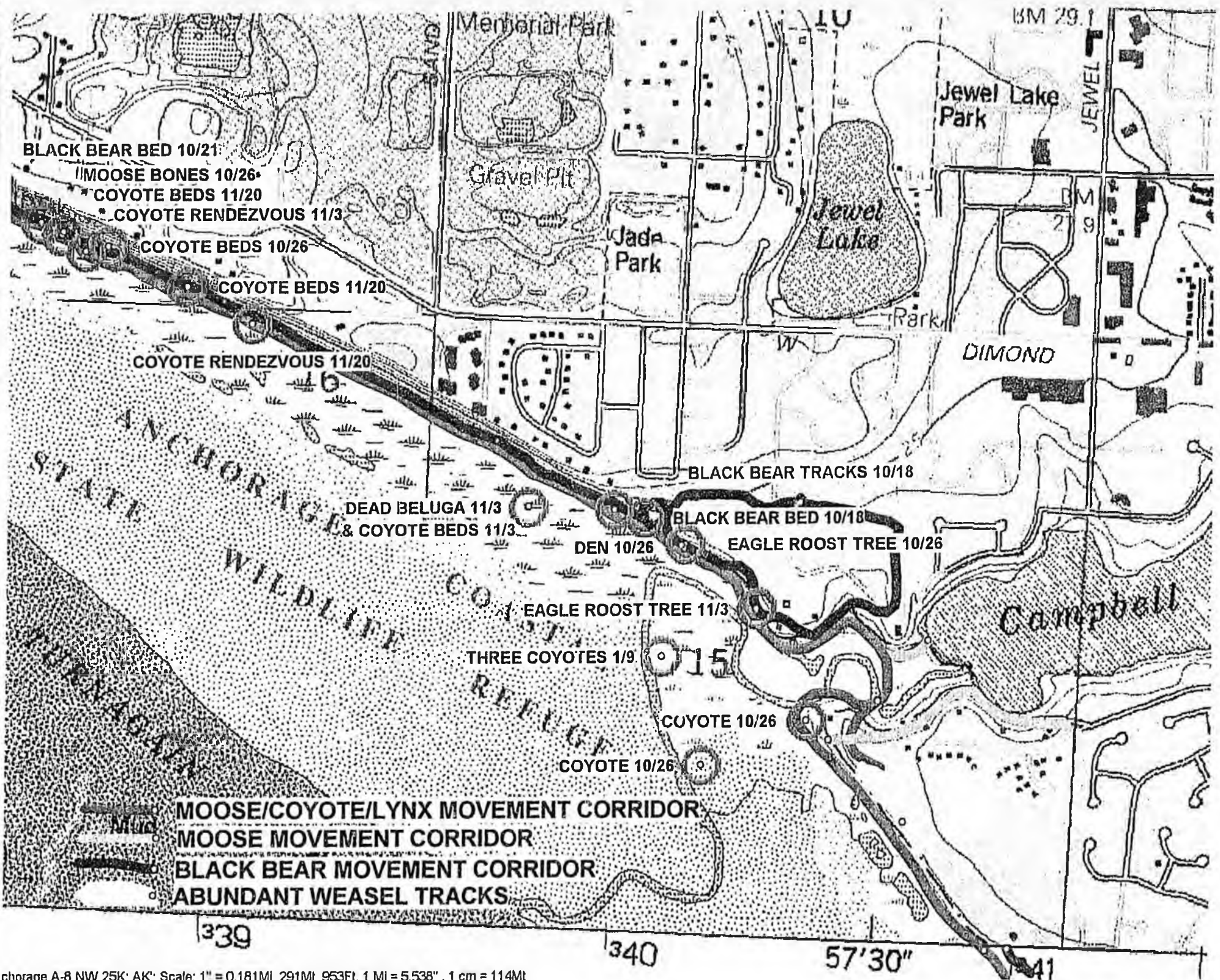
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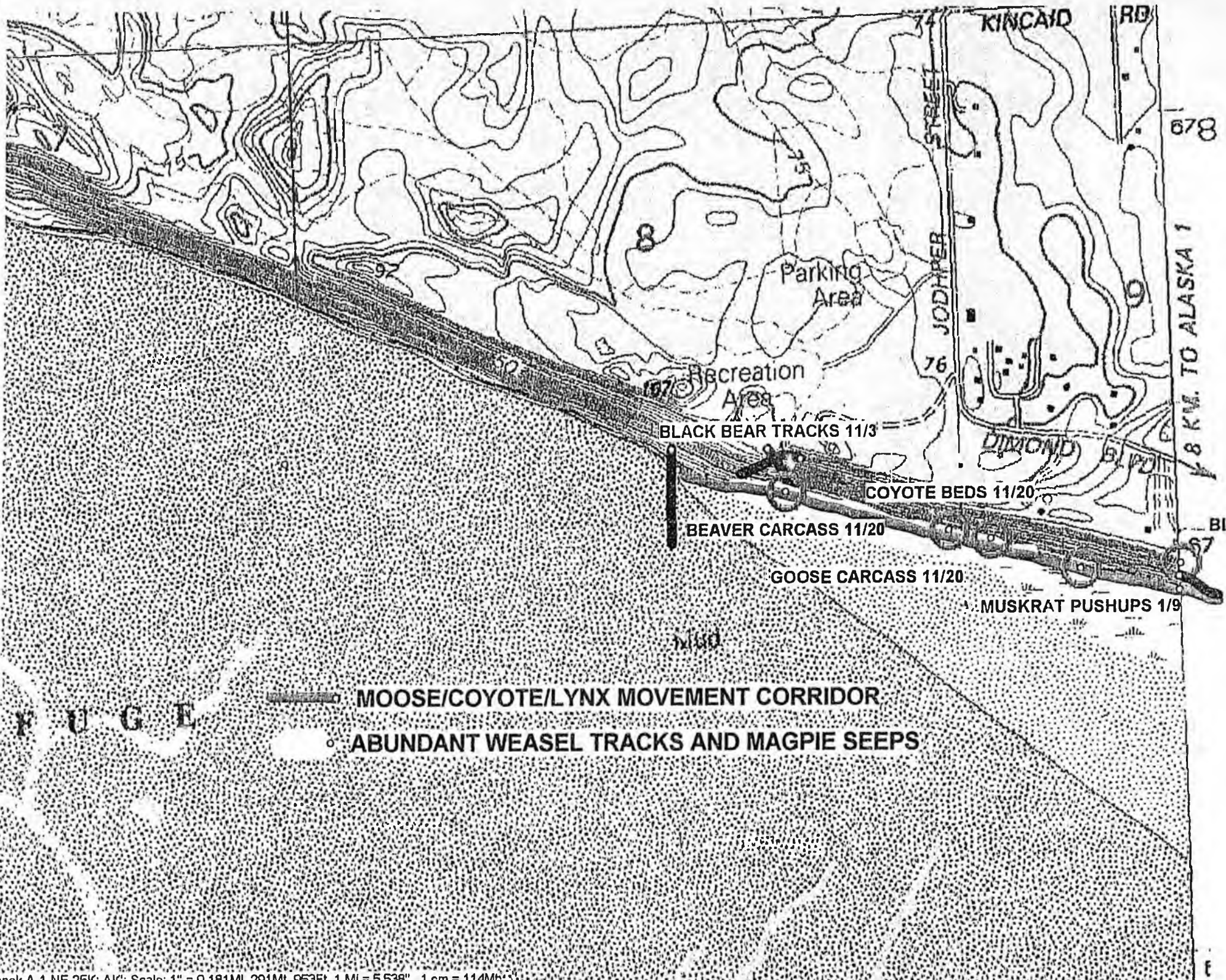
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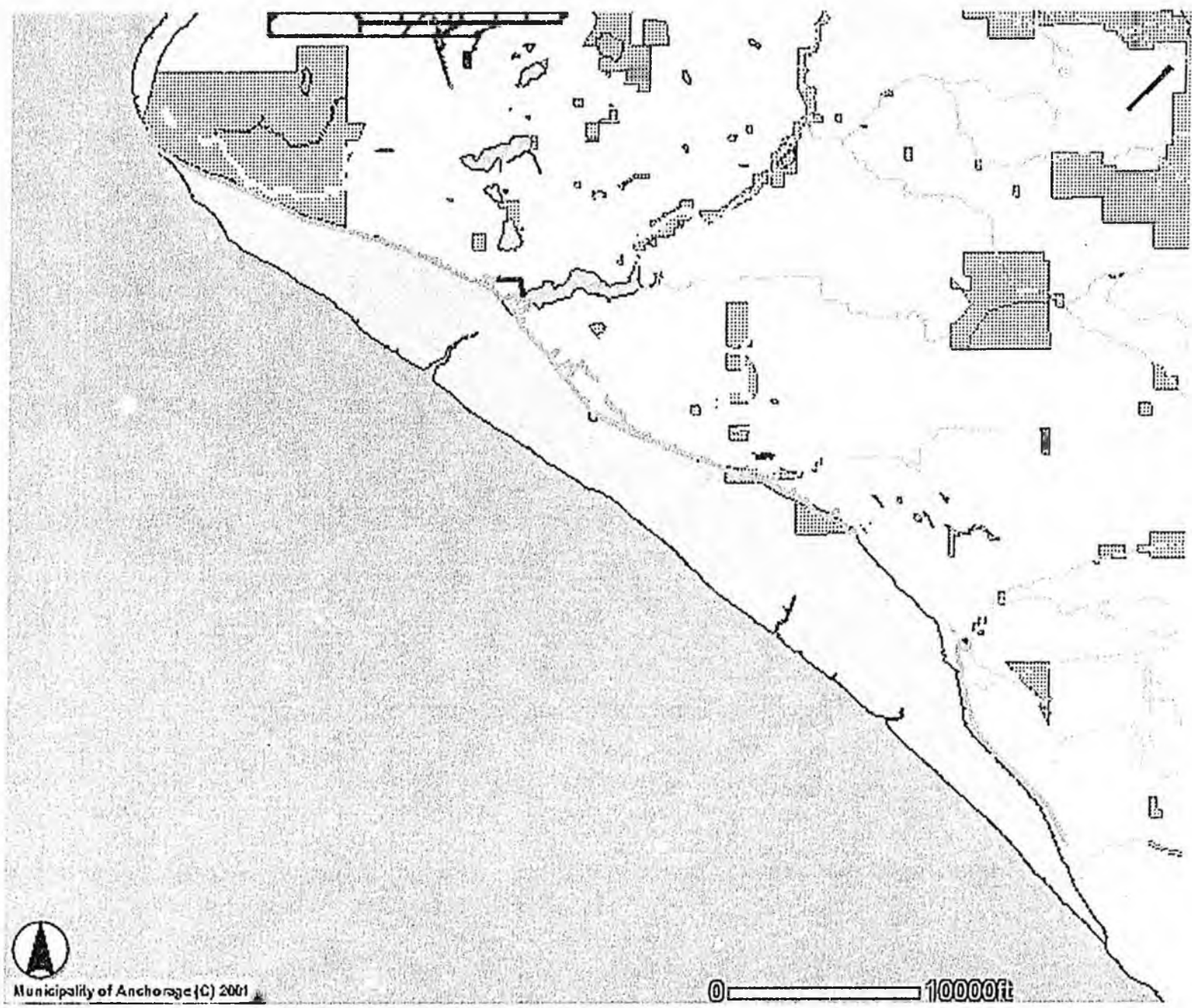
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 ABUNDANT WEASEL TRACKS




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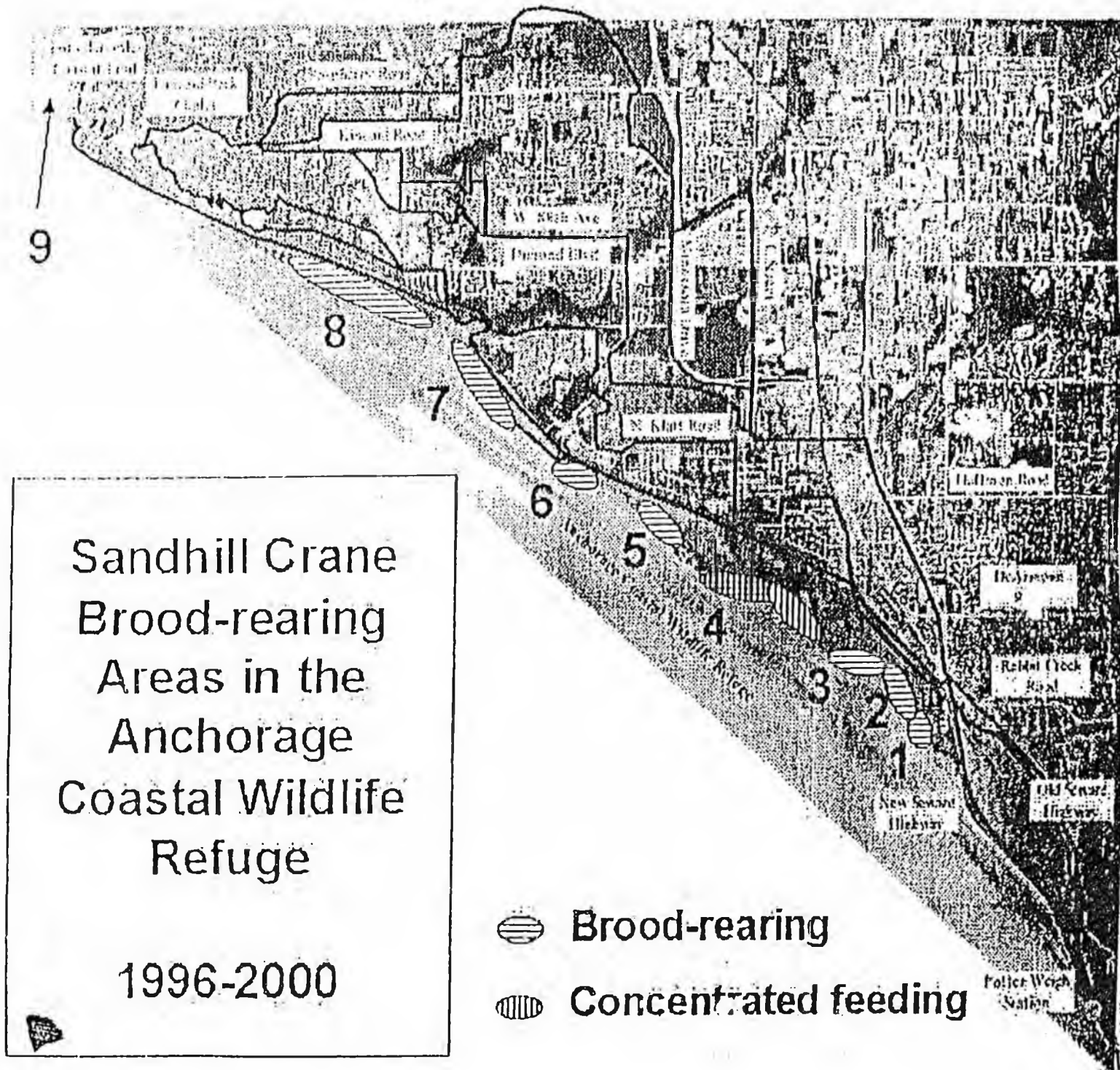
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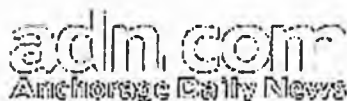
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Sandhill Crane  
 Brood-rearing  
 Areas in the  
 Anchorage  
 Coastal Wildlife  
 Refuge

1996-2000

-  Brood-rearing
-  Concentrated feeding



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### State takes over Coastal Trail plan Opponent of long-delayed 12-mile extension calls maneuver a betrayal

By Don Hunter  
Daily News Reporter  
*(Published December 22, 2000)*

Three state agencies are taking over development of a planned 12-mile extension of the Tony Knowles Coastal Trail from Kincaid Park to Potter Marsh, Gov. Tony Knowles announced Thursday.

An environmental analysis of potential routes that generally hug the coastline will begin next month, said Pat Pourchot, commissioner of the Alaska Department of Natural Resources. Previously considered alignments that would have taken the trail along highways miles from the coast are no longer part of the project.

"Those have been dropped as Coastal Trail alternatives, but most of them still appear in the municipality's trails plan," Pourchot said. Those trails may be built separately.

City and state planners have been working on the trail extension since late 1997. Initially, they said they hoped to settle on a route by the end of 1998.

But some South Anchorage residents, including homeowners who own bluff property, strongly objected to locating the new trail there. State biologists said a heavily used trail could damage a marshy habitat used by animals and migrating waterfowl. The project became mired in a battle between trail users who wanted a coastal route and those who said money would be better spent building trails in neighborhoods.

Knowles, who is on record supporting a shoreline route, said in a written statement Thursday that transferring oversight, along with better coordination among the state agencies, "should ensure that the project stays on schedule."

The project will be managed by Pourchot's DNR, the Department of Fish

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and Game, and the Department of Transportation and Public Facilities, which has been working on it with city planners for three years. The products of that effort, including the proposed alignments, will be finished next month.

The surviving trail prospects are broken into segments half a mile to two miles long, with at least two alternatives for each segment, Pourchot said. Some run along the toe of the Turnagain Bluffs, skirting the Anchorage Coastal Wildlife Refuge. Others are atop the bluff, and some may run inland half a mile or farther, he said.

Knowles and Mayor George Wuerch have discussed transferring the trail extension to the state, and Wuerch agreed in concept, said spokesman Dennis Fradley. But Wuerch hasn't seen the state's plan in writing yet and won't sign off on it until he does, Fradley said.

Jim Posey, the city's director of cultural and recreational services, said he will continue to be involved.

City officials want to make sure the trail eventually built can be sensibly managed and maintained. "It'll be turned over to the city for maintenance and operations," Posey said. "And we build a lot more trails than they do."

The switch was good news to Mike Frank, a proponent of keeping the new leg of the trail close to the character of the existing one.

"I don't think it could go any slower than it's going, and I know the governor is interested in seeing it built," Frank said. "Maybe that will instill some speed into what's been a very, very slow process."

An opponent, however, described the state takeover as "extremely disappointing" and a betrayal of the efforts of citizens who volunteered time to the project.

"We knew this was coming for a long time," said Smiley Shields, a biologist and naturalist who lives atop the bluffs overlooking the wildlife refuge. "The whole planning had been biased and absolutely pro-trail, to put it down there at any cost. This is the proof of it."

Pourchot said the environmental analysis of the alternatives should be completed by the end of 2001, with the project then in position to go to design. Some work has already been done. Counts of animals and migrating birds that use the refuge have been going on since March.

The land above and below the bluff is a patchwork of private and public ownership. Scores of homeowners own lots atop the bluff, and some own property extending out into the mud flats and marsh below. Pourchot said the state will work to minimize the trail's effect on private property.

In many spots, the trail might cut along the base of the bluff, "substantially below the view line of the property owners . . . and shielded by the bluff and woods," he said.

If property owners refuse to negotiate and a route through their property seems best, "there obviously are condemnation procedures available through DOT."

Building the extension would add another link to what someday might be a continuous trail from downtown Anchorage to Portage, Pourchot said. The state has already built trails from Indian to Bird and from Bird to Girdwood.

"Clearly, this is a project of interest to the governor, and it fits into a larger view of enhancing recreational values along Anchorage and down Turnagain Arm," he said.

As mayor of Anchorage from 1981 through 1987, Knowles championed construction of the existing trail, which runs about 11 miles from Second Avenue downtown to the ski chalet in Kincaid Park and quickly became one of the city's most popular recreational venues. It was named for him days before he left office.

Reporter Don Hunter can be reached at [dhunter@adn.com](mailto:dhunter@adn.com) and 257-4349.

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## BAYSHORE/KLATT COMMUNITY COUNCIL

### Minutes of the Membership Meeting January 3, 2001

President Dokoozian called the meeting to order at 7:07 p.m. A quorum was present and a register was provided for members and guests to sign. Mr. Dokoozian announced handouts.

- I. Introduction and approval of Minutes and Agenda  
Minutes and agenda were approved, with corrections  
Treasury's report: Balance: \$1057.
- II. Special Guest Presentations
  - A. Assembly Report  
J. Shamberg discussed the upcoming vote on the ballfields. Apparently former Mayor Mystrom promised 25 acres to the Simoneon Little League. The Assembly is looking for a solution, as several do not want the fields to be built in the BiCentennial Park area. The 2020 Comp plan is available at the Library. Two town centers are proposed, and will be examined in more detail. Two million has been allocated to the Sr. Center for further development. A member complimented D. Tremaine and Janice on the conditions of the bicycle paths.
  - B. Alaska Department of Transportation South Coastal Trail Report  
Jim Childers: Mr Childers, the project manager from AK DOT/PF for the South Coastal Trail presented various topics related to the Trail. He said that they realized in mid summer of 2001 that they would have to conduct a full environmental impact statement on the project. He said that the draft EIS should be ready by May 1, 2002. The EIS is a disclosure document. It discusses alternatives. The no build alternative will also be presented. They will analyze impacts over a 20-year period. The final route will come out in the final EIS. FHWA has the final say in the project even though they rely on AK DOT to provide necessary information on which to base that decision. AK DOT will also seek agency agreement. They will have to comply with the Corps/NEAPA merger agreement. He further discussed the concurrence/non concurrence process and how this relates to the NEPA process. He also discussed the various routes stating that the Red route is now significantly different since the pending Hulquist development and MOA's new trail design. He also stated that "We need to be locked into agency concurrence before we go on." He discussed the route selection process and stated, "We will continue to take alternatives off the map until we have a final map." He also stressed that he was anxious to have some agreement so that other alternatives wouldn't come forward later on. Some suggested that this would