

12036

SENATE

RESOURCES

ALASKA STATE LEGISLATURE

Vice Chair:
House Finance Committee

Chair:
House Finance Subcommittees for:
Department of Public Safety
Department of Law



Session:
Alaska State Capitol
Juneau, AK 99801-1162
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BILL STOLTZE STATE REPRESENTATIVE

Representative_Bill_Stoltze@legis.state.ak.us

House Bill 307 (RES)

Knik River Public Use Area

"An act creating the Knik River Public Use Area."

The Knik River Valley is a destination for many Alaskans looking for outdoor recreational opportunities. The area is utilized by a wide variety of Alaskans for a wide variety of recreational activities.

With the increasing population in South Central Alaska, more and more people are traveling to the Knik River Valley to recreate. This increase has created the need to establish specific management for the area. House Bill 307 will establish a Knik River Public Use Area. The framework set down by this legislation will protect the area's habitat and provide the recreational activities now available for future generations to enjoy.

I ask for your consideration and support of HB 307 so that this area will have the management it needs to continue to be a source of recreational opportunities for all Alaskans

DISTRICT 16

BIRCHWOOD • BUTTE • CHUGIAK • EKLITNA • FAIRVIEW LOOP
KNIK RIVER ROAD • LAZY MOUNTAIN • PALMER • PETERS CREEK

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STOLTZE

STATE REPRESENTATIVE

Representative_Bill_Stoltze@legis.state.ak.us

Session:
Alaska State Capitol, Rm 501
Juneau, AK 99601-1182
Phone: (907) 465-4958
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District:
600 E. Railroad Ave.
Wasilla, AK 99654

Explanation of Changes HB 307 to CSHB 307(RES)

Section 1:

Renumbered the purposes to better reflect those comments made during public testimony.

Page 1, Line 10

Changed the specific language having to deal with Trumpeter Swans to protect all migratory waterfowl nesting areas.

Page 1, Line 14-15

Included nonmotorized recreational opportunities to the purposes of the public use area.

Page 2, Lines 2-3

Included language to specifically protect private property and miners to access their land and claims.

Section 2:

Page 2, Lines 8-12

Inserted language to direct the Dept. of Natural Resources to hold public hearings in order to adopt a management plan for the public use area. Also included is language that the management plan must include provisions for the enforcement of the plan.

Page 2 Line 19

Deleted the provision that would have the Army Corps of Engineers assist Dept. of Natural Resources with identifying wetland areas within the public use area.

DISTRICT 16

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Section 3:

Page 3, Lines 3-5

Broadened the Commissioner of the Dept. of Natural Resources' ability to restrict the use of firearms in areas where it is determined that the use of weapons constitutes a threat to public safety.

Page 3, Line 7-8

Inserted language to make the allowable activities in the public use area compatible with its purposes.

Page 3, lines 13-18

Instead of grandfathering every trail in the public use area, the Dept. of Natural Resources has to only recognize these trails and the access they provide. In the case of a trail damaging critical habitat, DNR must make accommodations that will either provide the shortest possible route or to perform trail rehabilitation.

Page 3, lines 19-21

Includes language to allow the commissioner of the Dept. of Public Safety and Fish and Game to have the necessary access for them to perform their regular duties within the public use area.

Sec. 41.23.210

Establishes the enforcement statute for the public use area. This will allow, besides current law enforcement personnel, employees of the Dept. of Natural Resources (by approval of the Commissioner) to also enforce those provisions established by this piece of legislation.

DISTRICT 16

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STATE OF ALASKA

Matanuska Valley Fish & Game Advisory Committee

Frank H Murkowski, Governor

Wayne Kubat, Chair
PO Box 874867
Wasilla, Alaska 99687
ph. & fax: 376-9568
email: args@mtaonline.net

November 23rd, 2005

Senator Huggins and Representative Stoltze,

The Matanuska Valley Fish and Game Advisory Committee unanimously supports House Bill 307 and Senate Bill 197, the bills to create the Knik River Public Use Area as written and introduced by yourselves.

The Knik River has historically been a destination for many visitors. With Anchorage, Palmer, and Wasilla home to over 50% of Alaska's population, this recreational area will provide access for many diverse users of the area. Adjacent to this area is Chugach State Park that restricts those Alaskans looking for an off-road vehicle experience.

Along with the specific management the legislation will create, we believe that additional education and enforcement will create an enjoyable destination for all recreational users and this legislation is a step in that direction. Thank you for your efforts!

Sincerely,

Wayne Kubat
Chairman - Matanuska Valley Fish and Game Advisory Committee

Alaska Frontier Trappers Association
PO Box 3208
Palmer, Alaska 99645

January 30, 2006

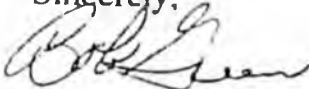
Dear Representative Stoltze and Senator Huggins,

The Alaska Frontier Trappers Association fully support House Bill 307 and Senate Bill 197.

The Knik River has been a favorite destination for all outdoor recreational users. Trappers have a history of trapping on the Knik River since the territorial days. One of the most talked about trappers was Tex Cobb. He trapped all over the South Central area and has been written about in such magazines as "Outdoor Life". Trappers are possibly the first to utilize the area as a means of support and are the first trail blazers.

With the passage of these bills as written, we will be assured of continued use without the threat of closure in the form of a State Park.

Sincerely,



Bob Green
President, Alaska Frontier Trappers Association

Hello Mary.

I spoke with you before Christmas about Senate Bill 197 "An Act Creating the Knik River Public Use Area".

The enclosed material is for your consideration for inclusion in the Resource Committee members' legislative packets, assuming the bill gets scheduled for a hearing. At your convenience I would like your guidance on which of the documents should be included in the packets. I can send most of the substantive documents via e-mail but thought rather than overload your computer at the outset, I would send the entire packet by snail mail for your initial review. I'll give a call to your office in a day or two.

Thanks very much for your time and expertise.

C. Fritz
P.O. Box 195
Palmer, AK
99645



January 21, 2006

Senator Thomas Wagoner
State Capitol, Room 427
Juneau, Alaska 99801-1182

Dear Senator Wagoner:

I am writing to request your help on Senate Bill 197 "An Act Creating the Knik River Public Area". SB 197 was introduced last session by Senator Charlie Huggins. Companion bill HB 307 was introduced by Representative Bill Stoltze. The bills were referred to the Resource and Finance committees.

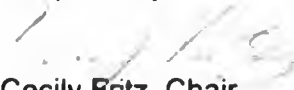
With several key amendments, this legislation can be an appropriate means to resolve problems currently occurring on state lands in the Knik River basin. **Without amendments, SB 197 should not pass.** Alternate legislation should also be considered, with the focus on securing daily (seasonal) enforcement under a bailable offense system, and directing DNR to establish a collaborative planning group of citizens, users and agencies. Enclosed please find the following:

- Map of proposed Knik River Public Use Area
- Photographic documentation of values, problems and solutions
- History of research and public process for the Knik River Area
- Amendments for Senate Bill 197, if deliberated
- Comparative PUA statutes
- About the Knik River Watershed Group
- Comments, letters and resolutions

With your experience working on recreation and resource management issues such as the Kenai River Special Management Area and your Senate Resource Committee chairmanship, we seek your leadership to ensure a good outcome for users and residents of the Knik River area. We support action that will ensure desperately needed enforcement, healthy wildlife and scenic resources for our children's children to enjoy, peace of mind for nearby residents, and inclusion of all users. Residents and users stand ready to volunteer!

Thank you very much for your time.

Respectfully,

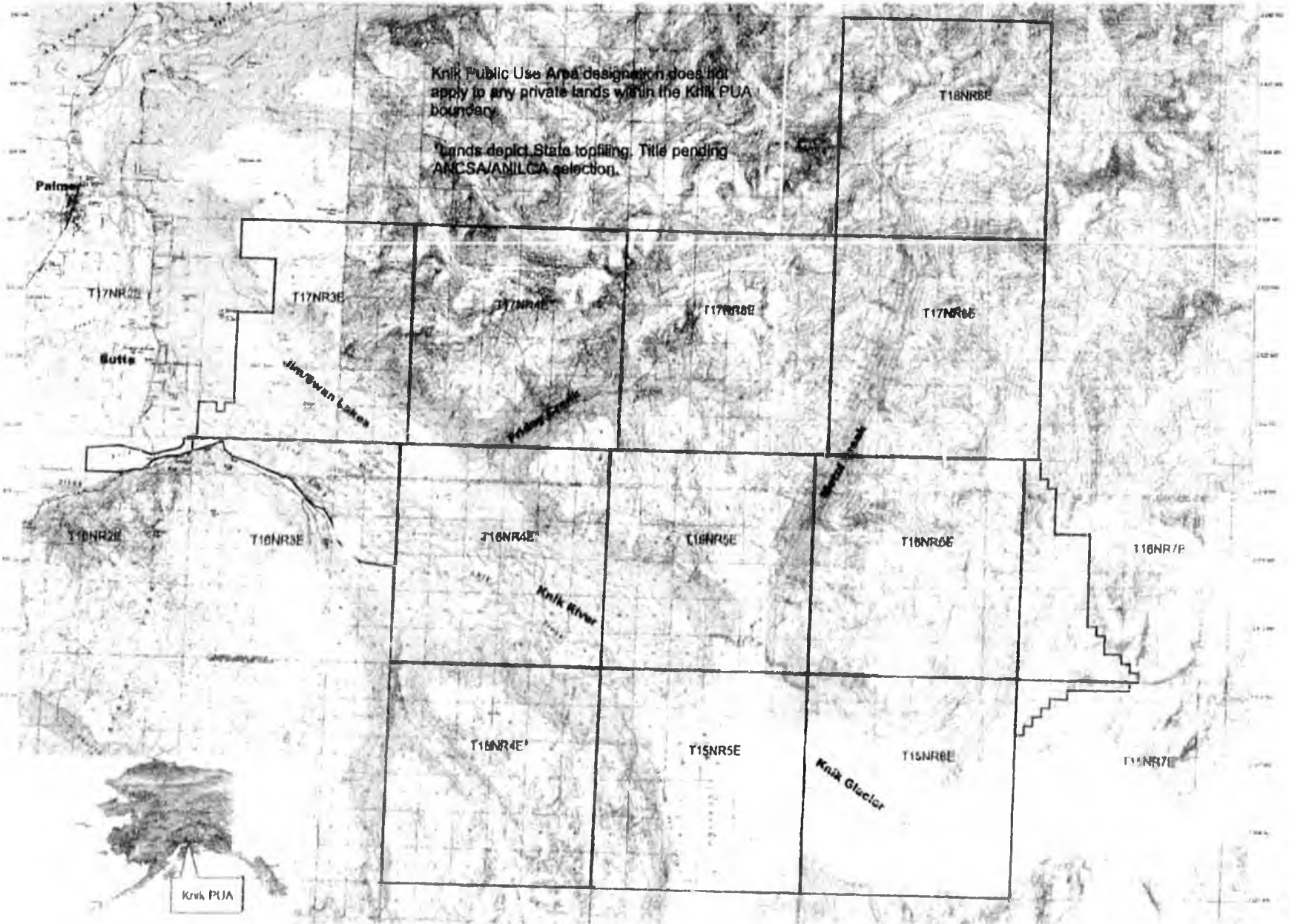

Cecily Fritz, Chair
Knik River Watershed Group

enclosures

To sustain the Knik River Watershed to ensure use and enjoyment for current and future generations

<http://knikriver.org> ♦ info@knikriver.org ♦ (907) 746-0558 ♦ P.O. Box 195 Palmer, Alaska 99645

Proposed Knik Public Use Area



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Miles

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FUN IN THE KNIK RIVER WATERSHED

R Howard



S. Rowland



W Quirk



R Howard



R Howard

LIFE IN THE KNIK RIVER WATERSHED

R Howard

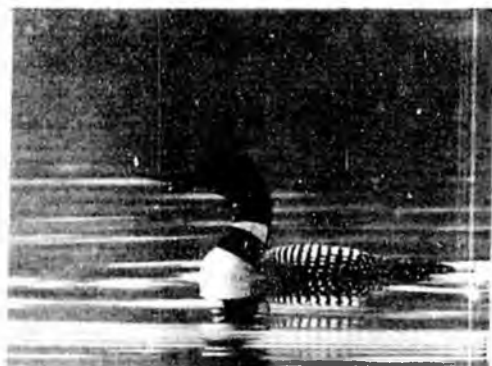


Doug Lloyd

R Howard



Doug Lloyd



Doug Lloyd



R Howard



PROBLEMS IN THE KNIK RIVER WATERSHED



Vandalism

Pollution

Littering

Unsafe shooting

User/Resident conflicts

Resource Impairment

Wildlife Violations

No outhouses in high use areas

Significant increase in use

PROBLEMS IN THE KNIK RIVER WATERSHED



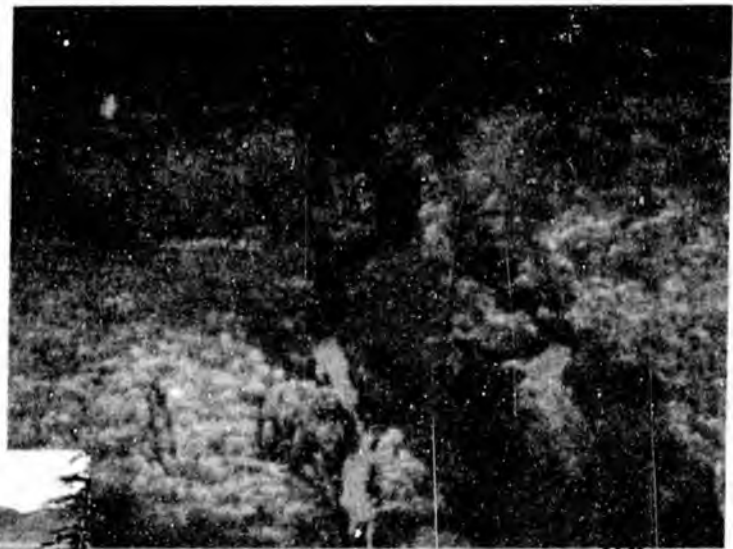
Ted Cox



R Howard



R Howard



N Moore



HB 307 and SB 197 (page 3 line 5) preserve all existing motorized trails before planning and evaluation for impacts on residents and resources.

With the amendments suggested by the Knik River Watershed Group, ORV use is ensured in Purposes Item (1) and Incompatible Uses Item (d).

N Moore

SOLUTIONS



Denali Highway, Cantwell

Funding

Enforcement

Collaborative Planning

Education



Glacier Bay



Chena State Rec Area, Fairbanks

Help residents, users and agencies get a great start with...

GREAT LEGISLATION

KNIK RIVER WATERSHED

Twenty-five years of research and public process - Let's act now

Knik Arm Wetlands Study - 1981. (Alaska Biological Research for USF&W) Proposed the Jim-Swan area be an Area Meriting Special Attention noting high density use by ducks, year-round moose concentrations and intensive black bear use. "Long term plans, however, will have to include temporal and spatial zoning practices which will reduce conflicts between recreational user groups as well as between recreational users and wildlife."

SouthCentral Recreation Action Plan - 1984. (Alaska Departments of Natural Resources and Fish and Game for Governor Bill Sheffield). Identified Jim/Swan wetlands as "critical importance for habitat" and wrote a senate bill establishing Jim/Swan Lakes State Recreation Area.

Susitna Area Plan - 1985. (DNR, F&G) "The Jim-Swan lakes area will be managed to provide a variety of recreation, including hunting and fishing. Because of its high value for these uses, its proximity to large population centers and its vulnerability to overuse and environmental degradation, the Jim-Swan area should be designated by the legislature as a State Recreation Area."

Resource Assessment of the Knik Glacier Area - 1993. (USDA/SCS, Palmer Soil and Water Conservation District, Mat-Su Resource Conservation & Development, Inc). "The area supports healthy populations of moose, Dall sheep and black bear. Other large animals inhabiting the Knik River drainage include mountain goats, wolves, coyotes, and brown bears. Wetlands in the Jim-Swan Lake area are important habitat for spawning salmon, winter forage for moose, and as a staging and breeding area for waterfowl. The south facing slopes on the northern side of the valley are important lambing areas for Dall sheep."

Ecological Review of the Lake George National Natural Landmark - 1996 [The Landmark contains sections of Knik River/Jim-Swan region] (Alaska Natural Heritage Program, US Dept of Interior, NPS, Alaska Natural Landmark Program). The program was established to identify, recognize and encourage the preservation of the best remaining examples of the geological and biological features composing the Nation's natural history. "Human use levels need to be evaluated if the NNL's ecological stability is to be maintained".

Cook Inlet mapping - 2002. (Coast Guard, Cook Inlet Spill Prevention and Response, Inc, Cook Inlet Regional Citizens Advisory Council, NOAA, DNR, F&G) Jim-Swan is sensitive as a waterfowl concentration area and receives priority protection during oil spill planning and response.

Aerial Swan Survey Data 1998-2004. (William A. Quirk, Biologist) "For the early arriving and late migrating trumpeter swans, the lakes in the Jim Creek area have a significant advantage over other lakes in the Upper Cook Inlet Region." [Refers to comparative earliest ice out/latest freeze up.]

Cooperative Management Agreement - 2003 draft. (Requested by Butte and South Knik River Community Councils). "For the Purpose of Managing Public Lands for Multiple Uses in the Jim Creek - Swan Lake - Knik River Area"

Asset Management Plan for Borough Owned Land in the Butte Area-2004 Draft.(Land Design North) Designate Jim and Mud Lake Primitive Area...work with DNR to designate the area as a Special Use Area for summer nonmotorized use..."

BLM Draft Ring of Fire RMP/EIS - 2005. Proposes the Knik River Special Recreation Management Area to provide additional "protection of resources, specifically wildlife and fisheries".

AMENDMENTS FOR HB 307/SB 197

"An Act Creating the Knik River Public Use Area"

Existing statutes are good models for resolving problems with these bills

41.23.180. Purpose

- **We need an inclusive plan that will unite user groups:** Amend items (1) and (3) (pg 1 lines 7-8) to: "Provide a public use area for off road motorized vehicle and nonmotorized recreation."; and
- (pg 1 lines 12-14) to: "Perpetuate and enhance public enjoyment of fish and wildlife and their habitat including fishing, hunting, trapping, viewing, and photography." (See A.S. 41.23.010.)

41.23.190. Management

- **We need a public planning effort:**
Add: "The commissioner shall develop and adopt a management plan and regulations implementing the plan, shall give public notice, conduct meetings and receive public comments on the draft plan and regulations." (See A.S. 41.23.020 and A.S. 41.23.110)
- **We need daily (seasonal), on-the-ground enforcement.** Add language to this legislation that will authorize and require the Commissioner to enforce a bailable schedule of violations in the area defined in 41.23.210. The legislation should also authorize the commissioner to enforce a bailable offense schedule for regulations adopted under the Knik River Public Use Area Management Plan.
- Add: "Provisions of AS 41.23.180–41.23.210 do not restrict enforcement authority within the Knik River Public Use Area of the Commissioner of Fish and Game, the Board of Fisheries, the Board of Game, the Commissioner of Environmental Conservation, or the Commissioner of Public safety."

41.23.200 Incompatible Uses:

- **We need management of incompatible uses to protect wildlife resources; item d list exceptions [41.23.200(a)] to that management provision.** Amend item d (pg 2 line 31-pg 3 line 4) to: "The commissioner shall allow access to the Knik River Public Use Area by motorized and nonmotorized means of transportation to private land, interests in private land, and for lawful sport and subsistence hunting, fishing, trapping, and recreational purposes in a manner that is compatible with purposes." (See A.S. 41.23.030 and A.S. 41.23.120).
- **A planning effort must involve evaluation of trails for resource and resident impacts; improvement, reroute or closure as appropriate.** Delete Item e (pg 3 lines 5-8). (See A.S. 41.23.030, A.S. 41.23.120 and A.S. 41.23.070.)
- **Managers need flexibility to manage shooting:** Amend Item f (pg 3 lines 9-12) to: "The commissioner may restrict the use of weapons, including firearms, when the commissioner determines that the use of weapons constitutes a threat to public safety."

APPENDIX XIV.

HATCHER PASS PUBLIC USE AREA

LEGISLATION
AN ACT

Relating to Hatcher Pass Public Use Area

*Section 1. AS 41.23 is amended by adding new sections to read:

ARTICLE 2. HATCHER PASS PUBLIC USE AREA.

Sec. 41.23.100. PURPOSE. (a) The purpose of AS 41.23.100 - 41.23.130 is to establish the area described in AS 41.23.130 as the Hatcher Pass Public Use Area.

(b) The Hatcher Pass Public Use Area is established to

- (1) provide for public recreation activities;
- (2) protect and enhance the fishery, waterfowl, and wildlife resources and habitat and provide for public use of the fishery and wildlife resources, including fishing, grazing, hunting, and trapping;
- (3) protect the water quality and scenic resources within the Hatcher Pass Public Use Area.

Sec. 41.23.110. MANAGEMENT. (a) The Commissioner of natural resources is responsible for the management of the surface and subsurface estate within the Hatcher Pass Public Use Area consistent with the purposes of AS 41.23.100.

(b) The Commissioner of fish and game, the Board of Fisheries, and the Board of Game are responsible for the management of fish and game resources and public use of fish and wildlife in the Hatcher Pass Public Use Area consistent with the purposes of AS 41.23.100.

(c) After adequate public hearings and in consultation with the Commissioner of fish and game, the Commissioner shall adopt and may revise a management plan for the Hatcher Pass Public Use Area in consultation with local governments and other affected state agencies. The management plan adopted under this section must be consistent with the purposes stated in AS 41.23.100. A management plan adopted or revised by the Commissioner under this section shall be submitted to the legislature within the first 10 days of the first regular session of the legislature to convene after its adoption or revision by the commissioner.

(d) The provisions of AS 41.23.100 - 41.23.130 do not restrict a responsibility within the Hatcher Pass Public Use Area of the Commissioner of fish and game, the Board of Fisheries, the Board of Game, the Commissioner of environmental conservation, or the Commissioner of public safety.

(e) The Hatcher Pass Public Use Area is closed to mineral entry under AS 38.05.185 - 38.05.275 from the effective date of this Act.

(f) Each valid existing mining claim on the effective date of this Act remains valid and shall continue in full force and effect according to its terms.

(g) Except for road construction, the state may not acquire by eminent domain privately owned land within or abutting state-owned land described in AS 41.23.130 but may acquire privately owned land by purchase, exchange, or otherwise for inclusion in the Hatcher Pass Public Use Area from willing landowners.

(h) Except for valid existing rights on the effective date of this Act, the Commissioner of natural resources may not sell state land within the Hatcher Pass Public Use Area.

Sec. 41.23.120. COMPATIBILITY OF USES. (a) Except as provided in this section, the Commissioner may prohibit or restrict incompatible uses under the management plan adopted under AS 41.23.110 within the state-owned land and water described in AS 41.23.130.

(b) Nothing in AS 41.23.100 - 41.23.130 prohibits the Department of Fish and Game from engaging in rehabilitation, enhancement, and development of fish and wildlife habitat within an area described in AS 41.23.130 that is consistent with the purposes stated in AS 41.23.100.

(c) The Commissioner may not restrict lawful fishing, hunting, or trapping rights allowed under a regulation of the Board of Fisheries or the Board of Game within the Hatcher Pass Public Use Area.

(d) The Commissioner shall designate routes for motorized and nonmotorized access within or across the Hatcher Pass Public Use Area.

(e) The Commissioner of public safety and the Commissioner of fish and game shall have necessary access for fish and game management, research, and enforcement purposes.

(f) If the Commissioner determines that a use is incompatible with one or more other uses in a portion of the Hatcher Pass Public Use Area, the Commissioner shall state in the management plan adopted or revised under AS 41.23.110.

- (1) each determination of incompatibility;
- (2) the specific area where the incompatibility is determined to exist;
- (3) the time within which the incompatibility is determined to exist; and
- (4) the reasons for each determination of incompatibility.

Sec. 41.23.130. HATCHER PASS PUBLIC USE AREA. The vacant and unappropriated state-owned land and water and the state land and water acquired in the future that lie within the boundaries described in this section are designated as the Hatcher Pass Public Use Area, are reserved for all uses compatible with their primary function as public use land, and are assigned to the Department of Natural Resources for control and management:

Approved by the Governor: June 3, 1986
Actual Effective Date: September 1, 1986

NELCHINA PUBLIC USE AREA. Sec. 41.23.010. Purpose of AS 41.23.010 - 41.23.040.

The purpose of AS 41.23.010 - 41.23.040 is to establish the area described in AS 41.23.040 as the Nelchina Public Use Area. The Nelchina Public Use Area is established to

- (1) protect and maintain fish and wildlife habitat, particularly caribou calving areas, trumpeter swan nesting areas, and other important habitats for moose, Dall sheep, and brown bear so that traditional public uses of fish and wildlife populations may continue;
- (2) perpetuate and enhance public enjoyment of fish and wildlife and their habitat including fishing, hunting, trapping, viewing, and photography;
- (3) perpetuate and enhance general public recreation in a quality environment;
- (4) perpetuate and enhance additional public uses described in the Susitna Area Plan;
- (5) allow additional public uses of the area in a manner compatible with the purposes specified in (1)-(4) of this section.

Sec. 41.23.020. Management.

(a) Management of the surface and subsurface estate of the Nelchina Public Use Area is the responsibility of the department. After adequate public hearings the commissioner may designate incompatible uses and shall adopt and may revise a management plan for the Nelchina Public Use Area. With regard to the management of land within the central caribou calving area described in AS 41.23.040 (b), the commissioner shall obtain the concurrence of the Department of Fish and Game in the adoption and revision of the management plan. With regard to the management of land within the public use area described in AS 41.23.040(c), the commissioner shall consult with the Department of Fish and Game in the adoption and revision of the management plan.

(b) The Department of Fish and Game is responsible for the management of fish and game resources and public use of fish and wildlife in the Nelchina Public Use Area consistent with the purposes of AS 41.23.010 .

(c) The Nelchina Public Use Area shall be open to mineral entry under AS 38.05.185 - 38.05.275, and the commissioner may adopt regulations to achieve the purposes specified in AS 41.23.010 . Each valid existing right or permit shall remain valid and continue in full force and effect according to its terms. Exploration, development, and extraction of subsurface resources shall be allowed in a manner that is compatible with the purposes specified in AS 41.23.010(1-4)

(d) The state may not acquire by eminent domain privately owned land within or abutting state-owned land described in AS 41.23.040 but may acquire privately owned land by purchase, exchange, or otherwise for inclusion in the Nelchina Public Use Area.

(e) The commissioner may not manage the Nelchina Public Use Area as a unit of the state park system.

Sec. 41.23.030. Incompatible uses.

(a) Except as provided in this section, the commissioner may prohibit or restrict incompatible uses under the management plan adopted under AS 41.23.020 within the state-owned land and water described in AS 41.23.040.

(b) Nothing in AS 41.23.010 - 41.23.040 prohibits the Department of Fish and Game from engaging in rehabilitation, enhancement, and development of fish and wildlife habitat within an area described in AS 41.23.040.

(c) The commissioner may not restrict lawful sport and subsistence fishing, hunting, or trapping rights allowed under a regulation of the Board of Fisheries or the Board of Game within the Nelchina Public Use Area.

(d) The commissioner shall allow traditional access to the Nelchina Public Use Area by motorized or nonmotorized means of transportation to private land, interests in private land, and for lawful sport and subsistence hunting, fishing, trapping, and recreational purposes in a manner that is compatible with purposes specified in AS 41.23.010 (1) - (4).

(e) The Department of Public Safety and the Department of Fish and Game shall have necessary access for fish and game management, research, and enforcement purposes.

(f) If the commissioner determines that a use is incompatible with one or more other uses in a portion of the Nelchina Public Use Area, the commissioner shall state in the management plan adopted or revised under AS 41.23.020

(1) each determination of incompatibility; (2) the specific area where the incompatibility is determined to exist; (3) the time within which the incompatibility is determined to exist; and (4) the reasons for each determination of incompatibility.



A multiuser, all volunteer group from the local area

Goals:

- Realize sustainable management on public lands to protect natural resources and accommodate motorized and nonmotorized recreation.
- Mitigate, restore and improve as appropriate to protect watershed resources.
- Enhance public understanding of watershed values.

Steering Committee:

- Nancy Moore 745-1540 nmoore@mtaonline.net
- Gregory Nilsson 745-7526 snowstar@arcticvalley.com
- Royce Qualls 745-1767 royceq@mtaonline.net
- Steve Rowland 746-3630 srpe@mtaonline.net
- Charlotte Sartor 745-4565 bobchar@mtaonline.net
- Cecily Fritz, Chair 746-0558 info@knikriver.org

Accomplishments:

- "The Knik River Watershed: PowerPoint program presented at 21 community, user, agency forums
- On the ground volunteerism: Clean-ups, outdoor events, lake monitoring
- Recipient: USFWS 2005 Coastal Management Grant in coordination with the Palmer Soil and Water Conservation District
- Workshop attendance "Project WET: Water Education for Teachers"

"To sustain the Knik River Watershed to ensure use and enjoyment for current and future generations"

Established September 2004

- Letters and comments from residents
- Letters from organizations/agencies
- Resolutions

April 4, 2005

Honorable Lyda Green, Senator
Alaska Legislature, Juneau Alaska

Dear Senator Green,

My name is Kurt Marshall, my family has been in Alaska since 1934, when my grandparents settled in the Butte area of Palmer, as colonists.

Our family is out doors and recreationally oriented and while we would like to continue using the Jim creek, Knik glacier area as a family retreat, the increase of family danger due to vandalism, gunfire and chaotic behavior prevents our continuing to do that. Because my family still owns a 171-acre farm near the Butte, I am very concerned about the continued degradation of the area. We have watched in frustration and horror as the uncaring individuals have claimed the area as their own to systematically destroy.

We urge you as our representative to act quickly to enable the Department of Natural Resources (DNR) to develop a short term education and enforcement plan to head off a situation which is rapidly deteriorating as the days warm and summer recreation increases.

I am aware of numerous environmental studies and land use plans for the area, among them the Susitna Watershed Plan; there are numerous solutions offered therein.


High among my family's concerns is the reckless abandon of many ATV riders tearing up the beautiful countryside with apparent disregard for those who enjoy an unspoiled trail and quiet time.

It saddens me to see what has happened to this beautiful valley. Clearly, as the Valley population grows and more Anchorage residents find the Valley as a recreational area, the impact and pressure on the remaining wilderness area will continue to grow as will the abuse.

Please, I urge you to help.

You have my family's strong support in resolving this enormous issue.

Sincerely,



Kurt Marshall

(907) 351-2722

kmarshall@harrisak.com

March 30, 2005

Dear Senators and Representatives and Planners,

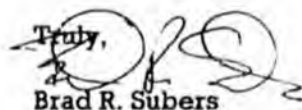
As one of your constituents and a concerned resident, I ask you to support funding for a DNR/Mat-Su Borough plan for the Knik Watershed area.

I believe it is time to focus our attention on this before we come to regret it by allowing these abuses to continue virtually un-checked. I know the State Troopers have been on increase in the area and have begun to make more arrests. We have a long way to go though towards enforcement of the area and we should support the troopers who risk their life by forming a plan, getting the community together and backing them up, so that the impact will be swifter, we can catch more criminals in the act and possibly save a life. The life could be of someone's kid of a neighbor or friend. Please think about that.

As a hunter and fisherman, I am concerned and enraged that my rights are being infringed upon by people that have no responsibility when it comes to guns and tearing up the habitat of the resources that my family and I depend on for food. It looks bad for hunters, gun owners and outdoorsmen, when these irresponsible people shoot in any and all directions whenever they feel like it. When I hear people talk about the Jim Creek (people that don't live in the area or depend on it for resources and unrivaled beauty) area it is viewed as a place to do whatever you want, whenever you want because no one cares or stops you!

This is my backyard and the consequences of that "do whatever you want" thinking results in mass shooting of automatic weapons night and day, vehicles stolen and vandalized all the way from Anchorage and even from the residents in the area nearby to Jim Creek, during the dry months drunk visitors set campfires when there is a ban on any fires period and sometimes take gasoline spill it on the ground, connecting the campfires, very close to the forest, vehicles set on fire and dumped in the creek, shot up with lead and this is where some of the prime fishing areas are! I wonder how much lead is in the water? I think we should be better stewards of the land in this area so that our resources will continue to be healthy and abundant for hunting and fishing and all the outdoor activities people enjoy. At least if we had a planning process all the people could weigh in from the area and we can send a message out the public that this kind of idiotic abuses won't be tolerated and that we are serious about putting an end to this recklessness. Maybe there would be a way to form a combined user group patrol to scout the area and report to the troopers.

I am looking forward to getting your feedback. I appreciate your attention to this matter.
Thank you very much.

Truly,

Brad R. Subers
17495 E. Sullivan Ave.
P.O. box 4709
Palmer, AK 99645
subers@pobox.mtaonline.net

April 8, 2005

To: All Legislators for this area

Copy:

Cecily Fritz, Chair
Knik River Watershed Group
P.O. Box 195
Palmer, AK. 99645

I implore you to support state legislative funding of a DNR/Mat-Su Borough planning process for public lands in the Knik River watershed.

I write to you because I feel an urgent need to act in regards to the Jim Creek-Swan Lake and Pavillion areas. I live almost directly across the Pavillion area. I fear for my safety and the safety of my family many nights during the week and especially on the weekend. I lay awake full of adrenalin from hearing loud explosions, high-powered rifle shots going in all directions, illegal and careless drag racing, shouting and more shots into the early morning hours.


I am aware that that the Butte area has a bad reputation and comes off as an embarrassment for the Mat-Su valley to bear. I just don't understand why it has to stay this way? I worry that Anchorage and Juneau doesn't take the valley folks as seriously as they should because of these type of activities (naming us valley trash leaves little doubt).

Yet, there are many folks who live here, that take pride in where they live (I am one of them), keep their place neat and clean, work hard everyday and pay property taxes. We expect to have a safe place to live, where we don't have to worry about getting shot from a stray bullet or getting killed by driving too close to a meth drug deal.

We must devise a way to STOP the reckless shooting, stolen vehicles, vandalism, pollution of vibrant hunting and fishing resources and endangerment of residents that live in an area who worry about inebriated folks starting fires that could potentially destroy their homes.

Approving funding for a plan will start a long overdue step in working to find solutions to this problem. I am willing, as a resident of this area, to volunteer my time to help clean up, patrol---whatever it takes to help out in this matter.

Finally, I appreciate the work that you do. I am sure it is not easy...thank you for your time and for your efforts regarding this matter.

Sincerely, 
Margaret A. Warnke
P.O. Box 4709
Palmer, AK. 99645

Subject: KRWG

From: "Helen Woodings" <helenw@mtaonline.net>

Date: Mon, 11 Apr 2005 12:25:29 -0800

To: <info@knikriver.org>

As a fifty one year resident of this area, I often used this area for pinics, dog walking, skiing and hiking.

Now that it is a dump, a hideout, gun siting area, I fear for my safety to go to that lovely area.

I support the action of this groip who wishes to promote planning for motorized and non-motorized use, and to save this beautiful area for its wildlife and recreational purposes.

Helen Woodings

4/9/2005

Cecily Fritz, Chair
Knik River Watershed Group
P. O. Box 195
Palmer, Alaska 99645

Dear Cecily:

I live on the south side of Knik River, directly across (~3 km) from Jim Creek Flats, and am writing to express my insistence for state funding of a planning process for lands in the Knik River watershed. Management plans and law enforcement are long overdue for this area.

Current management and law enforcement, or lack thereof, are far beyond being acceptable and are totally inappropriate for any part of the United States, especially in such a unique area of Alaska. The watershed and surrounding areas are incredible ecosystems with a diversity of wildlife and fishery habitats, other natural resources, and aesthetic scenery. Easy access for people to the area provides exceptional opportunity for recreational users, which results in both positive and negative effects. Positive effects to people include the pure enjoyment of nature, hunting, fishing, hiking, biking, and motorized use. Negative effects to people, especially residents such as myself, include noise pollution, vandalism, annoyance, diminished quality of life, and increased risk of damage to property, pets, and life. Simply put, many residents no longer feel safe to hike, hunt, fish, or even leave vehicles anywhere because of the legitimate fear of being harassed, shot, or returning to a vandalized vehicle.

Increased recreational use has resulted in prominent damage to the natural environment, which ironically, is what makes this area so incredibly unique. Littering, pollution, vandalism, poaching, unsafe and uncontrolled shooting, joyriding, vehicle abandonment, erosion, uncontrolled ATV and airboat usage, intentional and unintentional destruction of wildlife nests and habitats, and abandoned fires are becoming the "normal" activities, which are all unacceptable especially in such a unique and wonderful area. Something needs to be done now, before everything gets completely out of control in this "land of the lawless".

Because of exponential growth of the adjacent human population, this watershed is in dire need of long-term management plans to conserve the natural resources inherent to the area, including the unique and abundant wildlife populations and habitats. In the last decade, recreational use by people of this watershed has increased dramatically. Within the next decade, human population within the Mat-Su Borough is projected to grow to 100,000. Continued lack of management and consideration of public input will result in higher risks of impacts from human activities to wildlife distribution, populations, habitats, and ecosystems.

As a local resident, I insist on a management plan for this area IMMEDIATELY, as it is long overdue.

Scott A. Wolfe
Wildlife Biologist

received via email on 4/10/2005 CF

To: Cecily Fritz, Chair Knik River Watershed Group

4/04/05

We support state legislative funding of a DNR/Mat-Su Borough planning process for public lands in the Knik River watershed. Currently there is no active management of the area. As the population of the Mat-Su and Anchorage area has increased so has use of the area with negative impacts on wildlife resources, watershed integrity, user enjoyment of the area, and local resident's quality of life. The rivers, lakes, wetlands & mountains sides support a tremendous variety of wildlife and recreational opportunities. A co-operative management plan is much needed and long overdue. It is an area of mixed land ownership and multiple users, who all need to be included in the planning process. We support the goals of Knik River Watershed Group

During the 30+ years we have lived in the Butte, we have enjoyed many days of canoeing, hiking, & birding in Mud/Jim/Swan lake areas and mountain biking along the Knik River. We have also helped organize and participated in many Spring Clean ups in the area. It is a truly beautiful area with relatively easy access for a variety of recreational users. We frequently take our out of town guests canoeing there, and they are always impressed with the scenery & wildlife in our "backyard".

Here are some of the problems we have personally seen:

-Trash & litter has increased

A bear bait station & other trash left at campsites by String Lake last fall.

-Vandalism

It is a frequent party spot, and place to burn old cars.

-Unsafe shooting

We have been canoeing on Mud Lake & had people begin shooting across the water.

We came around a bend in the road one day, to find someone shooting across the road.

-Destruction of terrain & wildlife -

We've seen the erosion caused by ATVs along streams and their tracks across wetlands,

We've seen motor boats running in circles at high speed in Swan Lake,

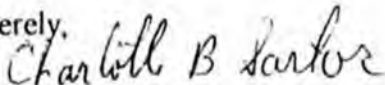
We've seen airboats creating large wakes as they speed up the channels

-Access points - Increased use puts pressure on nearby residents

The solution should include: Planning & on site management with, Increased enforcement of the rules, Education as to proper use of ATVs to prevent damage to the environment & wildlife, Education about safe shooting, Self policing by user groups, Increased user presence by those aware of problems, and Consideration by each user group of their impact on other groups.

We strongly support the idea of community groups, citizen users, the Mat-Su Borough and the DNR working together to plan for cooperative use in the area.

Sincerely,



Charlotte & Robert R Sartor

HC02 Box 7635

Palmer, AK 99645

March 25, 2005

Cecily Fritz, Chair
Knik river Watershed Group
P.O. Box 195
Palmer, Alaska 99645

Dear Ms. Fritz,

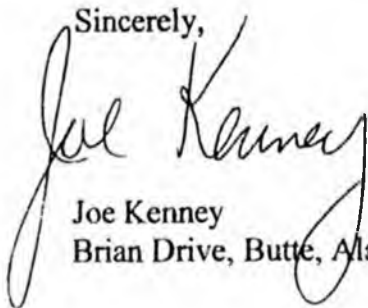
I am a resident of the Circle View Estates area and I am writing to express my support for legislative funding of a DNR/Mat-Su Borough Planning process for public lands in the Knik River area.

I have often used the area for fishing, canoeing, or hiking, and would love to see the negative types of activities (illegal dumping, shooting, vandalism, poaching, etc.) be controlled, and an increase in funds for management, planning, and enforcement.

I believe that we can make a positive contribution to the future of the area, preserving this beautiful, wild, natural land for generations to come.

Please count me in as a supporter for the future of the Jim Creek/ Knik River area.

Sincerely,



Joe Kenney
Brian Drive, Butte, Alaska

Hi Charley

I just had a conversation with your aide with regards to your SB 197. When I expressed my disapproval of the bill, she stated that I need to write a letter to you. So Charley, I am e-mailing you this to tell you that I disapprove of the SB 197 and am asking you to not support it. I would like to further add that in the course of my conversation with your aide, she became quite rude and I have doubts if this e-mail will ever get to you.

I don't know if you remember back when you were on the School Board and we had a problem out here with School Busing and you were the only member of the School Board who took any interest in our problem. At that time you visited our house and were able to see our view and what we can see. I would like to invite you to once again come out on say a Saturday evening, when the weather is nice and watch the clouds of dust rising from all the ATV's tearing up the land. It doesn't work to come out on a weekday when very few people are here, it must be done on a nice weekend day.

I have an ATV and enjoy riding it. At the same time I respect the land, stay on trails and ride it in a way which is not damaging to the land. On the other hand, I have watched people ride their ATV's and snow machines up and down (Salmon) streams, tear up vegetation and do general destruction to what ever they can. I have watches bullets bouncing across the river (water and sand) in my direction from target shooters.

I have also watched out my front window as rescues are made to save stupid people who do not respect the unforgiving land which you want to make into an "ATV Park". I would suggest that a review be made of the rescues that the National Guard and Forestry have made over the past several years in the Knik River Valley.

I also stated to your aid that the Butte Community Council had been taken over by a group of less then desirable people who had driven all the decant folks away from the Community Council meetings. Her answer was that this was the community response and this was what you had to listen to.

I do not oppose the formation of this land as a Knik River Public use area. What I do oppose is making it a free for all. There needs to be strict rules governing the activities which take place. As many of the people using this area are not residents and many of the ones who are residents are renters, there is little respect for what they do. The end result is mayhem, nothing less. We are now living in 2005, not 1960. The number of people now living in Alaska are putting a strain on the land today that was not here, even a few years ago.

Thank you.

Marty Quaas
746-6414

GREGORY S. NILSSON

259 South Alaska Street, Palmer AK 99645
Res: 5505 South Old Glenn Highway, Palmer
907-745-7526 / 907-227-1628

April 3, 2005

Senator Charlie Huggins
State Capitol, Room 417
Juneau, AK 99801-1182

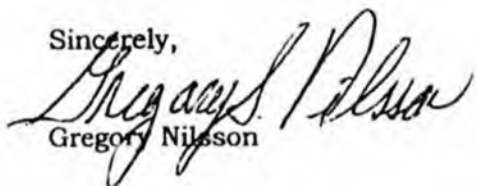
Dear Senator Huggins,

Please accept this letter as my endorsement of your efforts toward the momentum needed to generate a comprehensive management plan for the Knik River watershed area.

With the advent of spring the numbers of recreationists and the attendant problems are clearly already growing. The sooner we have education and enforcement presence here to help guide the public's use of this area, the sooner we will see fewer of the problems visited on this beautiful place.

A cooperative management plan involving the various landowners in the Knik watershed is what I see as the most effective means of developing recreational and environmental balance. The state and borough, as public entities, should take the lead in making this happen.

Sincerely,



Gregory Nilsson

March 11, 2005

Cecily Fritz, Chair
Knik River Watershed Group
P. O. Box 195
Palmer, Alaska 99645

Dear Cecily:

I live in the Butte area, and am writing to express my support for state legislative funding of a DNR/Mat-Su Borough planning process for public lands in the Knik River watershed.

The Knik River Valley is a beautiful, accessible area that provides exceptional opportunity for all kinds of recreation and has a rich diversity of wildlife resources. Each year, the area receives a significant increase in unrestricted use over the previous year without benefit of management. The list and degree of resultant problems is growing and includes littering, pollution, vandalism, wildlife violations, life-threatening target shooting and damage to the natural environment.

The two major access points/parking areas are within a mile of our home (Old Knik River Bridge and Pavilion) and are in close proximity to many other hundred homes. Residents have taken the brunt of these illegal and reckless activities at their back door. Our quality of life has been severely compromised due to the lack of management. These ongoing problems keep the legitimate user away. It is well known that our public lands have become the badlands. The resources, the residents and the multitude of responsible users deserve much better.

I strongly support your efforts, and those of other community groups, user groups, citizens, the Mat-Su Borough, Department of Natural Resources, and our legislators in working toward a management plan for the area which protects our property values, our quality of life, the natural resources, and the legitimate uses on our public lands.

Sincerely,

Brit Lively
Res: 5505 South Old Glenn Highway
Palmer
Mail: 259 South Alaska Street
Palmer AK 99645
907-745-7526

Received via e-mail 3/12/05 cf.

My name is Carrie Wolfe. I am a resident of the Knik River Watershed.

The current 'Knik River Public Use Area' legislation proposal needs to be amended!

The legislation **(1.) is completely biased towards motorized vehicle use at the expense of most other user groups.**

As the legislation is now written, it is only maintaining the *status quo*, which is unacceptable. Otherwise, why would we be here tonight?

How does legislation **(2.) hope to "perpetuate and enhance" general public recreational use the way it is now written? Increasing trails and access will not solve the conflicts between user groups. We should be thinking of restricting access not increasing access. Increasing access will only cause further damage to critical wildlife habitats.**

The legislation **(3.) does not allow the DNR the ability to adequately manage non-hunting shooting. To restrict target shooting only in high use areas is not enough.**

This past weekend, I felt like I was living in a war zone. People were shooting automatic & semi-automatic weapons and something that sounded like a canon. This went on all day and all night. The noise pollution was sometimes deafening, especially combined with the ORVs, airboats, & snowmachine noise. Noise pollution has greatly detracted from my quality of life in the Knik River area.

The legislation **(4.) does not mention the need for or provide the means for law enforcement or managers. Laws written on a piece of paper or on a sign have been, and will continue to be, disregarded.**

For example, 60-some residents reported unlawful activities in July alone. How many warnings, tickets and arrests were cited due to those phone calls? And, how many other citizens decided not to bother reporting an incident because past history has shown that law enforcement is unable to arrive in time? Funding and support must be provided for on-the-ground law enforcement and managers to uphold the law. And, by the legislation maintaining the *status quo*, managers will be unable to maintain and protect critical wildlife habitat in the future.

The legislation **(5.) states that the commissioner will be responsible for management of the recreation area. Do the current & future commissioners have the knowledge, skills, and capability to make wise land use decisions?**

Professionals such as biologists, land planners, engineers, and hydrologists are needed to make sound land management plans.

Solutions are needed and a few ideas include:

- Providing adequate funding for law enforcement and land managers.
- Creating a telephone hotline to report crimes.
- Restricting access to critical wildlife habitat areas from motorized use.
- To lessen conflicts between all user groups, we could adopt a time share plan with ORVs allowed every other weekend or perhaps 2-3 weekdays and 1 weekend day.
- Airboats should not be allowed access into the critical wetland habitats, restricting use to the Knik River & other designated areas not only to preserve critical waterfowl nesting areas and salmon spawning areas but also to ensure the safety of humans in small watercraft.
- Horse power-limits or electric motorized watercrafts could be allowed access in wetlands along with all types of non-motorized watercraft.
- Snowmachines should only be allowed when there is 12-inches of snow or more.
- Restricting non-hunting shooting not just in high use areas.

Restricting or limiting access is not popular. But if we want to ensure the future enjoyment for all user groups and local residents... we cannot allow to let activities continue, as they are now, especially with the estimated future increase in human population of the Mat-Su Valley.

Cecily Fritz, Chair
Knik River Watershed Group
P. O. Box 195
Palmer, Alaska 99645

Dear Cecily:

I live in the Chugiak, Eagle River area and am writing to express my support for state legislative funding of a DNR/Mat-Su Borough planning process for public lands in the Knik River watershed.

Jim Creek is a very special place for my family especially my two daughters. Over the past decade we have had huge fun there, mostly involving the water and dunes. When a nice hot summer day comes along, we drop everything and load up the truck with tubes, umbrellas, a cooler and sun screen. From our house in Chugiak, it takes 40 minutes with the last 20 minutes on a very rough 4 wheel drive road, some water crossings and then we are in an Alaskan heaven. The sand dunes at Jim Creek are a great spot for kids and their parents. Here you have warm water in the form of a gently flowing and shallow stream with a nice sand beach. You also have sand dunes steep enough to roll down into the water. On occasion, the sand will be so hot you have to run across it or burn your feet because the dunes face directly south. At this location, you are surrounded by beautiful mountains and looking way upriver you can see a wall of ice, which is the Knik Glacier. How very amazing, this may be a one of a kind place in the world. Come late summer, the fishing heats up. For all these reasons and many more, access to Jim Creek should be guaranteed forever. This place belongs to the people of Alaska. I am tempted to say we should improve the road in the hope of attracting more good people and possibly less hoodlums. A huge concern is safety since certain people sense there are no rules at Jim Creek. Vandalism, dangerous shooters and environmental destruction are occurring more and more frequently. These behaviors scare off the people who love and respect the area, leaving only the irresponsible users. The wrecked and burned cars certainly detract from the pleasant surroundings. I would love to see that problem solved but never at the cost of shutting it all down. Education and enforcement are key issues to take back Jim Creek.

I strongly support your efforts, and those of other community groups, user groups, citizens, and Mat-Su Borough and Department of Natural Resource planners, in working toward realization of a management plan for the area.

Sincerely,



Michael Hansen

January 12, 2006

Representative Gatto,

I'm writing about the proposed legislation to create a Knik River Public Use Area. As a wildlife ecologist and former management biologist for ADF&G in Palmer, I know the area, and the concerns of various users, very well. I have traveled in this area by foot, snowmachine, 4-wheeler, bike, canoe and airplane, and I support our ability to continue trapping, hunting, fishing and recreating in the area.

It appears the proposed bill lacks a few key elements, without which it may serve to divide the various user groups, not unite them to best protect this great area.

I would like to see the PUA legislation include provisions to:

1. Establish a thorough planning process that includes all user groups and evaluates all trails and activities/uses (i.e. does NOT automatically grandfather all trails and uses);
2. Allow for continued access by motorized vehicles, but only in areas where their use does not degrade wetland habitats or disturb wildlife during critical seasons;
3. Establish areas for non-motorized use;
4. Increase enforcement efforts to enhance human safety and protect sensitive habitats;
5. Establish a way to manage target shooting to protect users and area residents; and,
6. Prohibit air boat use of important waterfowl, salmon-rearing and moose foraging areas.

This is a fantastic area, but it is currently being degraded by the actions of inconsiderate users. And unfortunately, conflicts between user groups, and between users and residents, continue to escalate. The wildlife and habitat values in the Knik River are such that this area should really be a state game refuge. Given that it has not received that consideration, I urge you to strengthen the PUA bill with the aforementioned items.

Thank you for your consideration.

Sincerely,

Mark Masteller, M. Sc.

P. O. Box 965
Palmer, AK 99645

Ralph Hulbert

PO Box 1846, Palmer, AK 99645 phone (907)745-4586; fax (907)746-4586; email hulbert@alaska.net

January 2, 2006

Via email

Rep. Carl Gatto
Rep_Carl_Gatto@legis.state.ak.us

Re: **House Bill 307 "Creating the Knik River Public Use Area"**

While I applaud the efforts of the diverse groups working towards an inclusive management plan for the upper Knik River, I feel Rep. Stoltze's current bill needs modification. It appears to enshrine specific uses without regard for their needed evolution in the face of increased use. Some historical perspective may help.

The only permanent residence in the area was the Ezi site at Swan Lake, a great subsistence location where a fish trap or net across the creek easily captured all the salmon desired, moose were available year round, with sheep and swans right there in the spring. In the late 1960's, a classmate on a BLM fire crew ran into Chief Billy Ezi near Burnt Butte and tried to explain that setting fires to enhance moose browse was no longer permitted. Now, none of those subsistence activities are allowed.

The first time I fished on Jim Creek was in the mid 1950's. Loggers put a bridge across in the woods to access the eastern forest. I don't think permits were needed then. The bridge and road were soon washed out by a larger than normal Lake George breakup. We need permits now to log, mine, or build roads and bridges to get there.

It's been over 40 years since Lake George taught us the vagaries of "normal high water". We might not live long enough to again see annual flooding over the Old Glenn or boating in what are now the Plant Material Center's fields. We can't count on the river washing our trash away off the bar, but the notion might temper how we plan and build.

The early 1960's were lean times when the mines closed. On the last week of moose season, the Elks club would collect unfilled moose tags from needy families, find a supercub and 6x6, and head up the Knik. Dick was the pilot and dad was the designated shooter; nobody went hungry. We can't do that anymore, and luckily, don't have to. We can't build recreational or trapline cabins wherever we want, either. Our winter scout camp could be revisited, but we're too soft.

For the past 30 years, we hike up there in early April to see the swans. Sometimes, we could sneak up on a flock near the mountain - their trumpeting echoing off the rock amphitheater is



Chief Ezi's place, '82:
"Please Do Not Burn the Boards Thats Around Here. Bill Ezi"

unforgettable. Since roads and trails have increased access, the swans are more skitterish. We'll probably have to keep our distance or use blinds if we want to preserve close encounters.

We try to take several canoe trips up Jim Creek each summer for fishing, birding, or hunting. The stabilized portage is nice. It's sometimes dangerous when a big airboat tries to pass in the narrow creek. Most travelers are considerate, but lack of etiquette will lead to increased conflicts.

Yes, I've yahooped all over and up to the glacier in ATVs, trucks, boats, and planes. There are problems. It's hard to keep out of the water, either because it's in the way or just because. Playing in the water makes a mess. Those ruts and mud kicked up on the silty bar might be gone next summer, and all we did was add dust to the air and noise pollution. Our tracks in the marsh, however, are long lasting scars and will drive away critters we love. Playing in the clear water stirs up silt and kills fish. Clearly, we shouldn't mess up the sensitive habitats.



My bad. Pull it out by hand, drive it home before it freezes

Decades ago, off-road vehicles were less common and conflicts between them rare. Now, on a single day a river trail may see hikers, skiers, snow machines, bicycles, horses, motorcycles, four stroke ATVs, two stroke racers, tracked rigs, dune buggies, pickups, and monster trucks. Compatible trail use may be prolonged with good manners and slow speed, but fatal conflicts are inevitable. Off-trail racing and motocross activities on the river bar have no established etiquette; the monster truck rodeo might not safely share space with the family 4 wheeler picnic.

Remote gravel pits and river bars foment teenage anarchy, fueled by booze, guns, and gasoline. Prohibition didn't work for us then, either, and we buried the unlucky. What worked best was the landowner, whether pit owner, neighbor, local cop, or even road foreman, would simply explain the rules of ownership – respect others, and don't trash the place. When that didn't work the owner blocked access. It seems like we're close to that now with the Knik River.

What's missing is the sense of neighborhood ownership, understandable when the Knik is now the closest uncontrolled free fire zone to Anchorage. Consequently, a public use area management plan is appropriate. All of us are the owners, and our grandkids too.

Over the past half century we've drastically curtailed our "traditional public use" rights and privileges in using the river area; the resources have largely been preserved with more people enjoying them as a result. Looking towards the next few decades, it's clear we can't keep all of our current favored uses and current trends without continuous modifications.

A trail may need to be abandoned or moved to protect a stream, and additional trails restricted in some areas but encouraged in others. Certain vehicles may need to be restricted at different times from sensitive areas, and other areas may be reserved for them. Roads, bridges, picnic

sites, and campgrounds will be built. Future management requirements can hardly be guessed at now. Certainly, enforcement will be needed – a responsibility of ownership.

I've studied information and positions taken by the various interest groups, reviewed legislation for similar areas, and suggest the following revisions for this bill:

- Keep the area multi-use; do not favor one current use over another. Use the Nelchina legislation as a model.
- Do not limit the state's ability to manage its resources by any appropriate means, including management as a state park or with park rangers and managers.
- Recognize critical, unique, and sensitive habitats for preservation, including natural and scenic resources. This might mean limiting access and time for vehicles, boats, and hikers.
- Also, recognize less sensitive areas such as the river bars where off-trail riding and racing may occur, but only if consistent with other uses, such as other users' safety and nearby residents' rights to peace and safety.
- Encourage compromise between user groups. None will be shut out, all have much to lose and gain; cooperation will maximize benefits to all. Various groups have done much to repair damage, remove trash, haul out burned vehicles, enhance habitat – thank them all and encourage their continued involvement, because without them we won't succeed.
- Most importantly, take control. The real outrage is not about responsible use, but about activities that are now illegal or obviously rude. These threaten all users and nearby residents. Once the lawless free fire mentality is reigned in, sane management begins.

Thanks, and good luck in this session.

Ralph

With respect to HB307/SB 197 An Act Creating the Knik River Public Use Area.

I support Public Use or Recreational Area legislation if the current legislation is amended or new legislation is created to include the following:

Any legislation must mention multiple use: nonmotorized as well as motorized use.

Commitment to fund on ground enforcement of existing laws for safe and lawful use of the area. This is imperative not only for the safety of the nearby residents but also for the enforcement of existing regulations.

A planning process is needed that deals with the special problems confronting the different ecosystems within the Knik River Watershed. For example, shooting and car burning on the Knik River floodplain, the increasing trails and damages to the wetlands, new driveways (on Eklutna Land) to get trucks and trailers out of Mud Lake are a few examples. Some issues overlap different areas within the watershed but their solutions may differ. The public planning process would help sort that out.

Sanitation issues must be dealt with. I am tired of going to Jim Lake and finding piles of feces and toilet paper right out in the open. No attempt to dig a cathole. No respect for other users. During the spring cleanup of the area we will find diapers and more toilet paper, not to mention the tons of other garbage. Somehow this needs to be dealt with.

The language that eliminates any future establishment of State Park must be removed. The time may not be right now to establish a State Park for even part of the area. However the time may come that Park status will be the only way to maintain the viability of the area. We do not have a crystal ball that tells us how the population growth and increased use in this area will affect these lands.

Please refer to language used in other Public Use Legislation such as the Nelchina Public Use legislation to obtain wording that is more inclusive of all users and better describes the management of incompatible uses.

In order to ensure the continued viability of this area all users must be drawn into the development of a plan. The more the public is involved, the more investment we will all have to ensure the area is treated respectfully and will remain for recreational use in the future. **Please put the public into the PUBLIC USE legislation by including them in a planning process**

Testimony at the Knik River Public Use Area public hearing on Thursday October 20, 2005 by Nancy Moore.

Lynne Woods
P.O. Box 37
Sutton, Alaska 99674

March 28, 2005

Subject: Matanuska-Susitna Borough Resolution 05-22: Requesting State Funding for a Management Plan in the Knik River Watershed

Dear Ms. Woods,

Thank you very much for your support in introducing Resolution 05-22 at the up coming April 19, 2005 Matanuska-Susitna Borough Meeting. The Knik River Watershed has been a popular recreation area for many years. With the large expanding human population during the past 10 years in the Matanuska-Susitna Valley and in Anchorage, the area continues to receive significant increases of use without the benefit of a management plan. With so many people using the area, littering, pollution, vandalism, wildlife violations, unsafe shooting, and damage to the natural environment is taking its toll. Local residents are seeing a diminished quality of life from such large numbers of uncontrollable recreational users. A number of traditional users are becoming disenfranchised and no longer use the area due to serious conflicts with other user groups. A new management plan for the Knik River Watershed is well over due.

Senator Charlie Huggins and Representative Bill Stoltze conducted a Town Meeting at the Butte Elementary School Gymnasium on February 12, 2005 for area residents of Lazy Mountain, Butte, and Knik River Road. The agenda was an open discussion of area concerns. The Town Hall Meeting was well attended with approximately 100 people present. The concern that raised the most interest was that of recreational use in the Knik River Watershed. Numerous citizens brought up the many problems of recreational users and damage to important wildlife habitat. Several citizens spoke in support of an Alaska Department of Natural Resources Plan to manage the watershed. There was very little, if any, opposition to the plan expressed by citizens who spoke on the subject.

I often fly into the Knik River Watershed from Anchorage as it is only a 30 minute flight from Merrill Field. Visitors that fly with me enjoy the mountain scenery, wildlife and the many landing places on the gravel bars. I have noticed widespread changes in the past few years with larger numbers of users, increased wildlife disturbances, and increased damage to sensitive areas, especially the wetlands and sand dunes in the Jim Creek area.

I strongly support your effort along with all users groups, the Matanuska-Susitna Borough, the Alaska Department of Natural Resources, and our legislators in working together to introduce and pass legislation that will provide the funding for a new management plan for the Knik River Watershed.

Wm. A. Quirk, III
William A. Quirk, III Pilot / Biologist
P.O. Box 212545
Anchorage, Alaska 99521

PO Box 766
Talkeetna, AK 99676
August 17, 2005.

Senator Charlie Huggins
Alaska State Senate

via e-mail: Senator_Charlie_Huggins@legis.state.ak.us

Dear Senator Huggins:

Unfortunately, I will be unable to attend the meeting tomorrow (Thursday) regarding the Knik Watershed. Here is what I had prepared to say at the meeting/hearing.

To put it bluntly, the proposed legislation, SB 197, is not in the broad public interest, and it is poorly crafted

Basically, SB 197, and its companion HB 307, give *carte blanche* to ORV use. It subordinates not only all other uses, but also resource integrity, to that mandate. It is apparent to me that the writers of this legislation did not look at the problems that are occurring in the area today, they did not seek to address those problems, they did not identify the important resource and recreation values that this area offers, they did not establish a vision of what the public would like to see this place look like in the future, and they did not consider how to achieve that vision. Instead, they wrote special interest legislation governing use of lands that are owned by all of us.

So, what is going to suffer? The fish and wildlife resources and the use of the area by anybody who isn't on an ORV or out hunting or target shooting. I don't see anything in the draft that sets aside areas for quiet or non-motorized recreation, for wildlife protection (even wetland areas aren't protected), that provides for public safety, or that seriously considers sustainability.

And, I believe that the bill is poorly crafted not only because it lacks a vision that reflects the broad public interest, but because it contains incompatible stipulations. For example, it is impossible to mandate unlimited ORV use while at the same time protecting and maintaining "migratory waterfowl nesting areas, habitats for moose..." It is likewise, in my view, impossible for the Department of Fish and Game to engage in "rehabilitation, enhancement, and development of fish and wildlife habitat" under a mandate to accommodate unlimited ORV use and not restrict (even to a limited or temporary degree) "lawful fishing, hunting, or trapping rights."

To properly serve the public interest and to preserve the resource and recreational opportunities for future generations, it is necessary to provide a balance among fish and wildlife protection, public safety, segregated non-motorized use areas, and motorized and hunting areas. I urge you, Senator, and Representative Stoltze, to look at the problems that are occurring today, to look at the existing and potential resource and recreational values, to establish a future vision, to determine how to achieve that vision, and to write legislation that accommodates and protects a broad variety of public uses, protects wildlife resources, provides for management and public safety, and, most important, makes the management of this watershed sustainable so that it can be enjoyed by all in the future.

Sincerely,
[signed]
John Strassenburgh



PO Box 140264
Anchorage, AK
99514-0264
907-333-4442
www.alaska-trails.org

April 28, 2005

Cecily Fritz, Chair
Knik River Watershed Group
P. O. Box 195
Palmer, AK 99645

Dear Cecily:

Alaska Trails is very aware of the valuable habitat and the multitude of exceptional recreational opportunity on public lands in the Knik River watershed. We, too, are concerned about ongoing resource damage, the potential for long term impairment, and the diminished experiences for all users due to a marked upsurge in unmanaged use in recent years.

We support your efforts to call attention to the problems and to gain legislative support for an Alaska Department of Natural Resources planning process for the area especially if it involves on-site management presence. We believe the Knik River area should be managed for motorized and nonmotorized users, and that important wildlife and fishery resources should be protected.

We endorse your outreach efforts about the area values to the public and user groups. User education is important in achieving compatible, sustainable recreational uses as well as for developing support for a watershed management plan and, more importantly, its implementation.

Let us know how we can help in this effort.

Sincerely,

A handwritten signature in cursive script that reads "Jack".

Jack Mosby, President
Board of Directors



Palmer Soil & Water Conservation District

259 S. Alaska Street, Palmer Alaska 99645
Phone: (907) 745-1441 • Fax: (907) 745-1443

CONSERVATION • DEVELOPMENT • SELF-GOVERNMENT

April 1, 2005

Cecily Fritz, Chair
Knik River Watershed Group
P. O. Box 195
Palmer, Alaska 99645

Dear Cecily:

The Palmer Soil and Water Conservation District (PSWCD) supports development of an area-wide Alaska Department of Natural Resources/Mat-Su Borough management plan for public lands in the Knik River watershed.

Public lands in the watershed include coastal habitat, dunes, wetlands, several anadromous streams and upland habitat, and support a tremendous variety of wildlife resources and recreational opportunities. The area is just over a half hour drive from Anchorage, is easily accessible off the Glenn Highway and receives heavy recreational use from Mat-Su and Anchorage residents. Significantly increasing unmanaged use impacts watershed integrity, quality of life for nearby residents, wildlife resources, and user enjoyment of the area. We believe DNR and MSB planners have the experience and resources to conduct a public planning process that will accommodate a broad array of motorized and nonmotorized users, protect wildlife resources, and mitigate impacts on nearby residents.

We support your efforts, and those of other community groups, user groups, citizens, the Mat-Su Borough, Department of Natural Resources, and our legislators in working toward a management plan for the area. In addition, the PSWCD is very pleased with our successful application (in conjunction with the Knik River Watershed Group) to the U.S. Fish and Wildlife Service Coastal Management Grant Program to conduct waterfowl surveys and wetlands inventory in the watershed this year. We look forward to this joint effort in providing current scientific data on the area to assist in the planning effort and to enhance KRWG development of educational tools.

Sincerely,

Bruce Bush, District Chair

community planning



community building

Friends of Mat-Su

April 4, 2005

Knik River Watershed Group
Cecily Fritz
Palmer, AK

Dear Cecily:

Friends of Mat-Su (FoMS) supports a comprehensive planning effort between the Department of Natural Resources and the Mat-Su Borough for public lands in the Knik River Watershed.

Due to the rapid population growth and increased use by a wide variety of users from the Mat-Su Borough and Anchorage the lands within the Knik River Watershed are being negatively impacted. Nearby residents have diminished quality of life, responsible users have diminished experience, and natural resources are beginning to show damage from unmanaged use.

Comprehensive public planning can address issues such as: appropriate dedicated access points that are well marked and provide sanitation facilities to reduce impacts on residents and habitat; sustainable recreation/trails to reduce impacts of heavy use; assessment of wetland hydrology and value to area aquifer to protect water quality for everyone; assess importance of intact dunes as a water, wind and noise barrier for residents; identify areas requiring restoration; and provide better enforcement of game and all regulations that pertain to this area.

We strongly advocate that when funding is secured that it includes the support necessary for implementation and enforcement of the plan. Too often plans are created without this.

FoMS supports the efforts of the Knik River Watershed Group, and those of community groups, user groups, residents, the Mat-Su Borough, Department of Natural Resources, and our legislators in working toward realization of a management plan for the area and we look forward to participating in the process.

Sincerely,

A handwritten signature in cursive script that reads "Kathy Wells".

Kathy Wells
Executive Director

United States Department of Agriculture



Natural Resources Conservation Service
Palmer Field Office
1700 East Bogard Road, Suite 203
Wasilla, AK 99654-6563
(907) 373-6492 Ext. 111
(907) 373-7192 FAX
www.ak.nrcs.usda.gov

Cecily Fritz, Chair
Knik River Watershed Group
P. O. Box 195
Palmer, Alaska 99645

Dear Cecily:

I work for the USDA Natural Resources Conservation Service (NRCS) as the District Conservationist Matanuska Susitna Service Center representing the Palmer District.

Our agency is aware of the valuable wetlands, coastal and upland habitats on public lands in the Knik River watershed and is concerned about resource damage and the potential for long term impairment due to a marked upsurge in recreation in recent years.

I have recently learned about your group's efforts to call attention to the problems through public and user group outreach, and to gain legislative support for a DNR management plan for the area. We agree that the Knik River area needs better management and commend the efforts of the Knik River Watershed Group to make this happen. Through my work I have been involved with several watershed planning efforts and may be able to offer your group some support and guidance. Please contact me to learn more about our work. Thank you again for your efforts, it is encouraging to see volunteers so motivated to keep our watersheds healthy.

Sincerely,

A handwritten signature in cursive script that reads "Michelle Schuman".

Michelle Schuman
Palmer District Conservationist

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF MINING, LAND AND WATER

FRANK MURKOWSKI, GOVERNOR

550 West 7th Ave., Suite 1070
Anchorage, AK 99501
PHONE: (907) 269-8600
FAX: (907) 269-8904
EMAIL: bobl@dnr.state.ak.us

April 21, 2005

Ben Mulligan
Legislative Assistant to Representative Stoltze
Juneau, AK

Dear Ben:

Thank you for the opportunity to review draft legislation for the Knik River Watershed. We do have a couple of comments. Specifically, we have three more substantial comments and then a few technical comments.

Substantial Comments

Emphasis on off-road vehicles. I understand that Representative Stoltze wishes to ensure that state management maintains and enhances off-road vehicle opportunities. However, I think that the emphasis is stated in a manner that will be perceived as overly weighted toward ATV use and even may create some legal problems. I think the perception of unbalance is created by having off-road vehicle recreation named particularly in the Purpose section without mentioning most of the other uses. It can be solved by putting a general mention of other uses.

The potential legal problem may be created similarly. By providing off-road vehicles in the primary intent in subsection (1) and (3) of the intent "Purpose" Section, and then not mentioning most other uses shall be allowed until subsection (d) of the "Incompatible Use" Section, it creates the impression that those other uses are allowed only if they are compatible with the off-road motorized vehicles. I think that this impression will be controversial, and will constrain the public discussions that occur. While I understand the emphasis on off-road vehicles, I do not think that this intent is what is required.

Subsection §180(1). Some suggested language that would replace §180(1) is below. I hope this language makes clear an emphasis on maintaining (and enhancing) off-road vehicles use, but avoids some of the problems of intent in the current language. Either one of these might replace subsection (1):

- (1) Provide an area for the public to enjoy the full spectrum of public uses including maintenance or enhancement of off-road vehicles opportunities

- (1) Provide an area for the public to enjoy motorized and non-motorized uses of fish, wildlife and the land.

Alternatively, you could have one subsection that talks about all the uses, and one subsection that indicates, "provide for the maintenance or enhancement of opportunities for motorized and non-motorized use of the area."

Subsection §180(3). I would eliminate the words "through off-road vehicles recreation" and go back to the Nelchina Public Use Area language of "including." Note that off-road vehicles haven't been restricted in Nelchina. The lack of this language in Nelchina hasn't created problems.

Mention Planning Process. It would help the Department if the legislation mentioned a planning process, as does the Nelchina. I recommend that language be added to the Management Section as follows:

§190(a). The commissioner is responsible for the management of the surface and subsurface estate within the Knik River Public Use Area consistent with the purposes of AS 41.23.180. After adequate public hearings the commissioner may designate incompatible uses consistent with 41.21.200 and shall adopt and may revise a management plan for the Knik River Public Use Area.

Mention Education/Compliance. The Knik River area, more than most places in the state, suffers from lack of field presence, education, and enforcement. All the junk cars around Jim Lake are the prime example. It's such a big deal in this area, that one of the major issues surrounding management of this area is how DNR will ensure compliance. I think it will help DNR greatly in the ultimate management if the legislation mentions this. I do not advocate new powers making DNR into police. We do, however, recommend that the following be added to the end of §190(a) above:

The management plan shall address mechanisms to encourage and enforce compliance with required provisions.

Technical Comments

We have a number of technical comments. Comments that we do not believe change the intent of the legislation.

Page 2, line 19. §190(d). We recommend taking out the requirement to adopt regulations. There are lots of regulations about wetlands now. It's unclear that we need more. The management plan may provide education, move trails, etc. etc. It's unclear that specific wetland regulations are needed. Thus, we recommend that "shall adopt regulation providing for" be replaced with "the management plan for the Knik Public Use Area shall provide mechanism for"... That way, if we need regs, we can do them. If we don't, we don't have to.

Page 3, Lines 5-8. §200(e). This section requires that existing off-road trails be maintained. Some are probably not appropriate. Some may be in areas that encourage damage and should be re-routed. This section would not allow DNR to reroute the trails. Also, sometimes it is appropriate to disperse off-road use. In some locations it is typically appropriate to

accommodate it. The legislation should be silent about this level of detailed land management decisions.

We recommend that the emphasis be on maintaining existing off-road *opportunities*, rather than the exact trails. Specifically, we recommend the subsection be written to state:

The commissioner shall maintenance or enhance off road motor vehicle opportunities in the Knik Public Use Area, and shall endeavor to accommodate increased use of the public use area.

Page 3, lines 9-12. §200(f). The legislation should not restrict the DNR's regulation of firearms to these specific areas. Rather, it should restrict the regulation only to threats to public safety. Currently, the subsection reads that the firearm use must be a threat to public safety *and* in areas of high public use. DNR, especially this Division has a history of very rarely regulating guns. We just don't do it. But there are some areas, especially in the Knik Area where people are shooting across the river into residential areas. This isn't a high public use area, so it wouldn't quality. Therefore, we recommend that the subsection be changed as follows:

The commissioner may not restrict the use of weapons, including firearms, within the Knik River Public Use Area except ~~in sites of high public use such as picnic areas, boat ramps, camping grounds, and parking areas when~~ for locations where the commissioner determines that the use of weapons constitutes a threat to public safety.

If you really need to specify these areas, add "such as sites of frequent public use, picnic areas"....at the end of the sentence. But we don't think its necessary.

Page 1, lines 9-11. §180(2). The specification of fish and wildlife should be broader. We recommend the following minor change:

Protect and maintain fish and wildlife habitat including habitat for trumpeter swan nesting areas, habitats for moose, Dall sheep, and brown bear ~~and other fish and wildlife habitat~~ so that traditional public use of fish and wildlife populations may continue;

Page 3, lines 13-14. §210. "Subject to valid existing rights" is the same concept in this situation as "vacant and unappropriated. And until the state receives title, it isn't state-owned land or water. Therefore, we recommend the following minor change:

Subject to valid existing rights, ~~and the receipt of state title, the vacant and unappropriated~~ state-owned lan and water and the state land and water acquired....

Page 3, line 1-4. §200(d). I don't think you mean this to be an all-inclusive list. There is probably something left out. So, I would either change the word "involving" to "including" (which means "including but not limited to") or I would have some general, "and other recreational uses" at the end of the list.

Thanks. I hope this is helpful.

-- Bob Loeffler

**A RESOLUTION SUPPORTING THE KNIK RIVER WATERSHED
GROUP MANAGEMENT EFFORTS**

Mat-Su CVB Resolution FY05-06

WHEREAS, majority of public lands in the Knik River Watershed (KRW) are owned and managed by the Alaska Department of Natural Resources, Division of Mining, Land and Water (DNR).

WHEREAS, this area is popular for a wide variety of motorized and nonmotorized activity and offers exceptional hunting, fishing, wildlife viewing, birdwatching and photography; and

WHEREAS, the KRW consists of uplands, wetlands, anadromous streams and other water bodies, unique geologic features, glaciers, swan and other waterfowl staging and nesting areas, and wildlife to include moose, black and grizzly bear; and

WHEREAS, recreation in the area has significantly increased and is expected to continue to increase, and the area is located in the most populated region in Alaska.

WHEREAS, the Knik Arm Wetlands Study (1981) and the Susitna Area Plan (1985) recognized important wildlife value, current and potential future impacts of unmanaged use, and recommended special designation for areas within the watershed; the SouthCentral Recreation Action Plan (1984) recommended a master plan for the Jim-Swan Lakes area of the watershed to more effectively serve diverse recreational interests; and a portion of the Jim-Swan area is located within the Lake George National Natural Landmark; and

WHEREAS, citizens and users have expressed repeated concerns about personal safety, vandalism, game and nongame violations, pollution and lack of sanitation, littering, impacts to fish and wildlife resources, impacts on resident's quality of life, impacts on responsible users, and impacts on hydrology and area aquifers; and

WHEREAS, a sustainable management plan is needed to protect fish and wildlife resources and that will accommodate motorized, nonmotorized, consumptive and nonconsumptive uses; and

WHEREAS, the planning effort shall include a full public process, scientific expertise and trail design expertise, and

WHEREAS, planning, sustainable management, and enforcement on public lands in the KRW will enhance opportunity to develop tourism destinations by offering safe, exceptional recreational opportunity for a multitude of user groups and visitors.

NOW, THEREFORE BE IT RESOLVED that the Mat-Su Convention & Visitors Bureau Board of Directors fully supports efforts to develop a management plan, in a full public process, for the Knik River Watershed that will protect natural resources and accommodate motorized and nonmotorized recreation.

Adopted by the Mat-Su CVB Board of Directors on May 19, 2005.

Sandra White
President

Steve Mahay
Secretary

**MATANUSKA-SUSITNA BOROUGH
PARKS, RECREATION AND TRAILS ADVISORY BOARD
RESOLUTION SERIAL NO. 05-05**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PARKS RECREATION AND TRAILS ADVISORY BOARD REQUESTING THE ASSEMBLY TO SUPPORT THE STATE DESIGNATING LAND IN THE KNIK RIVER WATERSHED AS A STATE RECREATION AREA AND TO PROVIDE FUNDING TO THE DEPARTMENT OF NATURAL RESOURCES TO DEVELOP A MULTIPLE-USE MANAGEMENT PLAN FOR THE AREA.

WHEREAS, the Alaska Department of Natural Resources (DNR) and the Matanuska-Susitna Borough are the primary landholders of public land in the Knik River Watershed (KRW) and recognize the need to address management issues in the Jim Creek-Swan Lake-Knik River area; and

WHEREAS, the area includes over 250,000 acres of public land, the majority of which is owned and managed by the state DNR, and

WHEREAS, the draft Asset Management Plan for Borough Owned Land in the Butte Area (2004) recognizes that "use impacts [on state land] are so significant to warrant a special study area that should be established under cooperative management; the Knik Arm Wetlands Study (1981) and the Susitna Area Plan (1985) recognized important wildlife value, current and potential future impacts of unmanaged use, and recommended special designation for areas within the KRW; and the South Central Recreation Action Plan (1984) recommended a master plan for the Jim-Swan Lakes area of the KRW to more effectively serve diverse recreational interests; and

WHEREAS, this area consists of uplands, wetlands, anadromous streams and other water bodies, unique geologic features, waterfowl staging and nesting areas, and wildlife to include resident moose, black and grizzly bear; and

WHEREAS, citizens and users have expressed repeated concern about significant increases in unmanaged uses, vandalism and other unlawful violations, safety, pollution, littering, impacts to fish and wildlife resources, impacts on nearby residents and users, and have committed significant volunteer resources in attempts to educate local residents and visitors in order to improve the situation; and

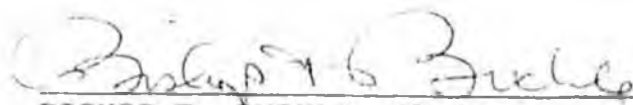
WHEREAS, DNR has statewide experience in developing sustainable multiple-use plans that recognize and provide for a wide variety of users of state land, yet in a way that protects important areas; and

WHEREAS, a planning team led by DNR would include public and private land owners and managers, scientists, a wide variety of user groups that currently use the area, citizens, and adjoining private landholder representation, and would be developed using an open public process; and

WHEREAS, a management planning effort would enhance the opportunity for multiple-use management that would include partnering, collaboration and volunteerism for agencies, landholders, diverse users, residents and citizen groups.

NOW, THEREFORE, BE IT RESOLVED that the Matanuska-Susitna Borough Parks, Recreation and Trails Advisory Board urges the Assembly to support the State designating a portion of the Knik River Watershed as a multiple-use State Recreation Area and to provide state funding to the Alaska Department of Natural Resources to develop and implement a management plan for public land in the area.

ADOPTED by the Matanuska-Susitna Borough Parks Recreation and Trails Advisory Board this 25th day of April, 2005


BISHOP T. BUCKLE, Chairman



MINUTES
Thursday, May 12, 2005
Lazy Mountain Community Council
General Meeting

Meeting started with President Will Peabody calling meeting to order at 7:35pm.
Attended by Board Members; Will, Doug, Dan, Michael, Ken & Helen.
In addition, 8 general members.

Pledge

Minutes from the March 10, 2005 meeting read by Dan Linden. Motion to approve by Lucy, second by Helen.

Ken Klunder gave an update on the Comprehensive Plan. Eilien Probasco is getting a survey together to be mailed to every land owner. The survey asks owners what is important to them. This information will be used for the 1st workshop, called "Vision Building". Ken stressed the importance of getting as many people as possible involved with the comprehensive plan by attending the 1st workshop and the meetings that are the last Thursday of every month.

Road Report by the RSA's Lucy Klebesadel, Ken Klunder, and Pat Larrabee. Lucy reports that there is \$20,000 left in the road budget. Mike Garner says that \$14,000 will be spent within the next 2 weeks. Most roads in Rancheete subdivision will be worked on. Robin Lane will have a new chip seal product applied but the resurfacing will only cost the community \$10,000. Koperund requests residents to clean out culverts so that they may assecc which ones need replaced. Koperunds will be brush cutting and request that residents mark tress and/or shrubs that they do not want destroyed.

Lucy reported that our CIP list had been changed without approval or notification to the Lazy Mountain Community Council. It appears that Lynn Woods and Jim Culver added paving Robin Lane, at a cost of \$110,000 to the list.

Lucy concluded by reminding the council that the new fiscal year for road funds starts June 30.

Cecily Fritz and Robert Howard gave a presentation on the Knik watershed area. They are spearheadinfg a group called The Knik Watershed Group in which their mission is to sustain the Knik River Watershed to insure use and enjoyment for current and future generation. After the presentation, Will Peabody made a motion to approve a resolution for support of a state DNR management plan. The full resolution is as follows:

This resolution was prepared by the Knik River Watershed Group for consideration by the Lazy Mountain Community Council and was presented at the council general meeting on May 12, 2005.

Whereas, the majority of public lands in the Knik River Watershe
(KRW) are owned and managed by the Alaska Department of Natural Resources, Division of Mining, Land and Water (DNR).

Whereas, this area is popular for a wide variety of motorized and nonmotorized activity and offers exceptional hunting, fishing, trapping and nonconsumptive uses; and

Whereas, the KRW consists of uplands, wetlands, anadromous streams and other water bodies, unique geologic features, glaciers, waterfowl staging and nesting areas, and wildlife to include moose, black and grizzly bear; and

Whereas, recreation in the area has significantly increased and is expected to continue to increase, and the area is located in the most populated region in Alaska.

Whereas, citizens and users have expressed concerns about personal safety, vandalism, game and nongame violations, pollution and lack of sanitation, littering, impacts to fish and wildlife resources, impacts on resident's quality of life, impacts on responsible users, and impacts on hydrology and area aquifers; and

Whereas, the Knik Arm Wetlands Study (1981) and the Susitna Area Plan (1985) recognized important wildlife value, current and potential future impacts of unmanaged use, and recommended special designation for areas within the watershed; and the SouthCentral Recreation Action Plan (1984) recommended a master plan for the Jim-Swan Lakes area of the watershed to more effectively serve diverse recreational interests; and

Whereas, DNR has the experience and expertise to develop a management plan that shall involve a full public process, include scientific expertise, trail design expertise and invite the participation of all user groups, citizens and adjoining landholders; and

Whereas, DNR has statewide experience in developing sustainable multiple-use plans that protect important fish and wildlife resources; and

Whereas, a management planning effort would enhance opportunity for partnering, collaboration and volunteerism for agencies, landholders, diverse user groups, residents, and citizen groups.

Now, therefore be it resolved that the Lazy Mountain Community Council supports state DNR efforts to develop a sustainable management plan, in a full public process, for the Knik River Watershed that will protect natural resources and accommodate motorized and nonmotorized recreation.

Adopted by Resolution of the Lazy Mountain Community Council on May 12, 2005.

The motion was 2nd by Micheal Miller.

Vote taken. Vote was unanimous for acceptance of the resolution.

9:15 meeting adjourned by the president.

Mat-Su State Parks Citizens Advisory Board

Resolution #05-03

A resolution supporting state funding to the Alaska Department of Natural Resources for development of a management plan for Public Lands in the Knik River Watershed.

Whereas, the Alaska Department of Natural Resources (DNR) is the primary landholder of public lands in the Knik River Watershed (KRW) and the land is classified as generally managed state land;

Whereas, the draft Asset Management Plan for Borough Owned Land in the Butte Area (2004) recognizes that "use impacts [on state land] are so significant to warrant a special study area that should be established under cooperative management;

Whereas, the Knik Arm Wetlands Study (1981) and the Susitna Area Plan (1985) recognized important wildlife value, current and potential future impacts of unmanaged use, and recommended special designation for areas within the KRW;

Whereas, the SouthCentral Recreation Action Plan (1984) recommended a master plan for the Jim-Swan Lakes area of the KRW to address severe erosion from four-wheel drive vehicles and fire hazards from unmanaged camping, and to more effectively serve diverse recreational interests;

Whereas, the area includes over 7600 acres of wetlands, anadromous streams, unique geologic features, waterfowl staging and nesting, and wildlife to include resident moose, black and grizzly bear;

Whereas, citizens and users have expressed repeated concern for the increase in unmanaged uses, vandalism, safety, pollution, littering, impacts to wildlife resources, and impacts on residents and users, and have committed significant volunteer resources notifying agencies and troopers, organizing clean-ups, and educating residents and visitors in attempts to improve the situation;

Whereas, DNR has statewide experience in developing sustainable multiple-use plans for state land;


Whereas, a DNR led planning team would include land managers, scientists, user groups, citizens, and adjoining private landholder representation, and would be developed using an open public process;

Whereas, a management planning effort would enhance opportunity for multiple use management that would include partnering, collaboration and volunteerism for agencies, landholders, diverse users, residents and citizen groups.

NOW THEREFORE BE IT RESOLVED:

That the Citizens Advisory Board of the Mat-Su district of Alaska State Parks supports state funding to the Alaska Department of Natural Resources to fulfill a management planning process for public lands in the Knik River Watershed.

This RESOLUTION #~~0503~~ was passed by the Mat-Su Citizens Advisory Board at its regular meeting held April 12, 2005.



Roy Wahl, Chair

Distribution:

Cecily Fritz, Chair, Knik River Watershed Group

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION 05-22 (AM)

A RESOLUTION OF THE MATANUSKA-SUSITNA PLANNING COMMISSION REQUESTING THE ASSEMBLY TO SUPPORT ALASKA LEGISLATIVE EFFORTS TO ESTABLISH A KNIK RIVER PUBLIC USE AREA FOR PUBLIC LAND IN THE KNIK RIVER WATERSHED AND TO PROVIDE FUNDING TO THE ALASKA DEPARTMENT OF NATURAL RESOURCES FOR DEVELOPMENT OF A MANAGEMENT PLAN FOR PUBLIC LAND IN THE AREA.

WHEREAS, the Alaska Department of Natural Resources (DNR) and the Matanuska-Susitna Borough are the primary landholders of public land in the Knik River Watershed (KRW) and recognize the need to address management issues in the Jim Creek-Swan Lake-Knik River area; and

WHEREAS, the area includes over 7,600 acres of public land, the majority of which is owned and managed by the state DNR, and

WHEREAS, this area consists of uplands, wetlands, anadromous streams and other water bodies, unique geologic features, waterfowl staging and nesting areas, and wildlife to include resident moose, black and grizzly bear; and

WHEREAS, citizens and users have expressed repeated concern about significant increases in unmanaged uses, vandalism and other unlawful violations, safety, pollution, littering, impacts to fish and wildlife resources, impacts on nearby residents and users, and have committed significant volunteer resources in attempts to educate local residents and visitors in order to improve the situation; and

WHEREAS, the draft Asset Management Plan for Borough Owned Land in the Butte Area (2004) recognizes that "use impacts [on state land] are so significant to warrant a special study area that should be established under cooperative management; the Knik Arm Wetlands Study (1981) and the Susitna Area Plan (1985) recognized important wildlife value, current and potential future impacts of unmanaged use, and recommended special designation for areas within the KRW; and the South Central Recreation Action Plan (1984) recommended a master plan for the Jim-Swan Lakes area of the KRW to more effectively serve diverse recreational interests; and

WHEREAS, DNR has statewide experience in developing sustainable multiple-use plans for state land; and

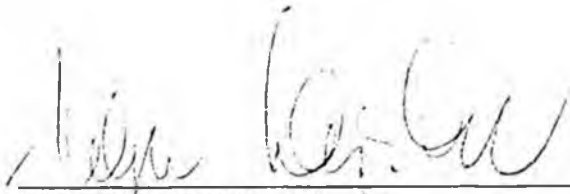
WHEREAS, a planning team led by DNR would include public and private land owners and managers, scientists, user groups, citizens, and adjoining private landholder representation, and would be developed using an open public process; and

WHEREAS, legislative designation and a management planning effort would enhance opportunity for multiple-use management that would include partnering, collaboration and volunteerism for agencies, landholders, diverse users, residents and citizen groups.

NOW, THEREFORE, BE IT RESOLVED that the Matanuska-Susitna Borough Planning Commission recommends the Assembly support


state legislative efforts to create a Public Use Area for the public land in the Knik River watershed and to provide funding to the Alaska Department of Natural Resources to develop and implement a management planning process for the public land in the area.

ADOPTED by the Matanuska-Susitna Planning Commission this 4 day of April, 2005.



HELGA LARSON, Chair

ATTEST:



PRISCILLA M. GOFF, Planning Clerk

(SEAL)

SUBJECT: A resolution supporting state designation of land in the Knik River Watershed as a state special management area and to provide funding to the Department of Natural Resources to develop a multiple-use management plan for the area.

AGENDA OF: May 17, 2005

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Present to the assembly for consideration.

APPROVED BY JOHN DUFFY, BOROUGH MANAGER: _____

Route To:	Department/Individual	Initials	Remarks
	Originator		
	Community Development Director		
	Planning and Land Use Director		
	Finance Director		
	Borough Attorney		
	Borough Clerk		

ATTACHMENT(S): Fiscal Note: Yes ___ No X
 Parks, Recreation and Trails Advisory Board
 Resolution No. 05-05 (2pp)
 Planning Commission Resolution No. 05-22 (AM)
 Resolution Serial No. 05-___

SUMMARY STATEMENT: The Susitna Area Plan, when it was adopted in 1985, recognized that a variety of special habitat, scenic and recreational values existed in the Knik River Watershed. That plan specifically recommended that the area surrounding Jim and Swan Lake be designated as a State Recreation site.

The plan specifically found that legislative designation of the area was important for the area because of the heavy public use of the areas lakes and streams for salmon and trout fishing, waterfowl hunting, canoeing, hiking and winter recreation activities. The plan further stated that use of the area was likely to increase as

the population of the surrounding area grew, and that the area should be managed to provide recreation while protecting and enhancing wildlife habitat and protecting visual quality.

In recent years we all have been hearing more and more frequently about conflicts between users of the area, concerns about personal safety and the need for active management of the area to help resolve these conflicts, protect important habitat areas from complete destruction while at the same time allowing the multitude of recreational activities that have occurred in the area over the years to continue.

With the recent process we have gone through as part of developing an asset management plan for borough owned land in the Butte area, the subject of management of the adjacent state land again became a major issue. While the public did not totally agree on how the area should be managed, they did point out that any action on Borough owned land is meaningless if not followed through by the adjacent public land owners and vice-versa.

Fortunately, the state Department of Natural Resources, Division of Mining, Land and Water (DMLW) had participants at all our public meetings and were involved in the review of our planning documents. Following the last round of public review (summer and fall of 2004) they took the message back that a plan for the entire watershed was the only sensible way to proceed to deal with the real and perceived conflicts that exist in the area.

The DMLW is now supportive of a legislative designation of the area (either a public use area or a public recreation area) neither of which prohibit any uses of the area, but allows the department to utilize a planning process to arrive at an enforceable management plan.

Legislation was proposed by DMLW and the Knik River Watershed Group to accomplish the above and a fiscal note was drafted to complete a management plan for the area within two years. Although no legislation was introduced a draft was prepared that could be used as a good vehicle for the public to review and discuss in preparation for the next legislative session.

RECOMMENDATION OF ADMINISTRATION: Because of the large amount of public, mainly state land in the Knik River Watershed and the amount of conflicts and safety concerns that we have all heard and read about, it is recommended that the Borough recommend to the state that a management plan for the area be adopted and the area be protected for its multiple-use recreational and habitat values. The administration supports the resolution and recommends adoption.

HB

380

HB 380 Sponsor Packet

Cover Sheet _____	1 page
Scheduling Memo _____	1 page
Sponsor Statement _____	1 page
Sectional Analysis _____	4 pages
CS HB 380 FIN (title AM) (HB0380d) _____	8 pages
Fiscal Note ADEC 2-08-06 _____	1 page
Memo re: changes in Finance CS (3-15-06) _____	1 page
Memo re: changes in Resources CS (2-8-06) _____	1 page
CS HB 380 RES (HB0380c) _____	8 pages
CS HB 380 (HBO380b) _____	7 pages
HB 380a _____	6 pages
Alaska AHMS flow chart _____	1 page
A.D.N. Story Aug. 26, 2005 _____	2 pages
Alaska Veterinary Medical Association letter (1-26-06) _____	1 page

TOTAL PAGES: _____ 43 pages

REPRESENTATIVE KEVIN MEYER

HOUSE DISTRICT 30

MEMORANDUM

DATE: March 15, 2006

TO: Senator Tom Wagoner, Chairman
Senate Resources Committee

FROM: Representative Kevin Meyer

RE: Request to schedule House Bill 380 *Animals & Animal or Agricultural Products*

Please schedule Bill 380 *Animals & Animal or Agricultural Products* for a hearing in the Senate Resources Committee at your earliest convenience.

HB 380 repeals and reenacts statutes relating to the powers of the Commissioner of the Department of Environmental Conservation regarding animals and animal products and the duties of the state veterinarian to enable the department to prepare for and respond to zoonotic diseases.

Included in this packet:

- CSHB 380 (FIN) *Animals & Animal or Agricultural Products* v. LS-1469\I.A
- Sponsor Statement
- Sectional Analysis
- Fiscal Note (DEC 2/8/06)
- State Vet Diagram
- Change Summary (CSHB 380 (FIN))
- CSHB 380 (RES) *Animals & Animal or Agricultural Products* v. LS-1469\F
- Change Summary (CSHB 380 (RES))
- HB 380 *Animals & Animal or Agricultural Products* v. LS-1469\G
- Supporting Materials
 - Letter from the Alaska State Veterinary Medical Association
 - ADN Article 1/20/2006



REPRESENTATIVE KEVIN MEYER

HOUSE DISTRICT 30

SPONSOR STATEMENT

HB 380

"An Act relating to the powers and duties of the commissioner of environmental conservation; relating to animals, animal products, agricultural products, and the transportation of animals and animal products; relating to the employment, appointment, and duties of a state veterinarian by the commissioner of environmental conservation; relating to the powers of the commissioner of natural resources regarding agricultural products; and providing for an effective date."

House Bill 380 repeals and reenacts several provisions of Title 3 to modernize the powers of the Commissioner of the Department of Environmental Conservation and the State Veterinarian. HB 380 will allow the State Veterinarian to respond accordingly and immediately to potential dangers to Alaskans and our animal populations. Avian influenza is one in a long list of zoonotic diseases that can be devastating to animals and potentially pandemic in human populations. While headlines predict millions of potential deaths from Avian Flu, other immediate issues arising in Alaska are difficult to deal with because of the convoluted authority of the State Veterinarian. The geographic position that makes Alaska a center of air cargo traffic and a critical strategic base for our military forces also puts Alaska at risk from diseases carried across the globe by migratory birds and marine mammals.

The most immediate threat to humans from a zoonotic disease comes from exposure to domestic animals. Yet, The statutes governing Alaska's State Veterinarian were passed prior to statehood in 1949 when the concern of the territorial legislature was on the state of fur farms and animals were considered livestock. Under existing authority, the State Veterinarian would be unable to respond to an outbreak of disease in a backyard bird flock because the birds would not necessarily be considered livestock. To date, all cases of Avian Flu infections in humans have come from exposure to personal bird flocks.

Many of the authorities in this legislation exist today but in a less organized fashion.

By eliminating outdated requirements such as reporting to the legislature on fur farming, and clarifying existing authorities, the State Veterinarian's responsibilities can be focused on what is most important to Alaska - ensuring animal diseases do not spread or harm humans. Through collaboration with the Departments of Health and Social Services, Fish and Game and Natural Resources, the State Veterinarian fills an essential role in this process but needs clearer authority to do so.



REPRESENTATIVE KEVIN MEYER

HOUSE DISTRICT 30

MEMORANDUM

January 24, 2006

TO: Representative Kevin Meyer

FR: Michael Pawlowski

RE: Sectional Analysis for HB 380 *Animals & Animal or Agricultural Products*

House Bill 380 *Animals & Animal or Agricultural Products* repeals and reenacts several statutes relating to the powers of the commissioner of environmental conservation, the state veterinarian and the commissioner of natural resources regarding agricultural products. Below is an explanation of the expansions of authority added by, and a summary of the existing powers repealed and reenacted in, HB 380.

Section 1: Powers of commissioner of environmental conservation

In repealing and reenacting AS 03.05.011, HB 380 broadens the scope of the original statute while preserving the overlapping authority that currently exists between DEC and DNR to monitor the health of animals in the state. The reenacted AS 03.05.011 includes the powers granted to DEC under the original AS 03.05.011, AS 03.05.020 (miscellaneous powers), 03.05.060 (spread of contagious diseases in livestock), 03.05.080 (controlling the exportation of animals), the power to adopt regulations under AS 44.62 (APA), the power to charge fees, and notice requirements for actions taken under AS 03.05.011.

By moving powers spread throughout statute to a blended AS 03.05.011, the statute can be modernized and the corresponding authorities repealed. Additionally, where some powers are conferred, other requirements in statute can be repealed. The power granted in the proposed AS 03.05.011 to regulate and prohibit the importation or transportation of animals with diseases is adequate enough to warrant the repeal of the requirement in AS 03.53.010 to obtain a health certificate for an animal traveling on the state ferry system.

The primary change however, in the reenacted section is the extension of DEC's authority to inspect, test, quarantine, or embargo from *livestock* to *all animals*. The world has changed significantly since the original statutes were passed in 1949 and the broadening of AS 03.05.011 reflects the reality that animals are no longer uniformly considered livestock.

The authority of DEC to cooperate with other governmental agencies is also expanded in the reenacted AS 03.05.011 (3) to include "municipal and other governmental agencies." In the original 03.05.011 the department was only authorized to cooperate with "federal and other state agencies." An outbreak of a zoonotic disease like avian influenza requires a rapid coordinated response by federal, state and local officials. An updated AS 03.05.011 allows the department to cooperate with all the interested parties to prepare for a potential emergency.

The reenacted AS 03.05.011 represents a consolidation of authorities into a single statute that reflects the complicated regulatory, inter and intra-governmental and virological environment the department of environmental conservation and the state veterinarian are confronted with.

Section 2: State Veterinarian

Section 2 of HB 380 is a new section that replaces AS 03.25.010, 03.25.020 & 03.25.250, which are subsequently repealed in section 9. Chapter 25 of title 3 was written in 1949 and made the primary purpose of the state veterinarian the investigation of fur farms. The fur farm provisions have been removed from the proposed new AS 03.05.013. The removal of the antiquated provisions will make the statutes comport to the world the state veterinarian is confronted with. The new section makes the responsibility of the state veterinarian the requirements of the title over which the department has jurisdiction. The new section will also require the state veterinarian to be licensed to engage in the practice of veterinary medicine.

Section 3 & Section 4: Inspection & Products in Violation

Section 3 makes conforming amendments to AS 03.05.040 (a) & 03.05.050 (a):

- Expanding the time during which, locations where and persons authorized to, inspect a place where animals, animal products and agricultural products are raised, housed, kept, stored, processed or sold.
- Expanding the definition of what may be inspected for to include animal and animal products in addition to agricultural products.

Section 5: Penalty for Violation

Section 5 adds 5 new subsections to AS 03.05.090 specifying penalties for violations of the chapter and defining "knowingly" for purposes of the section.

Section 6: Definitions

Excludes "animals, or animal products" from the definition of agricultural products.

Section 7: Definitions

Adds definitions of "animal" and "animal product" to the definitions section.

Section 8: Fees for Services

Makes a conforming change to the products that the department of environmental conservation is allowed to charge fees to recover their direct costs for.

Section 9: Repealing

Section 9 repeals:

AS 03.05.020	Incorporated in section 1.
AS 03.05.060	Incorporated in section 1.
AS 03.05.080	Incorporated in section 1.
AS 03.25.010	Incorporated in section 2.
AS 03.25.020	Incorporated in section 2.
AS 03.05.250	Incorporated in section 2.
AS 03.45.040	Incorporated in section 5.
AS 03.45.050	Incorporated in section 3.
AS 03.45.060	Incorporated in section 1.
AS 03.45.070	Incorporated in section 1.
AS 03.45.080	Incorporated in section 1.
AS 03.53.010	Incorporated in section 1.

Section 10: Transitional Provisions

Transitional provisions allowing the department of environmental conservation and department of natural resources to adopt regulations needed to implement the changes in this Act.

Section 11: *Effective Date*

Immediate effective date for section 10.

Section 12: *Effective Date*

Provides an effective date of July 1, 2006 for sections 1-9

FISCAL NOTE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSHB 380(I -S)
 (H) Publish Date: 2/8/06

Revision Date/Time (Note if correction): _____ Dept. Affected: DEC
 Title Animals and Agricultural Products RDU Environmental Health
 Component Laboratory Services
 Sponsor Representative Kevin Meyer
 Requester House Resources Committee Component No. 2065

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 200 ⁿ	FY 2010	FY 2011	FY 2012
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

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

Estimate of any current year (FY2006) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

The bill will have no fiscal impact on DEC.

Prepared by: Kristin Ryan, Director
 Division: Environmental Health
 Approved by: Kurt Fredriksson
 Agency: Commissioner

Phone (907) 269-7644
 Date/Time 2/6/06 8:43 AM
 Date 2/6/2006



REPRESENTATIVE KEVIN MEYER

HOUSE DISTRICT 30

MEMORANDUM

Change Summary

DATE: March 15, 2006

TO: Representative Kevin Meyer

FROM: Mike Pawlowski

RE: Changes to HB 380 incorporated in CSHB 380 (FIN)
(Version No. 24 – LS1469I)

Section 1.

- Rephrased page 2 lines 21-24 to allow fees to be charged only when services are performed at the request of a person.
- Added: "when adopting regulations under this paragraph, the commissioner shall give substantial weight to the typical practices and standards in the state and in the United States of the industry for which the regulations are designed." to page 2 line 30 through page 3 line 2.
- Changed "department" on page 3 line 2 to "commissioner."

Section 3.

- Inserted language allowing the State Veterinarian or designee to inspect a premises at any hours only if the commissioner determines there is an immediate threat. (Page 3 lines 26-28)

Section 7.

- Deleted the repeal of AS 03.45.070 & AS 03.45.080

Section 9. New section amending AS 47.05.012 *Material incorporated by reference* to make a technical amendment allowing DPH to use the most current version of the compendium of animal rabies prevention and control.



REPRESENTATIVE KEVIN MEYER

HOUSE DISTRICT 30

MEMORANDUM

Change Summary

DATE: February 8, 2006

TO: Representative Kevin Meyer

FROM: Mike Pawlowski

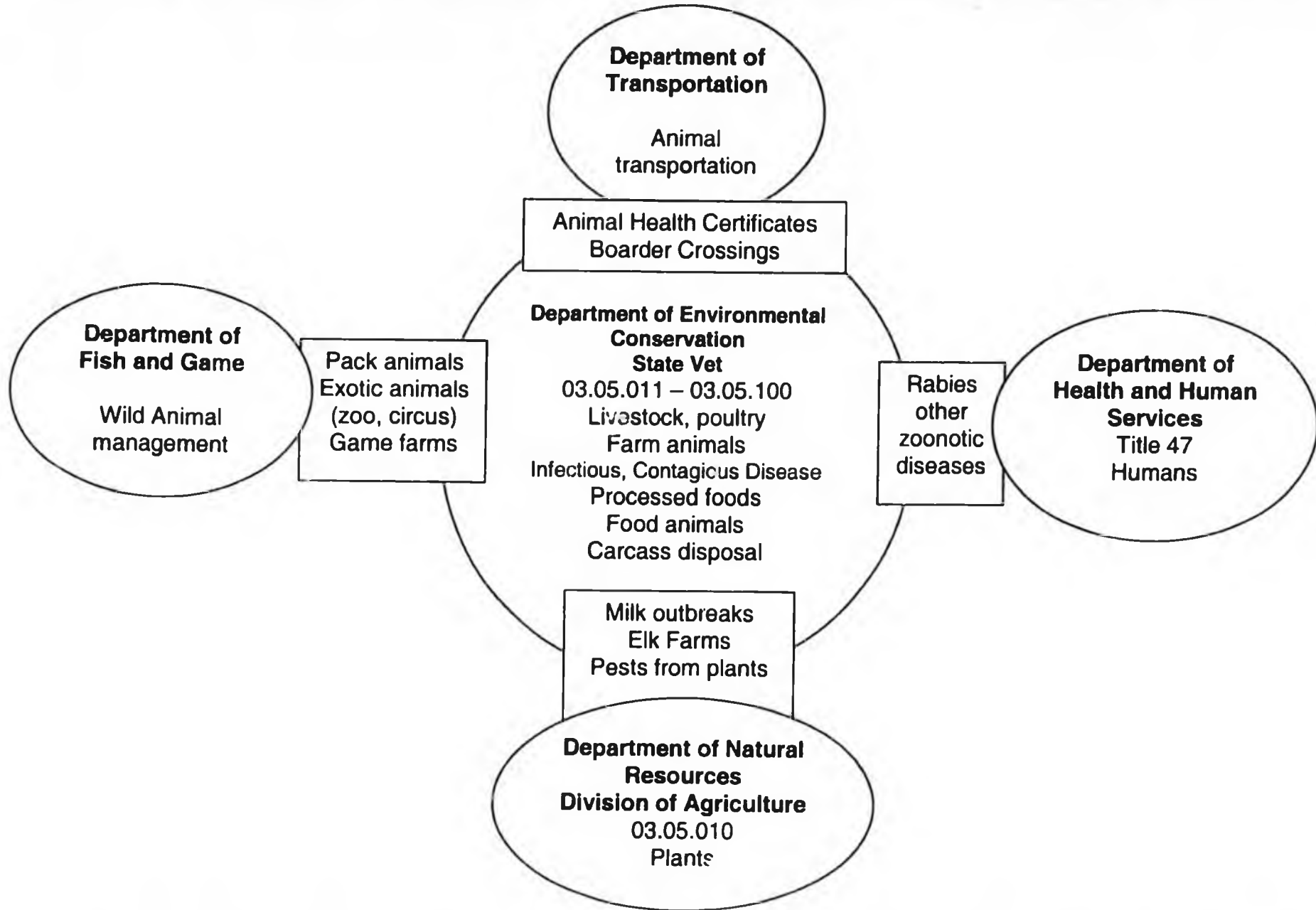
RE: Changes to HB 380 incorporated in CSHB 380 (RES)
(Version No. 24 – LS1469\F)

Title: Added: "*relating to animal rabies prevention and control;*" to the title to incorporate new section 9.

Section 1. Added: "over which the department has jurisdiction" to page 1 line 11.

Section 9. New section amending AS 47.05.012 *Material incorporated by reference* to make a technical amendment allowing DPH to use the most current version of the compendium of animal rabies prevention and control.

State of Alaska, Animal Health Management System



HB 380 would fill a critical gap by including domestic animals under the State Vet.

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Anchorage Daily News

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Biologist tests state fair's fowl for avian flu virus**FLYWAY FEARS: Migration could bring disease to state.**By DOUG O'HARRA
Anchorage Daily News

(Published: August 26, 2005)

State veterinarian Bob Gerlach has been visiting Alaska's agricultural fairs to help test all those ribbon-winning chickens, ducks and turkeys for the presence of deadly avian flu.

It's the domestic portion of a much larger project to find out what flu viruses circulate among Alaska's wild migratory birds, and whether any of the strains include the dangerous H5N1 bird flu from Southeast Asia.

So far, Gerlach has taken samples from about 350 birds at three fairs, including 130 fowl entered into competition at the Alaska State Fair in Palmer on Aug. 23. Owners volunteered their animals.

"I wanted to go ahead as state veterinarian and sample our domestic population (to) find out if there were any circulating viruses," Gerlach said Thursday. "There's no doubt, our interest from the state end is to identify any highly pathogenic strain."

No one has discovered the H5N1 flu in Alaska's wild or domestic birds yet, and the state has few large poultry operations.

More sampling will take place Tuesday when 4H Club kids and adult producers check in their prized poultry at the main animal barn on the Palmer fairgrounds.

Chickens and turkeys are generally stoic during the test -- which involves swirling a Dacron-tipped swab inside each bird's anal cavity, he said.

But ducks and pigeons, with much smaller "cloacal vents," tend to squawk.

"The kids get a kick out of that," Gerlach said. "They think it's really funny to have a grown man take a Q-Tip and put it up their duck's behind."

The surveillance is serious business, however. The H5N1 strain is endemic among poultry in five countries, with more than 100 million birds killed. It has also killed 57 of the 112 people confirmed with the disease, almost always after direct contact with infected birds, according to the federal Centers for Disease Control and Prevention.

The virus showed up in western China and Siberia this summer, apparently carried by migrating waterfowl. Alaska is the Pacific Ocean's major migratory crossroad, where species from Asia and North America mingle in summer.

If the deadly H5N1 strain mutates into a form that could pass easily among people, health officials fear it could trigger a pandemic, with millions of deaths across the globe.

Gerlach is collaborating with other scientists in a project coordinated by University of Alaska

Program on the Biology and Epidemiology of Avian Influenza. Biologists have so far collected samples from 4,085 geese, ducks and other wild birds across the state and hope to collect 5,000 samples by the end of the season, said spokeswoman Marie Gilbert.

Initial testing of the samples is now under way at the Armed Forces Institute of Pathology, she said.

Daily News reporter Doug O'Harra can be reached at do'harra@adn.com.

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January 26, 2006
The Honorable Representative Kevin Meyer

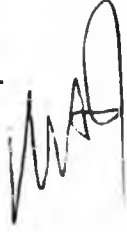
We wanted to let you know that The Alaska Veterinary Medical Association supports HB 380. Technology, society and animal diseases have changed dramatically since the original 1949 statutes. The changes that have occurred since then are not as important as the changes you are proposing today. We believe the proper protocol for controlling animal disease and infections needs to exist to adequately protect the animal resources and people of our State. This bill is essential in assuring a mechanism to investigate, control the spread of and eradicate dangerous emerging zoonotic and debilitating diseases of this era.

The Office of the State Veterinarian works closely with our organization and it is a collaborative relationship that has been beneficial for private veterinarians. (Dr. Gerlach offers training and assistance as requested) and for the State (private veterinarians are the first responders in the field to animal emergencies such as disease outbreaks and natural disasters). Together, we meet the current challenges that face the State. Existing and emerging diseases such as Rabies, Monkey Pox, Avian Influenza, SARs and West Nile Virus have significant impacts in our world. As a profession, we must better address the fact that diseases in pets, livestock, and wild-life can harm humans. HB 380 will help us achieve that.

Thank you for introducing this important legislation.

Sincerely,

AKVMA Board of Directors
President: Dr. Siri Kavanaugh
Anchorage—522-1006

DATE: April 6, 2006
TO: Terry Bannister
FROM: Mary Jackson 
RE: HB 380 - Senate Resources Committee Substitute

Senate Resources Committee passed out HB 380 last evening, with the following amendment:

Adopted, no objection, 24-LS1469\1A.1

I have attached a copy of the amendment.

Please provide a final CS, incorporating this amendment, so we can report the bill out of committee.

Thank you for your time and attention.

Attachment: (1) page

AMENDMENT

OFFERED IN THE SENATE

TO: CSHB 380(FIN)(title am)

1 Page 2, line 28:

2 Delete "and"

3 Insert new paragraphs to read:

4 "(3) enter into agreements with the federal government for controlling
5 disease among animals and match federal payments for animals destroyed under those
6 agreements from any appropriation available for this purpose;

7 (4) pay an owner of an animal destroyed under this section an amount
8 from any appropriation available for this purpose; and"

9

10 Renumber the following paragraph accordingly.

11

12 Page 7, line 23, following "03.45.060":

13 Insert ", 03.45.070, 03.45.080"

MOVED BY SEEKINS:

ADOPTED NO OBJECTION 4-05-06

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STATE OF ALASKA

(907) 465-3808
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 400
Juneau, Alaska 99801-2105

Copies of minutes listed below were originally included in this file. The minutes are available on the legislative computer database. In order to save space copies of minutes have not been left in the files.

Mary Pagenkopf

H13 380

House Resources 2/16/06

House Finance 2/28/06