





Alaska State Legislature

Representative Gabrielle LeDoux
House District 36

Sponsor Statement **House Bill No. 203**

“An Act creating the Kodiak Narrow Cape Public Use Area.”

The legislature may designate an area for special uses. Areas designated by the legislature may include refuges, sanctuaries, critical habitat areas, ranges, special management areas, forests, parks, recreation areas, preserves, public use areas, recreation rivers, and recreational mining areas.

There are currently four public use areas recognized in state law: (1) the Ernie Haugen Public Use Area created in 1988; (2) the Goldstream Public Use Area created in 1990; (3) the Hatcher Pass Public Use Area created in 1986; and (4) the Nelchina Public Use Area created in 1985. These units are designated legislatively under Title 41, Chapter 23 of the Alaska Statutes for special multiple use management of state public land and water resources by the Department of Natural Resources, and management of public wildlife resources by the Department of Fish and Game.

House Bill No. 203 proposes the establishment of a new public use area of 52,057 acres for the Narrow Cape area on Kodiak Island. Narrow Cape is located on the very southern end of Kodiak Island. It is an important public use and recreational area, used for a wide range of activities including hiking, picnicking, berry picking, fossil collecting, surfing, horseback riding, all terrain vehicle driving, beachcombing, and other traditional public uses of fish and wildlife populations such as fishing, hunting, viewing and photographing of gray whales and waterfowl. This area is also subject to existing grazing leases and an interagency land management agreement with the Alaska Aerospace Development Corporation for the Kodiak Launch Complex.

Creation of a public use area for Narrow Cape recognizes the special multiple use activities within this area, and increases the protection to ensure continued public use is allowed. At the same time, valid existing rights are protected. Explicit language is included in Sec. 41.23.250(c) listing grazing and missile launch activity as allowable uses.

Additional protection is afforded under Sec. 42.23.250(b) by not allowing the commissioner of natural resources to dispose of the surface estate in state land within the public use area. This provision means that any disposal of the surface estate will require approval by a future legislature.

Creation of a public use area triggers a requirement to adopt and maintain a management plan for the area, which should help to manage any use conflicts and ensure the important multiple uses are managed in an active manner.

Recent initiatives such as the proposal a few years ago to transfer this land to the University of Alaska triggered a review of possible steps to recognize and protect the important public use values of this land. This move is a reasoned, time-tested approach to manage multi-use activities, while providing more assurance that a range of public uses will not be diminished or eliminated.

Suzanne Hancock

From: Hans-Ulrich Tschersich [xrayhans@yahoo.com]
Sent: Thursday, March 15, 2007 12:27 PM
To: Suzanne Hancock
Subject: Re: HB 203/SB 111

Dear Representative Le Doux,

I strongly support the provisions of HB 203, regarding the lands at Narrow Cape in Kodiak. I have hiked along the beautiful bluffs many times and enjoyed the interesting beach with the spectacular fossil cliffs. I led several hikes during the whale migration, an annual event enjoyed by many local residents and visitors to the island. It is very important to preserve this land for public use since it is one of the most popular recreational areas on the Kodiak road system.

Sincerely,

Hans Tschersich
Kodiak, Alaska

Don't get soaked. Take a quick peek at the forecast with the Yahoo! Search weather shortcut.

http://tools.search.yahoo.com/shortcuts/#loc_weather

Suzanne Hancock

From: bookmatch@acsalaska.net
Sent: Sunday, March 25, 2007 9:02 AM
To: Suzanne Hancock
Subject: Greg D'Elia's Fossil Beach Essay

Dear Suzanne:

Greg's essay is below. Greg entered the "National Geographic Everyday Explorer Challenge Photo/Essay Contest" back in October, 2005. His task was to take a picture of a place in his community and write how he actively explores it and tell about the most interesting things he found there. Greg was one of 15 national winners between the ages of 9-14 that won a ten day expedition to the Galapagos Islands in May, 2006. His Mom, who homeschools Greg, accompanied him on the trip. I am forwarding you Greg's award winning Fossil Beach photo in a separate e-mail. Hope this helps in your efforts to protect the Narrow Cape area.

Joe D'Elia

I live in Kodiak, Alaska. Fossil Beach is my favorite place on the island. Fossils, birds, whales, maybe even gold, Fossil Beach has it all.

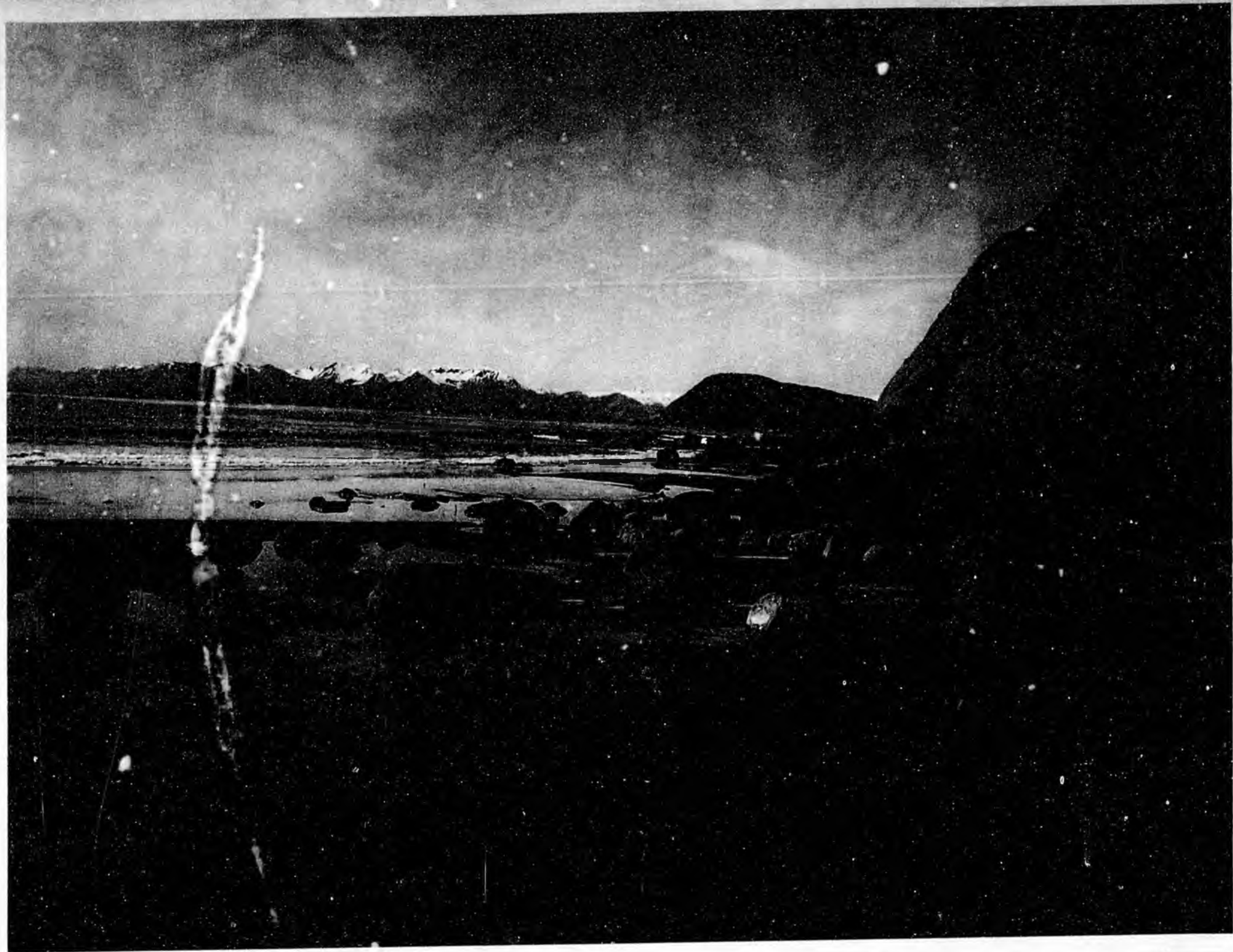
Fossil Beach is covered with rocks shaped like cannon balls. I've dug up many fossils in the cliffs. My most exciting discovery was a fossil shaped like a unicorn's horn. There are rumors of gold, but I've never found any gold. Still, there are treasures more important than gold here.

There are many living treasures that one can come across. Once a year the whales go by on their migration. If you're lucky you might see sea lions. Once, two sea lions followed me down the beach. You can see birds like seagulls, eagles, oystercatchers and cormorants at Fossil Beach.

When the tide goes out I go tide pooling between the boulders and find hermit crabs, anemones, starfish, and sculpins. Sculpins are quick stealthy fish. If you try to catch one, be my guest, but heed my warning, their fins are sharp as knives.

One can do many things at Fossil Beach like fossil hunting, wildlife viewing, and tide pooling. Bring your shovel, bucket and, most of all, an appetite for adventure.

Gregory D'Elia



Suzanne Hancock

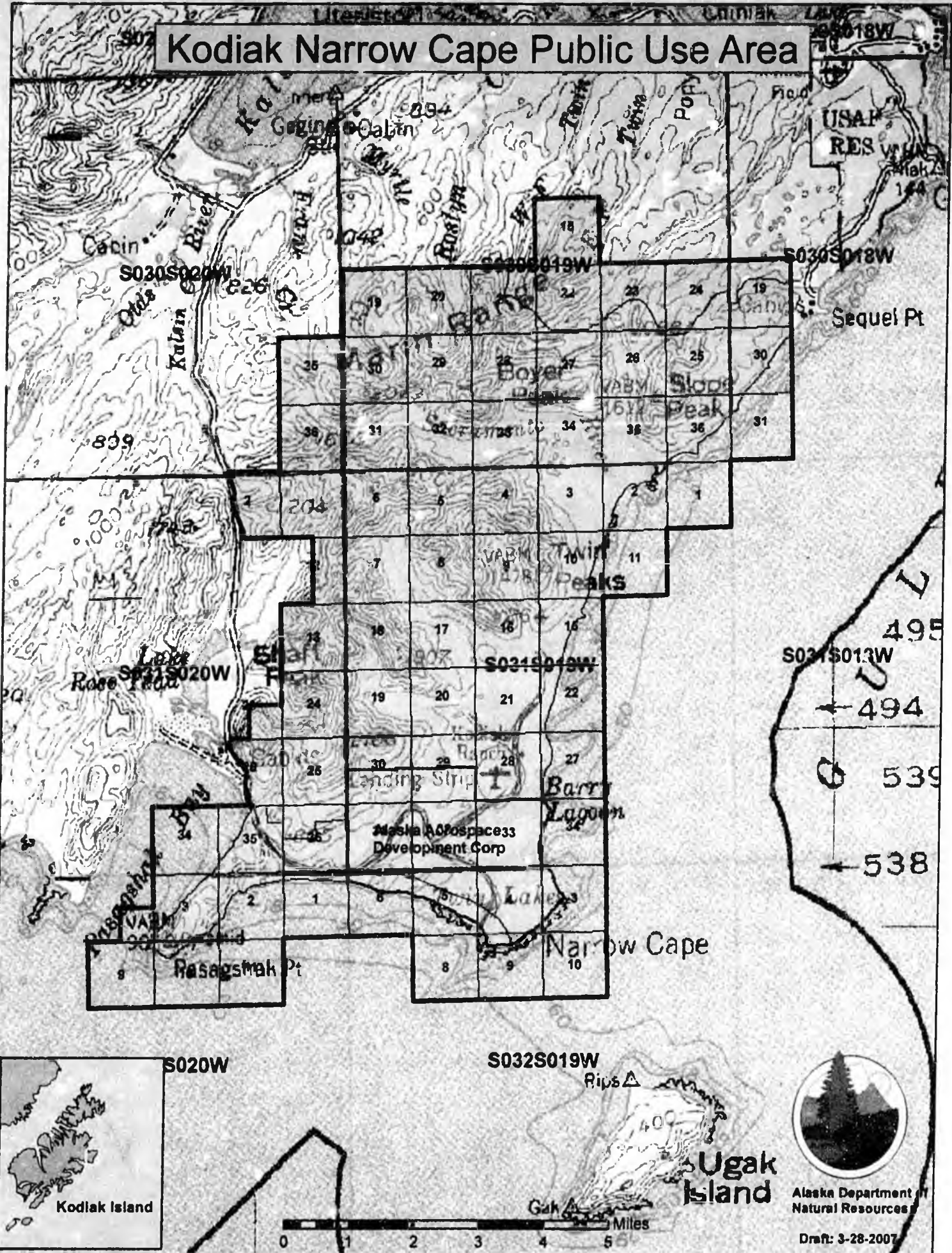
From: Pat Ladner [pat.ladner@akaerospace.com]
Sent: Thursday, March 29, 2007 5:14 PM
To: Rep. Gabrielle LeDoux
Subject: HB 203

It is my understanding that this bill will be heard again on next week. I will make every effort to testify via telecon in support of this bill. However, if for whatever reason I cannot participate, please read the following testimony to the committee:

I am Pat Ladner, President and CEO of Alaska Aerospace and we own and operate the Kodiak Launch Complex located at Narrow Cape for the State. I would like to go on record supporting HB203. I interpret the language to mean that the launch operations will not be impacted by this bill. If I Alaska Aerospace fully supports recreational opportunities at Narrow Cape and this legislative action. Narrow Cape is a great recreational place and should be enjoyed by all. Please accept this as my formal testimony on support of HB203.

Pat Ladner
Pres and CEO
Alaska Aerospace

Kodiak Narrow Cape Public Use Area



USAF
RES

Sequel Pt

VABM
Peaks

Alaska Aerospace
Development Corp

Ugak
Island



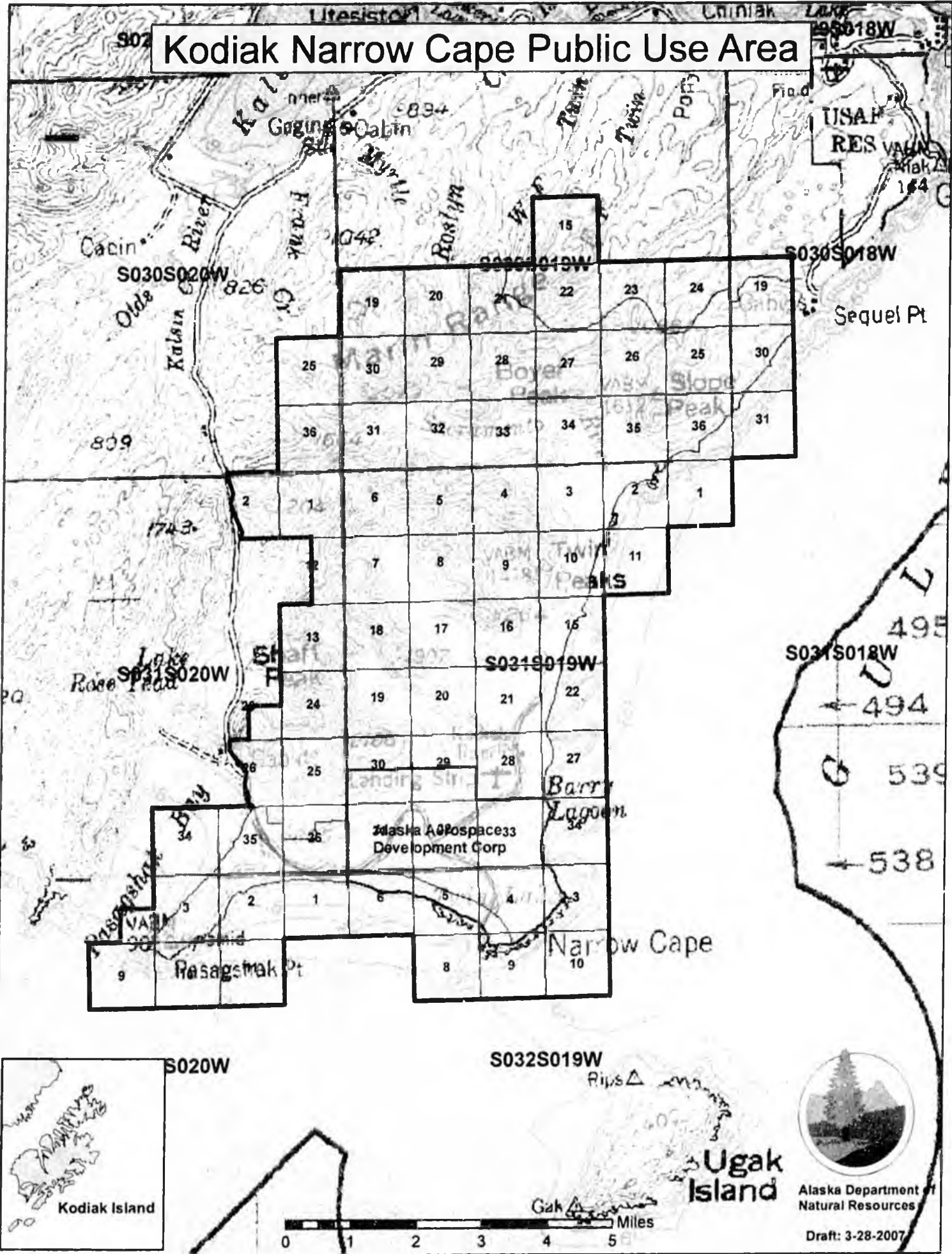
Alaska Department of
Natural Resources

Draft: 3-28-2007



Kodiak Island

Kodiak Narrow Cape Public Use Area



Alaska Department of Natural Resources
Draft: 3-28-2007

ALASKA STATE LEGISLATURE
House Resources Committee

Carl Gatto, Co-Chair

State Capitol Building, Room 108
Juneau, AK 99801-1182
(907) 465-3743
FAX (907) 465-2381
Rep_Carl_Gatto@legis.state.ak.us



Craig Johnson, Co-Chair

State Capitol Building, Room 126
Juneau, AK 99801-1182
(907) 465-4993
FAX (907) 465-3872
Rep_Craig_Johnson@legis.state.ak.us

FAX

To: DON BULLOCK, LEG. LEGAL From: DEBBIE HIGGINS
Fax: 2029 Phone: 3715
Date: 4/02/07 CC:
Re: CS FOR HB 203 (RES), W.P. 25-LS07321E
Pages With Cover: 2

Urgent For Review Please Comment Please Reply Please Recycle

•Comments:

DON,
HOUSE RESOURCES MOVED CS FOR HB 203 (RES), VERSION E
AS AMENDED. PLEASE SEE ATTACHED CONCEPTUAL
AMENDMENT THAT REP. LEDOUX REQUESTED.

THANKS
Debbie

Amendment to the CS for HB 203 (RES)

W.O.: 25-LS07321E

Section 41.23.240 is amended to read:

(3) Allow for the continued use of this area for grazing uses and operations consistent with state land use plans and other applicable laws and regulations. ~~(added language)~~

12 (section 3 now becomes (4) allow additional public uses of the area in a manner compatible

13 with the purposes specified in (1) and (2) of this section.

PROPOSED CONCEPTUAL AMENDMENT #1 - BY REP. SEATON
ADOPTED BY COMMITTEE, 4/02/07

ALASKA STATE LEGISLATURE
House Resources Committee

Carl Gatto, Co-Chair

State Capitol Building, Room 108
Juneau, AK 99801-1182
(907) 465-3743
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FAX

To: Don Bullock From: Debra Higgins
Fax: 2029 Phone: 3715
Date: 3/29/07 CC:
Re: CS FOR HB 203, WD. 25-LS0732/C
Pages With Cover: 2

Urgent For Review Please Comment Please Reply Please Recycle

•Comments:

THE HOUSE RESOURCES COMMITTEE ADOPTED BLANK
CS FOR HB 203 WITH ONE AMENDMENT. ON
PAGE 2, LINE 1, after "the COMMISSIONER"
delete: "shall"
insert: "may"

PLEASE SEE ATTACHED PAGE 2.

THANKS,

Debbie

AMENDMENT #1 (conceptual)

OFFERED IN HOUSE RESOURCES

BY REP. SEATON
March 28, 2007

TO: CSHB 203 (), Draft Version "C"

Page 2, line 1:

Delete "shall"

Insert "may"

ADOPTED IN COMMITTEE

ALASKA STATE LEGISLATURE



SESSION ADDRESS
Alaska State Capitol
Juneau, AK 99801-1182
(907) 465-2487
Fax (907) 465-4936

INTERIM ADDRESS
112 Mill Bay Road
Kodiak, AK 99615
(907) 486-8872
Fax (907) 486-5264

Representative Gabrielle LeDoux

MEMO

DATE: 3/20/2007
TO: HOUSE RESOURCES
REPRESENTATIVE CARL GATTO, CO-CHAIRMAN
REPRESENTATIVE CRAIG JOHNSON, CO-CHAIRMAN
FROM: REPRESENTATIVE GABRIELLE LEDOUX
RE: HEARING REQUEST FOR HB 203, AN ACT CREATING THE KODIAK
NARROW CAPE PUBLIC USE AREA

I respectfully request that House Bill 203 be scheduled for a House Resources hearing.

Attached you will find:

- Current version of House Bill 203
- Sponsor Statement
- Additional documentation relating to the bill; more backup will be forthcoming
- There will be people from Kodiak testifying from the LIO and perhaps some calling in off site
- My staff member assigned to this legislation is Suzanne Hancock, direct line 465-4230.

HB

220

25-LS0795\C
Kane
4/2/07

CS FOR HOUSE BILL NO. 220(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE HOUSE RESOURCES COMMITTEE

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES BUCH, Gatto, Fairclough, Thomas, Neuman, Crawford

A BILL

FOR AN ACT ENTITLED

1 **"An Act prohibiting computer-assisted remote hunting."**

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

3 *** Section 1.** AS 16.05 is amended by adding a new section to read:

4 **Sec. 16.05.797. Computer-assisted remote hunting prohibited.** (a) A person
5 may not engage in computer-assisted remote hunting or provide or operate a facility
6 for computer-assisted remote hunting in the state. This subsection applies to any
7 person engaged in computer-assisted remote hunting if the game or any device,
8 equipment, or software used for computer-assisted remote hunting is located in the
9 state.

10 (b) This section does not apply to a person with physical disabilities using
11 equipment or devices designed to assist with the disability while engaged in the act of
12 hunting.

13 (c) In this section,

14 (1) "computer-assisted remote hunting" means the use of a computer or
15 any other device, equipment, or software to remotely control the aiming and discharge

1 of a firearm, bow and arrow, or any other weapon used to hunt any game bird, game
2 animal, or fur-bearing animal while not in the physical presence of the animal;

3 (2) "facility" means real property and improvements on the real
4 property associated with computer-assisted remote hunting.

5 (d) A person who violates (a) of this section is, upon conviction, guilty of a
6 class A misdemeanor. If a violation is continuing in nature, each day the violation
7 continues constitutes a separate offense.

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: HB220-DPS-AWT-4-2-07
 Bill Version: HB 220
 () Publish Date: _____

Revision Date/Time : _____
 Title: "An act regarding computer assisted hunting regulation of private investigators / agencies"
 Sponsor: Representative Buch
 Requester: House Resources

Dept. Affected: Public Safety
 RDU: Alaska State Troopers
 Component: Alaska Wildlife Troopers
 Component No.: 2746

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

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

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill would outlaw computer assisted remote hunting in Alaska. It would also prohibit anyone from providing services or operating facilities in the state to enable computerized hunting activities.

Passage of this legislation will have no fiscal impact on the Department of Public Safety.

Prepared by: Lt. Rodney Dial
 Division: Division of Alaska State Troopers
 Approved by: Commissioner Walt Monegan
 Agency: Department of Public Safety

Phone: 907-247-4480
 Date/Time: 4/2/07 0830
 Date: 4/2/2007

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: HB220-DFG-DWC-03-30-07
 Bill Version: HB 220
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Fish and Game
 Title Ban Computer-Assisted Remote Hunting RDU Wildlife Conservation
 Component Wildlife Conservation
 Sponsor Representatives Buch, Gatto, Fairclough
 Requester House Resources Committee Component No. 473

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

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

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Passage of this bill would not have any fiscal impact on the Department of Fish and Game.

Prepared by: Matt Robus
 Division: Wildlife Conservation
 Approved by: Denby Lloyd
 Agency: Department of Fish and Game

Phone 465-4191
 Date/Time 03/30/07 2:00 p.m.
 Date 3/30/2007

ALASKA STATE LEGISLATURE

While in Session
State Capitol
Juneau, Alaska 99801-1182
(907) 465-4968
Fax: (907) 465-2040



While in Anchorage
716 West 4th Avenue
Anchorage, Alaska 99501
(907) 269-0117
Fax: (907) 269-0119

REPRESENTATIVE BOB BUCH

Representative_Bob_Buch@legis.state.ak.us

Sponsor Statement

HB 220

An Act prohibiting computer-assisted remote hunting

This bill would outlaw computer assisted remote hunting in Alaska. This practice began in Texas in 2005 when an entrepreneur offered "hunters" the ability to shoot big game on his land via remote control technology.

Computerized hunting—or internet hunting, as it is sometimes called—enables a person anywhere in the world to hunt big game from the comfort of their homes. Through the use of the internet, a computer can be hooked up to a webcam and rifle mounted on a remote control rig. The "hunter" is able to control the aiming and firing of the rifle from their keypad and to make a kill with the click of a mouse.

Currently, twenty five states have passed legislation to ban internet hunting. Nine other states have legislation pending to outlaw it as well.

HB 220 has three important provisions. First, it would prohibit individuals from engaging in internet hunting in Alaska. It would also prohibit anyone from providing services or operating facilities in the state to enable computerized hunting activities. Finally, it would make sure that future technology designed to assist the legitimate needs of handicapped or disabled hunters would not be subject to the ban created in the bill.

I urge your support of HB 220.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

March 27, 2007

SUBJECT: Sectional summary of HB 220 (Work Order No. 25-LS0795A)

TO: Representative Bob Buch
Attn: Deborah Brevoort

FROM: Brian J. Kane *BJK*
Legislative Counsel

You have requested a sectional summary of HB 220, a bill prohibiting computer-assisted remote hunting.

Please note that a sectional summary of a bill is not an authoritative interpretation of a bill. The bill itself is the best statement of its contents.

Section 1 of the bill adds a new section to AS 16.43 prohibiting computer-assisted remote hunting.

Subsection (a) prohibits the hunting activity and states to whom this section applies.

Subsection (b) states that a person in violation of this section is guilty of a class A misdemeanor and punishable, upon conviction, for a fine of up to \$500 for each offense.

Subsection (c) states that this section does not apply to persons with physical disabilities using equipment or devices designed to assist with the disability while engaged in the act of hunting.

Subsection (d) provides definitions for "computer-assisted remote hunting" and "facility."

BJK:ljw
07-165.ljw

ALASKA

PROFESSIONAL HUNTERS ASSOCIATION, INC.

HC60 Box 299C • Copper Center, AK 99573

Phone: 907-822-3755 • FAX: 907-822-3752

Email: office@alaskaprohunter.org www.alaskaprohunter.org

March 27, 2007

Honorable Bob Buch
State of Alaska House of Representatives
State Capitol
Juneau, Alaska 99801-1182

Re: HB 220

Dear Representative Buch,

On behalf of Alaska Professional Hunters Association, I am writing to offer support of HB 220. As an organization representing Alaska's guiding profession, we are committed to fair chase hunting practices and ethical standards of conduct.

True hunting is a problem solving exercise which involves planning along with knowledge of the specie being pursued and its habitat. A hunter must be prepared to cope with all the elements of nature common to outdoor activities especially in the wild places of Alaska. Hunting is a real life drama which can involve doubt, frustration, anxiety, discovery, great physical and mental challenge, joy and disappointment. The outcome of this process is by no means assured.

Organizing the killing of an animal via cyberspace and robotics is not "hunting". Absent the above mentioned elements, this activity constitutes nothing more than the mechanical slaughter of an animal over the internet. We find this practice unacceptable and urge the Legislature to outlaw it in the State of Alaska.

Thank You for you initiative in this regard and please let me know if I can be of further assistance.

Sincerely,

Joe Klutsch - President - APHA

THE HUMANE SOCIETY OF THE UNITED STATES



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 - Animal Fighting Laws: Where Does Your State Stand?
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 - Enacted and Pending State Legislation
 - Find Your Elected Officials
 - Humane Action Network
 - Internet Hunting: Where Does Your State Stand?
 - Lobbying 101
- Wayne Pacelle: The Animal Advocate

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 Receive action alerts, tips, news and special offers via e-mail



The Humane Society of the United States
 2100 L Street, N.W.
 Washington, DC 20037
 202-452-1100

[HSUS](#) [» Legislation and Laws](#) [» Citizen Lobbyist Center](#)

Internet Hunting: Where Does Your State Stand?



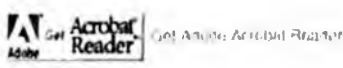
HSUS

Internet hunting, also called remote controlled hunting, utilizes Internet technology to allow a computer user to aim and fire a weapon that is mounted on a mechanized tripod at a remote location, usually a game ranch where exotic

animals are kept penned and shot at close range. The customer signs up through a web site, and pays a us ar fee and a deposit for the animal that he or she wishes to kill. The animal is lured to a feeding station within range of the mounted rifle. When the animal approaches, the desktop hunter uses the computer mouse to line up the cross hairs and fire the rifle. Guides at the game ranch will finish the job if the shot misses. Trophy mounts are prepared at the ranch and shipped to the customer. This pay-per-view slaughter bears no resemblance to traditional hunting. Even pro-hunting groups denounce Internet hunting because it violates the ideals of a "fair chase."

States are taking action against this technological cruelty and introducing bills to ban Internet hunting. Please contact The HSUS Government Affairs Section at 202-452-1100 or email legislation@hsus.org for further information.

Map of states with current or pending bans (PDF)



E-MAIL THIS PAGE

PRINTER FRIENDLY

The Latest Fad in Internet Animal Cruelty: Pay-Per-View Hunting



March 11, 2007

Should Killing Be Merely a Mouse Click Away?

By THE ASSOCIATED PRESS

Slouched at a computer, the hunter perks up as a 12-point buck eases into view on his screen. Maneuvering his mouse, he swivels the rifle and focuses the cross hairs. With a click of the mouse, the rifle fires a bullet, mortally wounding the deer.

Call it hunting by remote control. And though it is still more concept than trend, lawmakers in several states have set their sights on stopping the practice in its tracks.

Illinois State Representative Dan Reitz has proposed banning such hunting in his state, saying that such ready, aim, click kills, or the prospect of them, push the ethical envelope and violate the spirit of fair-chase hunts.

"I just think it's wrong," Reitz said, adding that the use of such technology — which features a Web camera and a .22-caliber rifle atop a remote-controlled rig — would "give all sportsmen a black eye."

Technology that enables people to stalk online and kill real prey has alarmed hunters and lawmakers intent on pre-emptively blocking the practice. About two dozen states already have outlawed the method, which the Humane Society of the United States calls pay-per-view slaughter.

"The animal has no chance," Arkansas State Senator Ruth Whitaker said earlier this year while introducing a measure that calls for banning potential cyberhunting in her state.

"There's no challenge for you — except knowing how to use a computer and push a button," she said. "You never left your tufted sofa. What's sportsmanlike about that?"

The issue emerged in early 2005, when an entrepreneur from Texas, John Lockwood, set up a Web site that allowed subscribing hunters with a high-speed computer connection to shoot antelope, wild pigs and other game on his 220-acre San Antonio spread via remote control — from anywhere. Lockwood offered to send the animals' heads to subscribers.

During a demonstration, a friend of Lockwood's used a computer 45 miles away to shoot a wild hog as it fed at Lockwood's ranch. But, according to news reports, he only wounded the animal. Lockwood, who was on site, finished the kill.

Lockwood's venture barely got started before Texas lawmakers shot it down. Since then, other states have hustled to get something on their books barring the practice.

Even die-hard hunters are opposed, saying that shooting an animal via computer is not sporting and does not require the element of fair chase in conventional hunting through forest, field or marsh. Some states

have posed similar objections to hunting big game in captivity as trophies.

"We believe sick ideas have a bad way of spreading, so we want to make sure we nip this in the bud and ban it in all 50 states," Michael Markarian, executive vice president of the Humane Society, said of cyberhunting. The group is also pressing for a federal ban.

Pro-hunting groups, including Safari Club International and the National Rifle Association, also oppose remote-control hunting.

Gary Harpole, an Illinois hunter who figures he has killed 100 deer, most with a bow, said the practice "takes away from what hunting really is all about: getting outdoors, experiencing nature."

"To me, 90 percent of hunting is the experience, 10 percent is the harvest," said Harpole, who runs a hunter's lodge at his rural home. Bagging a buck by computer, he said, "is a lazy way of hunting."

But Lockwood has said the technology could help people with disabilities or perhaps servicemen overseas shoot game. And an attendant in the blind with the remote-controlled rifle can override any unsafe or unethical shots.

Lockwood could not be reached for this article, but he said last year that legislatures banning the practice had "no clue what they're passing laws against."

"Ever since we stopped running after our prey and killing with our hands, we've evolved by distancing ourselves further and further from the game and making it more and more efficient for whatever reason we want to take it," he said.

Reitz is not swayed by such arguments. "There's a lot of opportunities out there for people with disabilities," he said. "I just think this is a bad way to do it."

His bill, which was referred to an Illinois House rules committee on Feb. 22, would amend the state's wildlife code to bar a person from operating, providing, selling, using or offering "any computer software or service that allows a person not physically present at the hunt site to remotely control a weapon that could be used to take wildlife by remote operation."

Use of such equipment would be a misdemeanor punishable by up to six months in jail and \$1,500 in fines. Those who provided the software or services would face a misdemeanor carrying a possible 364 days in jail and \$2,500 in fines.

Missouri already has such a ban on the books, last year adopting an administrative rule specifying that "wildlife may be taken only in the immediate physical presence of the taker and may not be taken by use of computer-assisted remote hunting devices."

Bill Heatherly, the Missouri Department of Conservation's wildlife programs supervisor, said he never imagined the need for such a measure despite the sport's astounding technological leaps since man first chucked rocks to kill dinner.

"I've been telling people I'm starting to understand how my father must have felt in his later years," he said.

"Certainly, I didn't imagine this."



Jill A. Buckley, Esq.
Senior Director, Legislative Services
& Mediation Training
P.O. Box 48
Pismo Beach, CA 93448

jilb@aspc.org
tel. 805-474-9660
fax 805-474-9740
www.aspc.org

March 28, 2007

Representative Robert Buch FAX: 907-465-2040
State Capitol
Juneau, AK 99801-1182

Letter in Support of HB 220, Banning Computer-Assisted Remote Hunting

Dear Representative Buch:

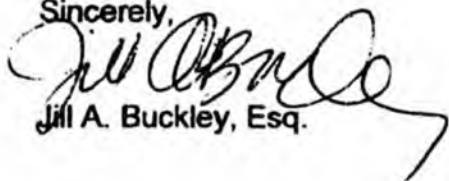
On behalf of the American Society for the Prevention of Cruelty to Animals (ASPCA) and our 1700 Alaska members and donors, I am writing to express strong support for HB 220 to ban computer-assisted remote hunting.

As you are no doubt aware, the necessity for this bill came about as a result of reports in 2005 that a Texas rancher had plans to operate a business via the internet whereby individuals would be able to point and shoot a rifle via remote control, from their own personal computers allowing for the killing of animals in what amounts to a video-monitored canned hunt. Since then, many states have outlawed this so-called "sport".

At the time the story broke, ASPCA President Edwin J. Sayres stated that "Promoting the killing of animals via the Internet and marketing hunting as a video game is absolutely despicable." Legitimate hunters do not consider this to be "fair" sport.

Thank you very much for considering this important humane issue.

Sincerely,



Jill A. Buckley, Esq.

THE HUMANE SOCIETY OF THE UNITED STATES

Written

- David G. Webers, M.D.
Chair of the Board
- Arlo W. Coupe, Esq.
Vice Chair of the Board
- Edward W. Larson
Board Treasurer
- Wayne Parillo
President & CEO
- B. Thomas White III
Deputy & CFO
- Roger A. Kessler, Esq.
General Counsel & CLO
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Operations
- Marjorie Markarian
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Education Programs
- Melissa Babin Rubin, Esq.
Field & Disaster Services
- Marla L. Shoshans, Ph.D.
Animal Research Institute
- Richard M. Smith Jr.
Investigative Services
- Griffith Wylor
Administrative Office
- INTERNET**
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- Patricia Marie Aho
- Peter A. Barber
- Donald W. Chaffin, Ph.D.
- Arlo W. Coupe, Esq.
- Hill Fung
- Justi Friedman
- Alan R. Gony
- David John Jones, Ph.D.
- Jennifer Leasing, M.D.
- Raymond W. Lorenz
- William F. MacCoss
- Patrick L. McDowell
- Judy Ray
- July J. Pail
- Marian Probst
- Joe Ramsey, Esq.
- Gilley B. Reed
- James D. Ross, Esq.
- Marilyn B. Saylor
- Walter J. Stewart, Esq.
- John E. Tait
- David G. Webers, M.D.
- K. William Wiseman
- John A. Hays
- Paul G. Irwin
President's Office
- Montgomery Blair Meador, Esq.
Vice President & Bookkeeper

Re: Testimony in Support of House Bill 220

Dear Members of the Alaska State Legislature:

On behalf of the The Humane Society of the United States (HSUS) and our over 17,000 members and constituents in Alaska, I submit this testimony in support of House Bill 220, which would prohibit engaging in Internet hunting or operating an Internet hunting facility in the state.

H.B. 220 was introduced in reaction to the development of a click and shoot mechanism that operates like an Internet computer game. This operation based in Texas – Live-Shot.com – allowed clients to point and shoot a rifle via remote control. Live-shot.com was linked to a platform with a rifle and camera that could be remotely aimed at animals in what amounts to a video-monitored canned hunt. While Texas passed legislation banning Internet hunting in 2005, effectively stopping this activity on Live-Shot.com, an internet hunting system could be started or accessed virtually anywhere across the country – including Alaska. Unfortunately, sick ideas have a tendency to spread. Furthermore, the operator of Live-Shot.com stated in a December 5, 2006 article in the Arizona Republic that "Internet hunting may go offshore," clearly indicating his desire to continue to pursue remote-control hunting.

Internet hunting is unethical and unsporting. It doesn't take a very strict definition of 'sportsmanship' to see that this practice, if allowed to proceed, would violate every ethical standard that hunters profess. It involves no hunting skill whatsoever, and distances the hunter entirely from the act of killing, denying animals any of the 'respect' that hunters avow they feel for their prey. This pay-per-view slaughter has garnered strong opposition from The National Rifle Association and the Safari Club International, as well as animal welfare proponents.

This activity also poses serious safety concerns. Allowing anyone who logs into a website to fire a weapon into a hunting preserve is a danger to anything that crosses the gun's path—including non-target wildlife as well as people.

Since the inception of Internet hunting, 26 states have passed preemptive legislation or regulations banning this egregious activity. Nine states, including Alaska, are considering legislation in the 2007 session. Most states have taken or are taking action to prevent the activity in their state. I encourage Alaska to do the same.

Thank you for the opportunity to comment on remote control and Internet hunting in Alaska. We urge your support of this important legislation. Thank you.

Sincerely,

Dave Pauli
Northern Rockies Regional Director
490 North 31st Street, Suite 215
Billings, MT 59101

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ALASKA STATE LEGISLATURE

While in Session
State Capitol
Juneau, Alaska 99801-1182
(907) 465-4068
Fax: (907) 465-2040



While in Anchorage
716 West 4th Avenue
Anchorage, Alaska 99501
(907) 269-0117
Fax: (907) 269-0119

REPRESENTATIVE BOB BUCH

Representative_Bob_Buch@legis.state.ak.us

Date: March 28, 2007

To: Representative Carl Gatto, Chairman
House Resources Committee

From: Representative Bob Buch
Alaska State Legislature

Re: Hearing Request for HB 220

Dear Representative Gatto:

I respectfully request that House Bill 220, which would prohibit computer assisted remote hunting in Alaska be scheduled for a hearing in the House Resources Committee. This bill is co-sponsored by Reps. Lynn, Roses, Gruenberg and Holmes.

Attached you will find a copy of the bill, sponsor statement, and sectional. I am also attaching a letter of support from the Alaska Professional Hunters Association, and some information about internet hunting from the US. Humane Society.

Please feel free to contact me, or my staff Deborah Brevoort (x 3467), with any questions you might have.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "R. B. Buch".

Representative Bob Buch
House District 27

Debra Higgins

From: Deborah Brevoort
Sent: Friday, March 30, 2007 11:53 AM
To: Debra Higgins
Subject: HB 220 testimony on Monday--Hosue Resources

Hi Debbie.

Joe Klutsch, President of the Alaska Professional Hunters Association, will be testifying in support of HB 220 on Monday in House Resources. Mr. Klutsch lives in King Salmon and will be calling in off-net. His telephone number is (907) 246-3030.

The AOC will also have a representative giving testimony. As soon as I know who that person is, I'll let you know.

Thanks,
Deborah Brevoort
Office of Representative Bob Buch
Representing District 27
State Capitol Room 430
Juneau, Alaska 99801-1182
Tel: (907) 465-3467
Fax: (907) 465-2040

HB 220

add to LID —

Rod ARNO,
Joe KLUTSCH

Debra Higgins

From: Deborah Brevoort
Sent: Monday, April 02, 2007 9:33 AM
To: Debra Higgins
Subject: HB 220--House Resources off-net testifier

Dear Debbie:

Rod Arno, Executive Director of the Alaska Outdoors Council (AOC) will be testifying today on HB 220 in the House Resources Committee. Mr. Arno needs to testify off-net, along with Joe Klutsch from the AK Prof. Hunters Association.

Rod Arno's telephone number is 907-376-2913

Thanks, Debbie.

See you at 1 pm...

Deborah Brevoort
Office of Representative Bob Buch
Representing District 27
State Capitol Room 430
Juneau, Alaska 99801-1182
Tel: (907) 465-3467
Fax: (907) 465-2040

HB

241

ALASKA STATE LEGISLATURE



SESSION:
Alaska State Capitol, Room 418
Juneau, AK 99801
(907) 465-4457 Office
(907) 465-3519 Fax
(800) 928-4457 Toll Free

INTERIM:
1292 Sadler Way, Suite 304
Fairbanks, AK 99701
Office (907) 456-8172
Fax (907) 456-2490

Representative David Guttenberg

Answers to the House Resources Committee's questions from 3/26/07 regarding the proposed Stampede State Recreation Area (HB 241)

What does the public want? At the public meeting in Healy this fall we heard the public say for the most part they would like to see the area remain the way it is. They see change on the horizon from increased use and other potential developments and what they want is local management so existing uses are preserved and not pushed out. Existing uses include hunting, fishing, Jeep tours, ATV use, hiking, skiing, snowmobiling, dog sledding, private lands and others.

In finding a balance between use and conservation is a State Recreation Area the best designation for the area? It is perfectly reasonable for Parks to manage the area for the existing uses. The dominant management objective of a State Recreation Area is to provide a maximum level of outdoor recreation opportunities based on the natural values of the unit and its ability to sustain use without significant adverse effects on natural systems.

Is State Parks the right agency to manage the area for the needs and desires of the users? State Parks manages natural resources and their use all across the state. The Division is committed to providing outdoor recreation opportunities and if through a public planning process it is determined that the existing array of motorized and non-motorized uses should all be allowed, then that is how it will be managed. This may be a great opportunity for State Parks to show that we do have the ability to manage for a diversity of user groups.

What private property is there in the Proposed SRA, and what are the acreages and locations? There are 33 private parcels ranging in size from 2 to 5 acres for a total of 131.82 acres of private land within the proposed recreation area. They are around a lake near the center of the proposed recreation area and dispersed along the southern boarder of the proposed area.

If the existing private property were sold or transferred, would the new owners retain the same rights as the previous owner (right to set up a business, etc)? Yes - the SRA would not impact or regulate private land.

Who has subsurface rights in the proposed SRA?

State of Alaska. Under the SRA, the area would be closed to staking mining claims and the state would not lease for oil, gas, or other subsurface resources (unless the legislation specifically directed otherwise. Valid existing mining claims would be protected as long as the claiming keeps the claim current. The Division of Geological and Geophysical Surveys has stated that the potential for commercially viable coal bed methane or other energy resources would be low.

Are there currently any opportunities to purchase land within the SRA?

No - state has sold land in the past just east of the PUA but has subsequently transferred most land in this area that is suitable for purchase to the Denali Borough.

Are there active mining claims or prospecting permits? No.

ALASKA STATE LEGISLATURE



SESSION
Alaska State Capitol, Room 418
Juneau, AK 99801
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Fairbanks, AK 99701
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Representative David Guttenberg

MEMO

To: Members of the (H) Resources Committee

From: Christian Gou-Leonhardt, Staff to Rep. David Guttenberg

Re: Differences Between Certain DNR Land Designations, Re: HB241

Date: 4/1/08

A State Recreation Area is a unit of the state park system with a purpose of managing the land and water in a way that provides a maximum level of outdoor recreation opportunities without significant adverse effects on the natural systems. Recreation areas are open to hunting, fishing and most types of outdoor recreation but are closed to staking of mining claims, mineral leasing, land sales and leases, and transfer out of state ownership (such as municipal entitlements, Mental Health replacement lands, etc.). Title 38 statutes generally do not apply, instead State Parks authorities apply (including Parks enforcement authorities).

A State Public Use Area is not a unit of the State Park system and is not withdrawn from the state public domain. It is a decision by the legislature that this state land will remain in public ownership, so fee simple disposals are not allowed (sales, municipal entitlement transfers, land exchanges, etc.) but it is open to staking of state mining claims, could be leased for oil, gas and other leasable minerals, allows for uses such as grazing, and it is managed by DMLW using Title 38 authorities (or in the case of enforcement, lack of authority). Public Use Areas are actually similar to State Forests except that DOF has responsibility for planning and the emphasis is on forestry uses.

The legislature can modify these general rules - for example the Kenai River Special Management Area is a state park unit but can be leased for oil and gas, and in the Knik Public Use Area, the legislature gave DMLW enforcement authority.

ALASKA STATE LEGISLATURE



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Alaska State Capitol, Room 418
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Representative David Guttenberg

HB241 – Sponsor Statement

The Stampede Road corridor, northwest of Healy and flanked on three sides by the Denali National Park, is a traditional place for many Alaskans to hunt, fish, trap, snowmachine, mush and pursue other recreational opportunities. Home to a growing number of Denali Borough residents and businesses, this is a wild and beautiful place that Alaskans from across the state can easily access.

The Stampede Corridor flanks the route of the Stampede Trail, an old mining road blazed in the 1930s to access claims on Stampede Creek, above the Clearwater Fork of the Toklat River. Located in Denali Borough, what is now known as Stampede Road begins at the Parks Highway just north of Healy. In 1961, the state of Alaska upgraded the trail as part of Alaska's Pioneer Road Program. The project was halted in 1963 after some fifty miles of roads were built, but no bridges were ever constructed over the several rivers it crossed, and the route was shortly rendered impassable by thawing permafrost and floods. The trail has since been used by backcountry travelers on foot, bicycle, snowmobile, ATV, Off-Highway Vehicle and motorcycle.

HB241 will preserve the traditional uses of this area by creating the Stampede Recreation Area within the Stampede corridor. Several years ago, the former Governor proposed to build a road through this area. This planned road was vehemently opposed by borough residents as well as the recreational and traditional user groups who had an interest in keeping things "the way they are." In an effort to preserve the area for use by residents and visitors, the Denali Borough Assembly passed a resolution last year calling on the Alaska Legislature to designate the corridor as the Stampede State Recreation Area, with a strong emphasis on self-determination by the residents and users of the area.

The intent of this bill is to ensure that the numerous traditional uses this area has seen over the last few decades (recreation, hunting, trapping, fishing) remain available to all Alaskans. Use of the area has been increasing in recent years, and will continue to do so. This bill will preserve access to this area for a wide variety of recreational users from across the state. At two well-attended public meetings in Healy and Fairbanks, both residents and user groups were able to weigh in on how the proposed Recreation Area should be managed. The result of this input is now the core of the Stampede Recreation Area proposal; a user-defined management plan. I believe this is the best way to protect and preserve the many uses of this wild and scenic area.

I urge your support of HB241.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

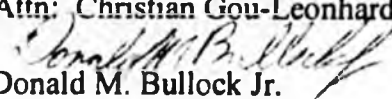
State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

February 21, 2008

SUBJECT: Sectional Summary for HB 241 (Work Order No. 25-LS0877\A)

TO: Representative David Guttenberg
Attn: Christian Gou-Leonhardt

FROM: 
Donald M. Bullock Jr.
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Establishes the Stampede State Recreation Area. Describes the purpose for creating the recreation area, the land and water to be included, management responsibilities, and incompatible uses. Identifies activities that the commissioner may not restrict within the recreation area. Authorizes the commissioner to purchase real property lying within the boundaries of the recreation area. Prohibits the use of the power of eminent domain to acquire privately owned land for inclusion in the recreation area.

DMB:med
08-129.med

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB241
 () Publish Date: _____

Identifier (file name): HB241-DNR-Parks-01-15-08 Dept. Affected: Natural Resources
 Title: CREATING STAMPEDE STATE RECREATION RDU: Parks and Recreation Management
 Component: Parks Management
 Sponsor: Representative Guttenberg
 Requester: House Resources Component Number: 452

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
		FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES							
Personal Services	68.4	0.0	227.4	167.8	167.8	167.8	167.8
Travel	3.0	0.0	10.0	7.0	7.0	7.0	7.0
Contractual	10.2	0.0	34.9	26.0	26.0	26.0	26.0
Supplies	2.0	0.0	44.0	11.3	11.3	11.3	11.3
Equipment	10.0	0.0	174.0	17.6	17.6	17.6	17.6
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	93.6	0.0	490.3	229.7	229.7	229.7	229.7

CAPITAL EXPENDITURES							
-----------------------------	--	--	--	--	--	--	--

CHANGE IN REVENUES ()							
-------------------------------	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF	93.6	0.0	490.3	229.7	229.7	229.7	229.7
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	93.6	0.0	490.3	229.7	229.7	229.7	229.7

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

Full-time	1	1	2	1	1	1	1
Part-time			1	1	1	1	1
Temporary			2	2	2	2	2

ANALYSIS: (Attach a separate page if necessary)

The costs associated with management of this new state recreation area include funding for a limited two-year public planning process to develop a management plan (FY09-10), followed by funding for a full-time Park Ranger, a six-month Natural Resources technician, two seasonal Alaska Conservation Corps employees, and a park volunteer, providing field management beginning in FY10. Start up costs include two new vehicles, law enforcement gear, a Ranger ORV, two ATV's, snowmobile, trailer, and trail maintenance equipment. Contractual services include office rental, vehicle costs, utilities, phones, and equipment services.

Prepared by: James King, Director
 Division: Parks and Outdoor Recreation
 Approved by: Tom Irwin, Commissioner
Natural Resources

Phone (907) 269-8702
 Date/Time: January 15, 2008
 Date: January 15, 2008



INTERIOR TRAILS PRESERVATION

ITPC

Monday, March 17, 2008

Representative David Guttenberg
Room 418
State Capitol
Juneau, AK 99801

Dear Rep. Guttenberg,

The Interior Trails Preservation Coalition (ITPC) supports the creation of the Stampede State Recreation Area as outlined in HB241 and SB173. This area is already a popular recreation area for locals and visitors, especially through the use of the Stampede Trail. The wild nature of the area, surrounded as it is on three sides by Denali National Park, makes it a perfect place for a state recreation area.

Members of ITPC have used the area for recreation and know of its beauty and accessibility. It allows people a place to go to experience the wild land near Denali National Park without the restrictions of the park. We believe the area has lots of potential as a recreation area for trail users and off-trail users. If it is turned into an official state recreation area more trails could be developed, including one that connects the Stampede Trail to the nature trail off the Park Road at Savage River or others that lead to the Wonder Lake area.

The ITPC is a private, non-profit organization incorporated in 2002 over concerns that many area trails are disappearing as land is being developed. Our members represent a wide variety of interested trail users who strive to find mutually agreeable solutions with government agencies and private property owners to preserve public access to trails. We believe a Stampede State Recreation Area would help ensure that this area remains a special place for locals and visitors.

Sincerely,

Eric Troyer
Vice President

ITPC

P.O. Box 74263, Fairbanks, AK 99707

Phone: (907) 458-7968

Charles Loeb

P.O. Box 991
Talkeetna, AK 99676

cloeb63@mtaonline.net
907-733-6300

February 24, 2008

Representative David Guttenberg
Room 418
State Capitol
Juneau, AK 99801

Dear Representative Guttenberg,

I am writing to support the passage of HB241 establishing the Stampede State Recreation Area. Although I am presently a resident of the Matanuska-Susitna Borough, I lived for many years in the Denali Borough, sometimes in the Panguingue Creek Subdivision near the proposed SRA, where I still own property. I am particularly enthused about the recreation area because I think it will protect and enhance my own recreational use of the area and because it will protect important wildlife habitat from incompatible development.

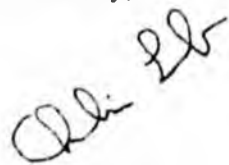
I use the area recreationally particularly for mountain biking, hiking, skiing, birding, and wildlife watching. It is the backyard for folks who live in the greater Healy area, and important for a wide variety of other activities including dog mushing, snowmachining, berry picking, hunting, and fishing. Although I value it for my own use, I know there are folks who travel to the area from all over Alaska and from outside Alaska for the same reasons. Although Denali National Park is nearby, many of the activities mentioned here are not possible in the park because of the land management mandates of the National Park Service. The scenic state land of the SRA is a great place for some of these activities to occur, and can benefit both in-state and out-of-state tourists.

However, the area needs to be protected from incompatible development and there needs to be management of the recreation that occurs there. Too many people, too few (zero) outhouses. Too many bad trails that are destroying state land. Recreation area management will both help emphasize the destination quality of the land as well as protect the qualities that make it worth visiting and hopefully bring an end to the gradual deterioration of this state asset.


The area is also very important wildlife habitat, particularly during winter months. Establishment of the SRA should recognize habitat protection as a very important goal. This not only would benefit the substantial hunting community that uses the area, it would also protect the winter habitat of some of the animals tourists watch on the Denali park road during the summer. Since Denali is the premier attraction bringing tourists to Alaska during the summer and wildlife is the premier attraction of Denali, it seems worthwhile for the State to participate in protecting this incredible resource.

I hope you will share these thoughts with other legislators and that passage of the bill can be secured in this session.

Sincerely,



Charlie Loeb



Denali Citizens Council

Serving to protect Denali National Park and environs

PO Box 78 Denali Park, Alaska 99755 907-683-3396

www.denalicitizens.org

March 5, 2008

Representative David Guttenberg
Room 418, State Capitol
Juneau, AK 99801

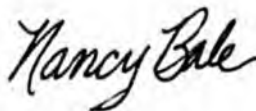
Dear Representative Guttenberg,

I am writing to you on behalf of the Board and members of the Denali Citizens Council (DCC), a local, non-profit education and advocacy organization founded in Cantwell in 1974. It is an important part of our mission to promote community wide planning for the future of lands at the gateway to Denali National Park. We support HB 241, the Stampede State Recreation Area Bill. Much good can be accomplished, and damage avoided, through management activities set in motion by this bill. For example:

1. Well known for their value as regional wildlife habitat, the Stampede townships also provide opportunities for local citizens to get out into wilderness for recreation. The area is unique in providing for a range of uses not available elsewhere in the Denali Borough. This vast Borough currently has no designated state park or recreation areas.
2. Increases in tourism at the gateway of Denali National Park will continue to bring visitors to the area. To mitigate and avoid resource damage from the very activities that make the area valuable, it is time for more proactive management of Stampede lands.
3. Designation will bring with it the expertise of the Division of Parks and Outdoor Recreation to develop a management plan, establish needed facilities, provide for trails management and for appropriate monitoring of uses. Currently the Denali Borough government is revising its Comprehensive Plan for borough lands. However, this local government does not have the staff, funds or legal mandate to manage recreation.
4. DCC convened two Stampede Summits, in 2003 and again in 2004, to gauge local opinion on their future. Based on these Summits and our involvement in the Denali Borough we learned one key point - Locals are largely opposed to grandiose development schemes emanating from sources outside the borough, and they want to preserve existing uses and the rural character of the Stampede townships. Locals expressed support for a recreation area at a town hall meeting in Healy last October. The Borough Assembly has already shown its approval for designation of a Stampede State Recreation with a Resolution.

Please feel free to contact us if you need any more information on DCC, the Stampede Summits or the history of Stampede issues, at 907-683-3396.

Sincerely,



Nancy Bale
President, Denali Citizens Council

DCC Board

Nancy Bale
Jean Balay
Cass Ray

Jenna Hamm
Joan Frankevich
Nan Eagleson

Julia Potter, Community Organizer

DENALI BOROUGH, ALASKA
RESOLUTION NO. 07-01

A RESOLUTION IN SUPPORT OF THE ALASKA LEGISLATURE DESIGNATING MANAGEMENT OF THE STAMPEDE ROAD AREA WEST OF EIGHT MILE LAKE TO THE STATE OF ALASKA; DIVISION OF PARKS AND OUTDOOR RECREATION: TO CREATE THE STAMPEDE STATE RECREATION AREA.

WHEREAS, there are many issues related to the Stampede Trail and surrounding area west of Eight Mile Lake, many of which have brought into question the ability to continue traditional use dating back prior to statehood; and

WHEREAS, the Denali Borough has openly and repeatedly expressed a desire to have recreational opportunities and uses continued in this area; and

WHEREAS, the current use of the area includes motor vehicle access, horseback riding, dog mushing, cross-country skiing, skijoring, hiking, fishing, hunting, snowmobiling, and other outdoor activities; and

WHEREAS, there are no designated Alaska State Parks or Recreation Sites within the Denali Borough; and

WHEREAS, the Stampede Trail and surrounding area are well known critical habitat for caribou, moose and other wildlife; and

WHEREAS, this area is of current and future importance for providing a land base to support Alaska-owned outdoor recreation enterprises at Denali National Park and Preserve and other existing tourism destinations.

THEREFORE, BE IT RESOLVED that the Denali Borough Assembly strongly encourages the state of Alaska Legislature to pass legislation designating management of the following area to the state of Alaska, Division of Parks and Outdoor Recreation the following area: Fairbanks Meridian, Healy Quadrangle, the western half of Township 12S9W, the western half of Township 13S9W, Township 12S10W, Township 12S11 W, Township 13S10W, Township 13S11 W.

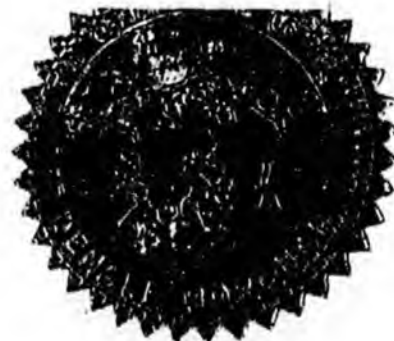
BE IT FURTHER RESOLVED that the Denali Borough specifically requests that the aforementioned current uses be included in the management of the area and the Denali Borough Assembly be designated as the Local Advisory Management Council for the Stampede Recreation area.

ED a APPROVED by the DENALI BOROUGH ASSEMBLY this 10th day of January, 2007.

Denali Borough Mayor

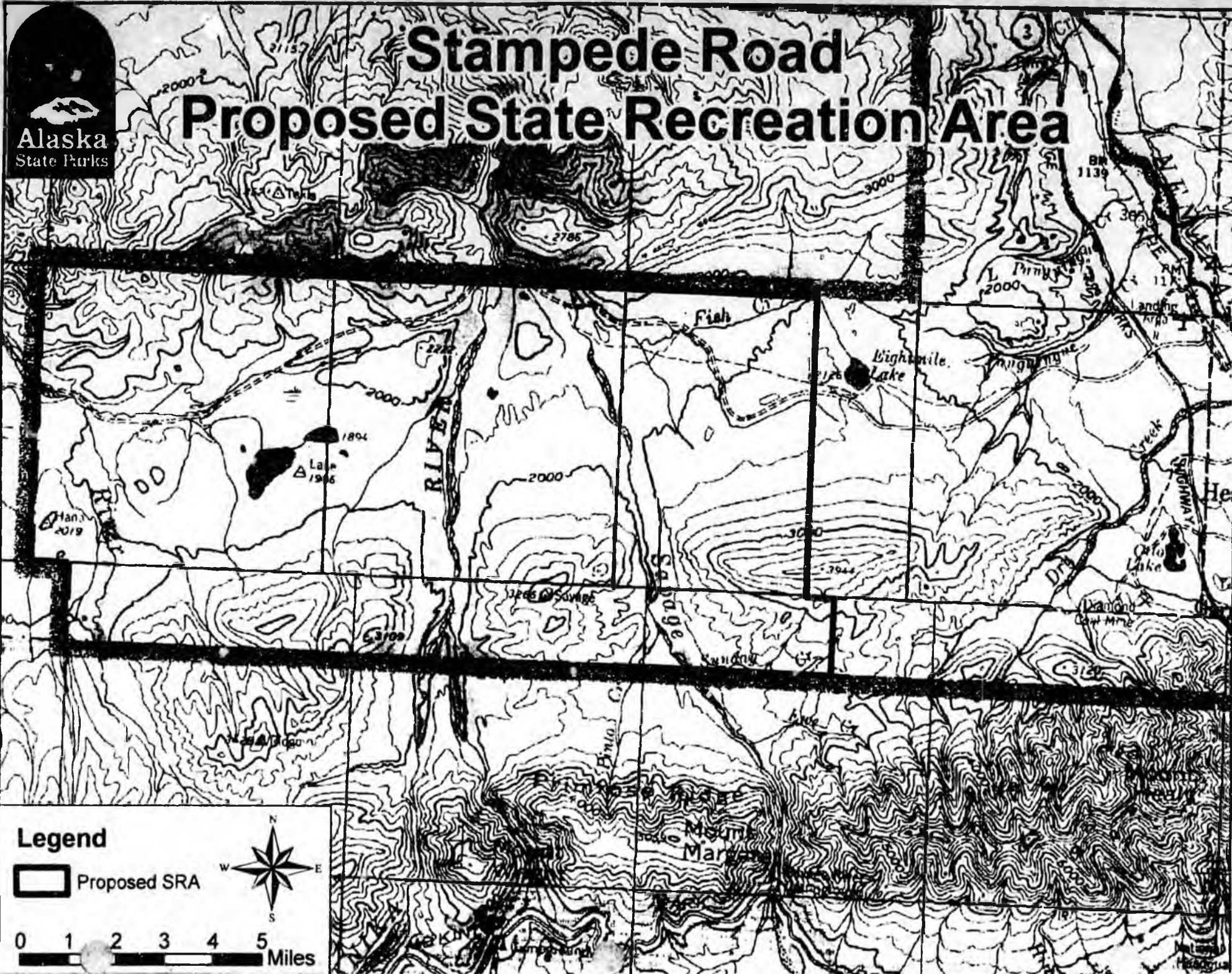
ATTEST:

Janet Hestmark
Borough Clerk






Stampede Road Proposed State Recreation Area

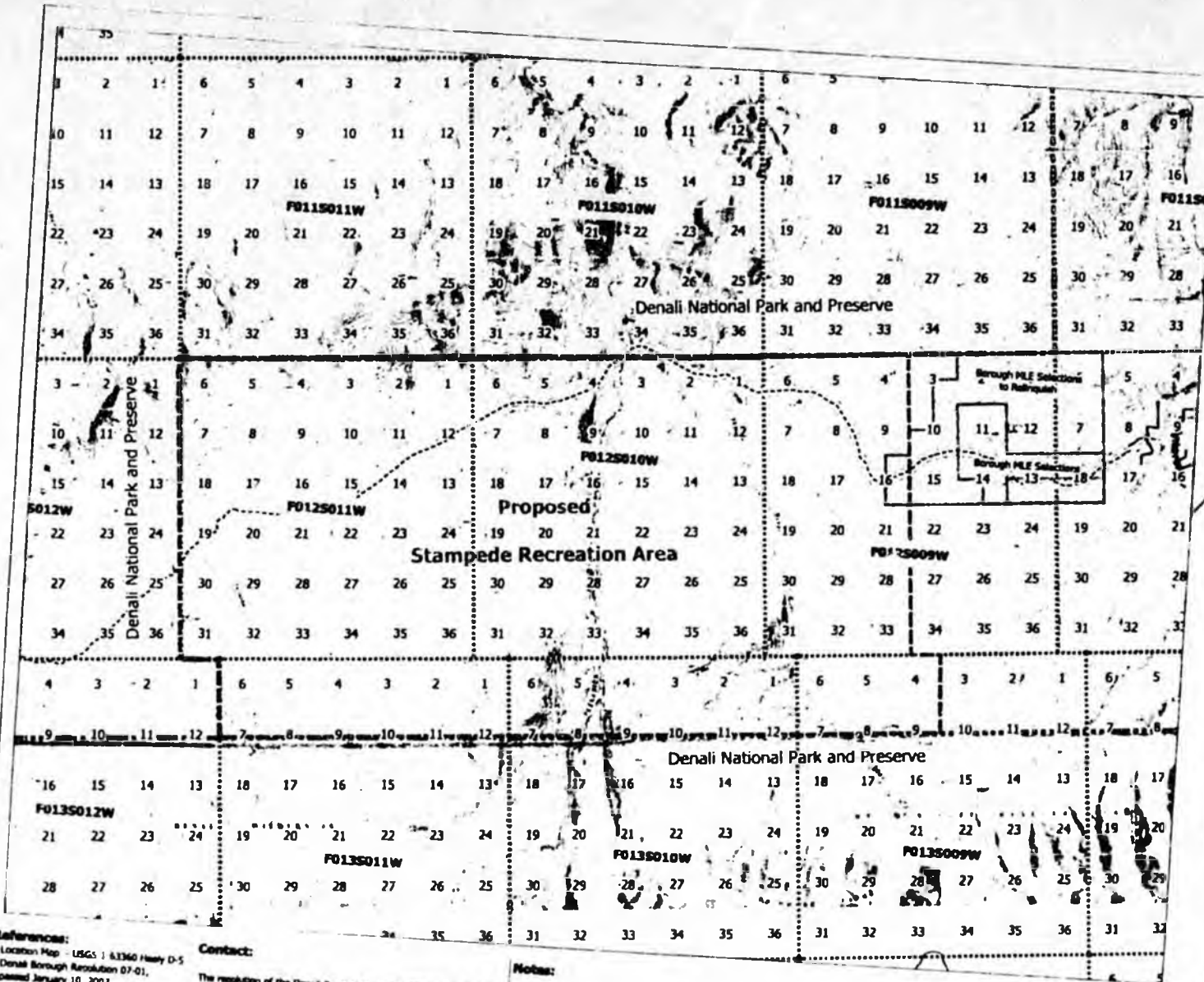



Legend

 Proposed SRA



0 1 2 3 4 5 Miles





Denali Borough

This action, if approved by the Alaska legislature, would designate management of the bounded area to the State of Alaska, Division of Parks and Outdoor Recreation

Proposed Stampede State Recreation Area

file name	stampede2.map	http://nealtech.us	print date	2/26/2007
map #	20070202	var	projection	datum
		A	Albers Conical Equal Area	rd827
			drawn by	sheet
			NJL	1 of 1

References:
 Location Map - USGS 1:63360 Healy D-5
 Denali Borough Resolution 07-01,
 passed January 10, 2007

**NEAL
 TECHNICAL
 SERVICES**

Contact:
 The resolution of the Denali Borough Assembly (07-01) may be found
 on the borough's website: <http://denaliborough.com>
 or through the borough office:
 Denali Borough
 PO Box 480
 Healy, AK 99743
 907-683-1130

Notes:

ALASKA STATE LEGISLATURE



SESSION:
Alaska State Capitol, Room 418
Juneau, AK 99801
(907) 465-4457 Office
(907) 465-3519 Fax
(800) 928-4457 Toll Free

INTERIM:
1292 Sadler Way, Suite 304
Fairbanks, AK 99701
Office (907) 456-8172
Fax (907) 456-2490

Representative David Guttenberg

Date: March 11, 2008

To: Representative Carl Gatto, Chair
Resources

From: Representative David Guttenberg

Re: HB 241 – Stampede State Recreation Area

I respectfully request that you schedule HB 241 – Stampede State Recreation Area for the Resources Committee's consideration at your earliest convenience.

Enclosed are:

1. The most recent version of HB 241
2. Current Sponsor Statement
3. Current Sectional Analysis
4. Current Fiscal Note
5. Communications of support
6. Additional Background Material

Thank you for your consideration of this request.

HB

243

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: SB 229
 (S) Publish Date: 2/19/08

Identifier (file name): SB229-DNR-For-02-12-08 Dept. Affected: Natural Resources
 Title: Tanana Valley State Forest/Minto Flats State Game RDU: Resource Development
Refuge boundary adjustment Component: Forest Management & Development
 Sponsor: Sen. Thomas
 Requester: Senate Resources Component Number: 435

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

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

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

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

ANALYSIS: (Attach a separate page if necessary)

This bill will add approx. 101,610 acres of land to the Tanana Valley State Forest (TVSF), delete approx. 66,218 acres, and redesignate approx. 4,298 acres as part of the Minto Flats State Game Refuge (MFSGR). This better aligns boundaries with the intent of the TVSF and MFSGR, increases land management efficiency, and updates the boundaries to correspond with correct and current land status. This proposal was developed and reviewed through the 2001 update to the TVSF Management Plan. Controversial parcels were removed following interagency and public review, and the package of changes in this bill had broad support and no known opposition. These changes will not require new positions or funding. There is no short-term impact on revenue, but it protects the revenue stream from timber receipts by ensuring that more commercial forest land will remain part of the long-term sustained yield land timber base to provide lumber, fuelwood, wildlife habitat, and recreation and tourism benefits.

Prepared by: Martha Freeman
 Division: Forestry
 Approved by: Tom Irwin, Commissioner
Natural Resources

Phone 269-8473
 Date/Time February 12, 2008
 Date February 12, 2008

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: SB 229
 (S) Publish Date: 2/19/08

Identifier (file name): SB229-DFG-DWC-02-11-08 Dept. Affected: Fish & Game
 Title: Tanana Valley Forest/Minto Flats Refuge RDU: Wildlife Conservation
 Component: Wildlife Conservation
 Sponsor: Senator Thomas
 Requester: Senate Resources Committee Component Number: 473

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING		0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES ()								
-------------------------------	--	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: _____

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

Passage of this bill will have no fiscal impact on the Department of Fish and Game

Prepared by: David Thomson, Administrative Manager
 Division: Wildlife Conservation
 Approved by: Tom Lawson, Director
Division of Administrative Services

Phone 465-6194
 Date/Time 2/11/08 4:00 PM
 Date 2/11/2008

ALASKA STATE LEGISLATURE



SENATOR JOE THOMAS

SB 229 – Relating to the Tanana Valley State Forest and to assignment of certain forest land to the Minto Flats State Game Refuge; and providing for an effective date.

Sponsor Statement

Senator Joe Thomas

Senate Bill 229 amends the boundaries of the Tanana Valley State Forest (TVSF) to correct errors in legal descriptions, reflect updated land status, and to better match the management intent for the Forest. This is done by adding and deleting boundary references to the legal descriptions in statute. These changes result in a net increase to the state forest of approximately 40,000 acres. SB 229 also moves approximately 4,300 acres from the state forest to the Minto Flats State Game Refuge.

In 1983 the Legislature created the 1.8 million-acre Tanana Valley State Forest that stretches from Manley to Tok. The forest is open to mining, gravel extraction, oil and gas leasing, and grazing. The Department of Natural Resources manages the state forests for a sustained yield of these resources, with the primary purpose of timber management (AS 41.17.200). The Bonanza Creek Experimental Forest, a 12,400-acre area dedicated to forestry research, is also located within the state forest.

State forests provide fish and wildlife habitat, clean water, opportunities for recreation and tourism, and minerals. In addition to the management of these resources, the Tanana Valley State Forest offers many recreational opportunities including hunting, fishing, trapping, camping, hiking, dog mushing, cross-country skiing, wildlife viewing, snow machining, gold panning, boating, and berry-picking.

In 1996, the division updated the Tanana Valley State Forest Management Plan and established a citizens' advisory committee. The

12-member citizen's advisory committee, representing a variety of state forest users, actively participates in forest planning in the Tanana Basin. This entity has endorsed the recommendations on management of the forest and has carefully crafted the changes in a manner that resulted in support from all affected land users and owners.

SB 229 is supported by the Alaska State Forest Association, the Fairbanks Economic Development Corporation, hunting and recreation groups as well as all surrounding land owners.

Please join me in amending the Tanana Valley State Forest to better align with its original intent and support the passage of Senate Bill 229.

ALASKA STATE LEGISLATURE



SENATOR JOE THOMAS

Sectional Analysis

SB 229 – Amendments to the Boundary of the Tanana Valley State Forest and Assignment of Certain Forest Land to the Minto Flats State Game Refuge

This bill would implement changes to the boundary of the Tanana Valley State Forest (TVSF) recommended by the 2001 update to the TVSF Management Plan. Some land deleted from the State Forest would be reassigned to the Minto State Game Refuge. These proposals were thoroughly reviewed by the public and agencies during the planning process. The package of proposals was revised following the comment period, and the final package was non-controversial.

Section 1 – Minto Flats State Game Refuge. Section 1 amends the legal description for the Refuge to incorporate three parcels of land deleted from within the TVSF. (See map) These parcels are wetlands adjacent to the existing Refuge that do not contain commercially valuable forest land, and would be better managed as part of the Refuge. They total 4,298 acres.

Section 2 – Tanana Valley State Forest. Section 2 repeals and reenacts the legal description for the TVSF. State Forests consist "primarily of commercially valuable forest land determined by the governor to be necessary for retention in State ownership for management under the principles of multiple use and sustained yield" (AS 41.17.210(a)). Almost all of the 1.78 million acres in the Tanana Valley State Forest are commercially valuable forest land. Some State lands adjacent to the State Forest also contain valuable forest resources, and some land within the TVSF does not have commercial forest potential. The proposed changes to the TVSF would move approximately 101,610 acres of general domain state land into the State Forest, and delete approximately 66,220 acres, for a net increase of approximately 35,390 acres.

Land recommended for addition to the State Forest contains high-value commercial forest land, much of which is easily accessible. Most parcels are already classified for Forestry under the Tanana Basin Area Plan, and all are compatible with the intent of the State Forest. Some have been harvested historically, and provide access to other lands within the State Forest, while other parcels are isolated pieces of State land adjacent to the State Forest. Incorporating these into the TVSF would add to the value of the State Forest and consolidate management authority in these areas. One 160-acre parcel with

ALASKA STATE LEGISLATURE

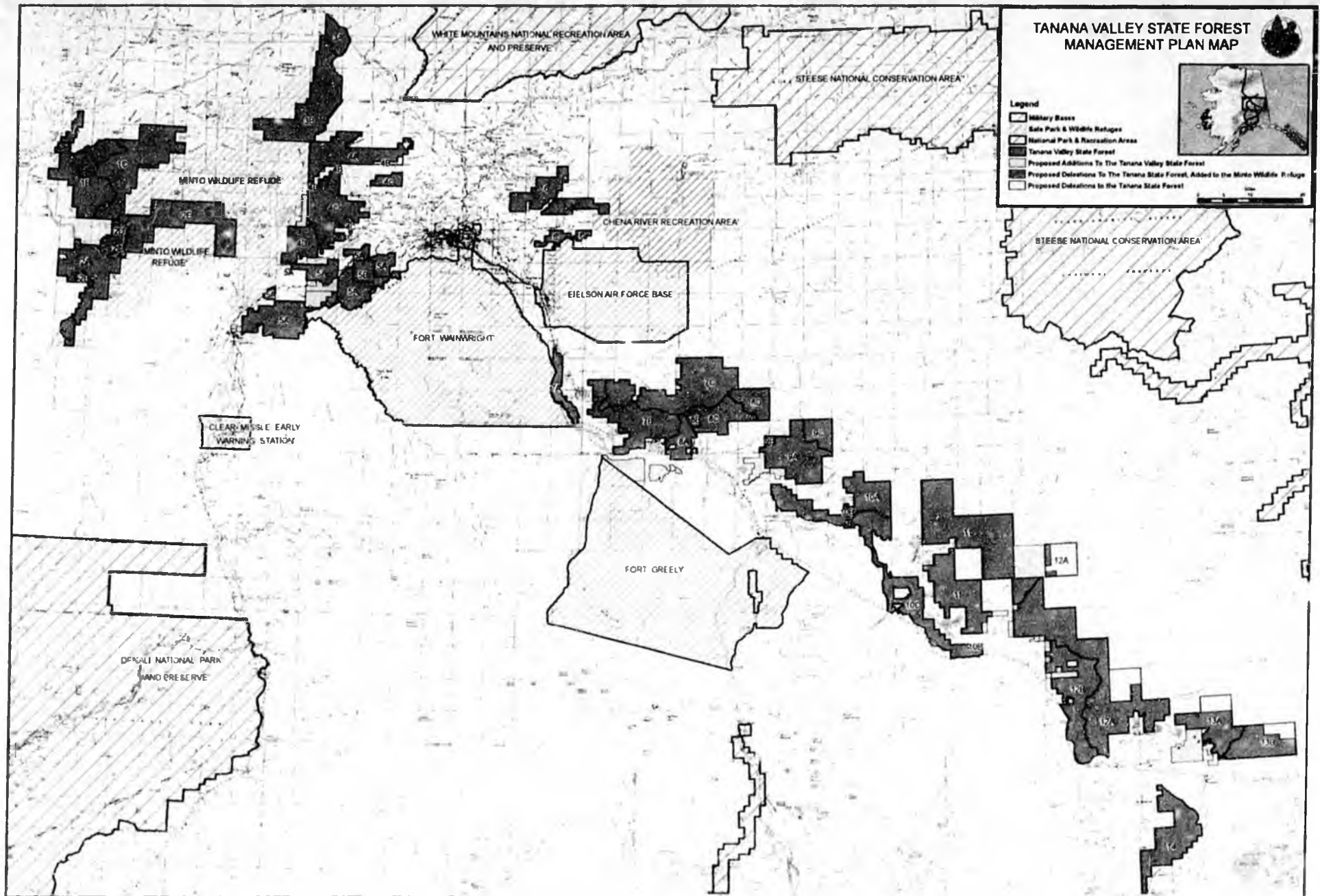


SENATOR JOE THOMAS

unusual prairie features would be added to the Volkmar Bluffs Research Natural Area within the State Forest.

Land recommended for deletion from the State Forest is not commercially valuable forest land. The deletions include the three wetland parcels recommended for addition to the Minto Flats State Game Refuge, wetlands and high-elevation lands north of Tok and Tanacross, and a parcel of high-value recreation land along the Chatanika River.

Land deleted from the Tanana Valley State Forest would be managed as part of the adjacent management units under the Tanana Basin Area Plan. These lands would remain open for public access and multiple use.





FAIRBANKS
Economic Development

301 Cushman St., Suite 301, Fairbanks, AK 9970

January 29, 2008

Dear Senator Joe Thomas,

The Fairbanks Economic Development Corporation (FEDC) strives to promote value added product development in Interior Alaska and, therefore, thanks you for your sponsorship of Senate Bill 229: An act relating to the Tanana Valley Forest.

Fairbanks' remote location poses some challenges to economic development. However, when looking to the abundant natural resources found in the Interior, there is also great opportunity for the creation of new, higher paying jobs through responsible development of those valuable resources.

FEDC has long been a supporter of Interior Forest product development and, in partnership with the State Division of Forestry, Tanana Chiefs Conference, and State of Alaska Office of Economic Development, publishes "New Growth"; a prospectus offering information to potential forest industry developers. Our continuing effort is to encourage and support existing & potential businesses aimed at developing local, value added forest products for use here in Alaska. The most crucial need in developing new forest product businesses is ensuring sustainable, easily accessible, high value forest lands for development.

FEDC strongly supports SB 229. Passage of this legislation will add over 100,000 acres of commercially valuable forest land to the State Forest. These lands would increase the amount of valuable forest resources available for the development of value added products for the Interior and the State of Alaska.

This initiative can be a great asset to the State of Alaska, the Interior and to our continued pursuit of a diversified, stable and self-sustaining economy. FEDC thanks you for your time and efforts in sponsoring this bill and is excited about the potential it will bring to our State Forest lands.


Jim Dodson
CEO/President
Fairbanks Economic Development Corporation


Cassie Pintel
Project Manager, Fairbanks Economic Development Corporation

CC: Chris Maiach
Marty Freeman

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

BOARD OF FORESTRY

SARAH PALIN, GOVERNOR

550 West 7th Avenue, Suite 1450
Anchorage, AK 99501

February 4, 2008

Senator Joe Thomas
State Capitol, Room 510
Juneau, AK 99801-1182

Dear Senator Thomas,

The Board of Forestry represents diverse interests with respect to forestry in Alaska. By law, it provides a forum for forest management issues on state land, and is charged with monitoring the implementation and effectiveness of the Forest Resources and Practices Act on all lands (AS 41.17.047).

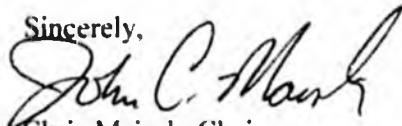
The Board of Forestry would like to express its support for SB 229, amendments to the boundary of the Tanana Valley State Forest and the Minto Flats Game Refuge. This bill would correct old drafting errors, update the boundaries to be consistent with changes in land status, add productive forest land to the State Forest, and delete wetlands and other non-productive forest land. The revised boundary will better match the purpose of State Forests, and the intent to include primarily commercially valuable forest land (AS 41.17.200.-210).

In the 25 years since it was established, the State Forest has proved its worth as a source of sawtimber and fuelwood, wildlife habitat, and hunting and recreation opportunities for Alaskans.

The changes in this bill were recommended by the 2001 update to the Tanana Valley State Forest Management Plan, with wide public support. The Board officially commended the Department of Natural Resources for the broad public process used to draft and revise the Tanana Valley State Forest Management Plan update. SB 229 will implement these widely supported recommendations.

We encourage prompt passage of SB 229, and thank you for introducing this bill.

Sincerely,



Chris Maisch, Chair

ALASKA BOARD OF FORESTRY

Rob Bosworth
Matt Cronin
Wayne Nicolls
John DiMarchi

Erin McLarmon
Bill Oliver
Rick Rogers
Ron Wolfe

Northland Wood Products, Inc.

4000 CUSHMAN - FAIRBANKS, ALASKA 99701-7534
TELEPHONE 907-452-4000
FAX 907-452-1391

February 29, 2008

Senator Joe Thomas,
State Capitol Room 510
Juneau, Ak 99801-1182

Dear Senator Thomas,

We support SB 229 amending the boundary of the Tanana State Forest and the Minto Flats game refuge. Northland Wood Products as a company has been harvesting timber in the Tanana State Forest, and what would become the State Forest, since 1965, for our sawmill here in Fairbanks. We were involved with the creation of the Tanana State Forest at that time, seeing the long term benefit of protecting this very valuable resource for future generations. As we see it, SB 229 is very beneficial in that it adds more timber to the State Forest base and consolidates the forest management authority over these areas.

We currently process 3 to 4 million board feet of timber each year and employ some 35 people year around, producing lumber and timbers for the local market. We are very dependent upon the forest resources in the Tanana State Forest and are very much in favor of any legislation that improves and strengthens it.

Again, we strongly support SB 229 and thank you for introducing it.

Sincerely,



Ronald D. Rasmussen
Vice President and Mgr, Woods Operations



Briefing:

Tanana Valley State Forest changes
DEPARTMENT OF NATURAL RESOURCES

December 12, 2007
DIVISION OF FORESTRY

Background. The 2001 update to the TVSF Management Plan recommended a package of changes to the boundaries of the State Forest. As a part of that package, the plan recommends some of the deletions from the State Forest to be added to the Minto State Game Refuge. These proposals were thoroughly reviewed by the public and agencies during the planning process, and the proposals in the final plan were non-controversial. There were no comments on these proposals during the final comment period.

A. RECOMMENDATIONS FOR ADDITIONS TO THE TANANA VALLEY STATE FOREST: Amend AS 41.17.400(d)

Alaska Statutes Section 41.17.210 states that State Forest proposals shall consist "primarily of commercially valuable forest land determined by the governor to be necessary for retention in State ownership for management under the principles of multiple use and sustained yield..." Almost all of the 1.78 million acres in the Tanana Valley State Forest is commercially valuable forest land. Some State lands adjacent to the State Forest, however, contain valuable forest resources that would benefit the State Forest by their addition to that legislatively designated area. The lands listed in the following packet, and shown on the accompanying map, are recommended for addition to the State Forest. They total approximately 101,610 acres.

The lands recommended for addition to the State Forest contain high-value commercial forest lands, many of which are easily accessible. Most are already classified Forestry under the Tanana Basin Area Plan, and all are compatible with the intent of the State Forest. Some have been harvested historically, and some provide access to other lands within the State Forest. Some of the smaller parcels are isolated pieces of State land adjacent to the State Forest. Adding them to the State Forest would add to the value of the State Forest and consolidate management authority in these areas.

B. RECOMMENDATIONS FOR DELETIONS FROM THE TANANA VALLEY STATE FOREST: Amend AS 41.17.400(d)

The Tanana Valley State Forest contains approximately 66,218 acres of land that do not contain valuable forest resources. On the basis of the statutory criteria in the previous section, DNR recommends several deletions from the Tanana Valley State Forest. Some of the lands are wetlands adjacent to the Minto Flats State Game Refuge that contain no commercially valuable timberland. Another area recommended for deletion contains the shorelands of the Chatanika River, an extremely high value recreation area. The other lands on the deletion list consist of two townships: one comprised of wetlands and the other made up of high-elevation, unforested lands.

C. ADDITIONS TO THE MINTO FLATS STATE GAME REFUGE OF LANDS RECOMMENDED FOR DELETION FROM THE TANANA VALLEY STATE FOREST: Amend AS 16.20.037(a).

Three parcels of land within the TVSF containing wetlands adjacent to the Minto Flats State Game Refuge are recommended to be withdrawn from the State Forest and added to the Refuge. They do not contain commercially valuable forest land, and would be better managed as part of the Refuge. They total 4,298 acres.

List of proposed additions to the Tanana Valley State Forest

The following list summarizes the recommended additions to the State Forest (a total of approximately 101,610 acres):

1. This strip of land, located between Minto Flats and the adjacent State Forest, contains productive upland forests of white spruce and hardwoods. The unit is presently accessed by the Dunbar-Livengood winter trail and will be accessed by an all-season forest road. (4,480 acres within T1N R6W F.M.)

2. These units are on Nenana Ridge, border the State Forest, and have similar values. They are highly productive, easily accessible, upland forests. Adding these units to the State Forest will consolidate the State's highest value forest lands under a single management authority and plan. (14,568 acres within T2S R4W, T2S R5W, and T3S R5W F.M.)

Note: If this subunit is added to the State Forest, the following management guidelines will be added to the entire Subunit 5A. "A 300-foot buffer from centerline on each side of the roadway should be managed to maintain or enhance scenic views along the highway. Development activities such as timber harvesting and land-use authorizations may be allowed within this buffer if the activity is designed to maintain or enhance the scenic values of the highway corridor, and to provide opportunities for viewing background scenery."

3. This unit has several parcels which comprise the bulk of the timberland occurring between Fort Greely and the Tanana River. The timber consists of productive white spruce stands along the Tanana River and mixed white spruce/hardwood stands on uplands to the South. Management goals would emphasize the area's wildlife, recreation, and timber resources. Because of habitat values in the floodplain, the recommended additions to the State Forest are south of the 1000-foot contour line from the Tanana River. (21,189 acres, within T7S R6E, T7S R7E, T7S R8E, T8S R5E, T8S R6E, T8S R7E, and T8S R8E F.M.)

4. This quarter-section lies adjacent to the Tanana Valley State Forest Subunit 10B, the Volkmar Bluffs Research Natural Area. It encompasses a large prairie feature that similar to the prairie system in the adjacent Tanana Valley State Forest research natural area. This amendment is designed to expand the research natural area to include the remainder of the prairie system. (160 acres within T9S R13E F.M.)

5. This unit consists of several small parcels of land near Dot Lake that were not included in the State Forest because of questionable land status. The primary purpose of adding these to the State Forest is to consolidate land management in the area. (9,600 acres within T21N R8E, T22N R8E, T23N R6E, and T23N R7E C.R.M.)

6. These block is located along the Tanana River near Tok between Native lands and the State Forest. The units contain commercial timber, have good access, and would be

valuable additions to the State Forest. (23,033 acres within T18N R13E, T19N R12E, and T19N R13E C.R.M.)

7. This small parcel north of Tanacross was excluded in the legal description of the TVSF because of federal interest. However, the federal interest is no longer valid. (40 acres within T21N R10E C.R.M.)

8. These three parcels of land are located near Dot Lake between Native lands and the State Forest. Their addition to the State Forest will consolidate management authority. (5,600 acres within T21N R8E and T23N R6E C.R.M.)

9. This township, north of Dot Lake, was left out of the TVSF legislation by a mistake in a legal description that substituted a wrong township. Although the unit is currently inaccessible, including it in the State Forest as originally proposed would offer some management efficiency because it shares common access and similar resource values with adjoining State Forest lands to the west and south. (23,040 acres, T25N R7E C.R.M.)

List of proposed deletions from the State Forest

The following list summarizes the recommended withdrawals (a total of approximately 66,071 acres):

1. TVSF Subunit 1C: 1,898 acres within T1N R11W and T2N R11W F.M.

These two parcels of the Minto Flats along the Tolovana River are recommended for withdrawal so as to consolidate most wetlands in Minto Flats under a single management intent. The areas are highly productive wildlife habitat but contain very little timberland. The area borders the Minto Flats State Game Refuge, and is recommended as an addition to the Refuge.

2. TVSF Subunit 3B: 2,400 acres within T4N R7W F.M.

This parcel consists of wetlands bordering the Minto Flats State Game Refuge. The area borders the Minto Flats State Game Refuge, and is recommended as an addition to the Refuge.

3. TVSF Subunit 4B: 2,400 acres within T3N R3W F.M.

This parcel contains shorelands of the Chatanika River. It is recommended as a TVSF withdrawal to be available for designation as part of the Chatanika State Recreation River corridor. In the interim it would be managed for public recreation and wildlife habitat as part of Tanana Basin Area Plan Subunit 1E1. The area is comprised mostly of poorly drained wetlands along the Chatanika River and contains little timberland.

4. TVSF Subunit 12A: 19,200 acres within T21N R10E C.R.M.

This township contains low relief and swampy, noncommercial forest; it was not included in the original administration proposal. The unit's inclusion in the State Forest does not offer any management advantages for adjacent State Forest lands. It would

become part of Tanana Basin Area Plan Subunit 6G1, which is designated for wildlife habitat and forestry.

5. TVSF Subunit 12A: 19,200 acres within T25N R8 C.R.M.

This township was apparently included in the State Forest because of a mistake made in the range. This unit is generally at a high elevation with few significant resources appropriate for the State Forest system. It would become part of Tanana Basin Area Plan Subunit 6J2 which is designated for resource management.

6. TVSF Subunit 13A, 13B: 21,120 acres within T19N R15E and T20N R13E C.R.M.

These two parcels were are underlain entirely by permafrost and forested with noncommercial black spruce. They have no other important resource values or advantages for inclusion in the State Forest. They would become part of Tanana Basin Area Plan Subunit 6J3 which is designated for wildlife habitat.

Additions to Minto State Game Refuge

1. TVSF Subunit 1C: 1,898 acres within T1N R11W and T2N R11W F.M.

These two parcels on the Minto Flats in TVSF Subunit 1C along the Tolovana River are recommended to be added to the Refuge. This change would consolidate most wetlands in Minto Flats under a single management intent. The areas are highly productive wildlife habitat but contain very little timberland. The area borders the Minto Flats State Game Refuge.

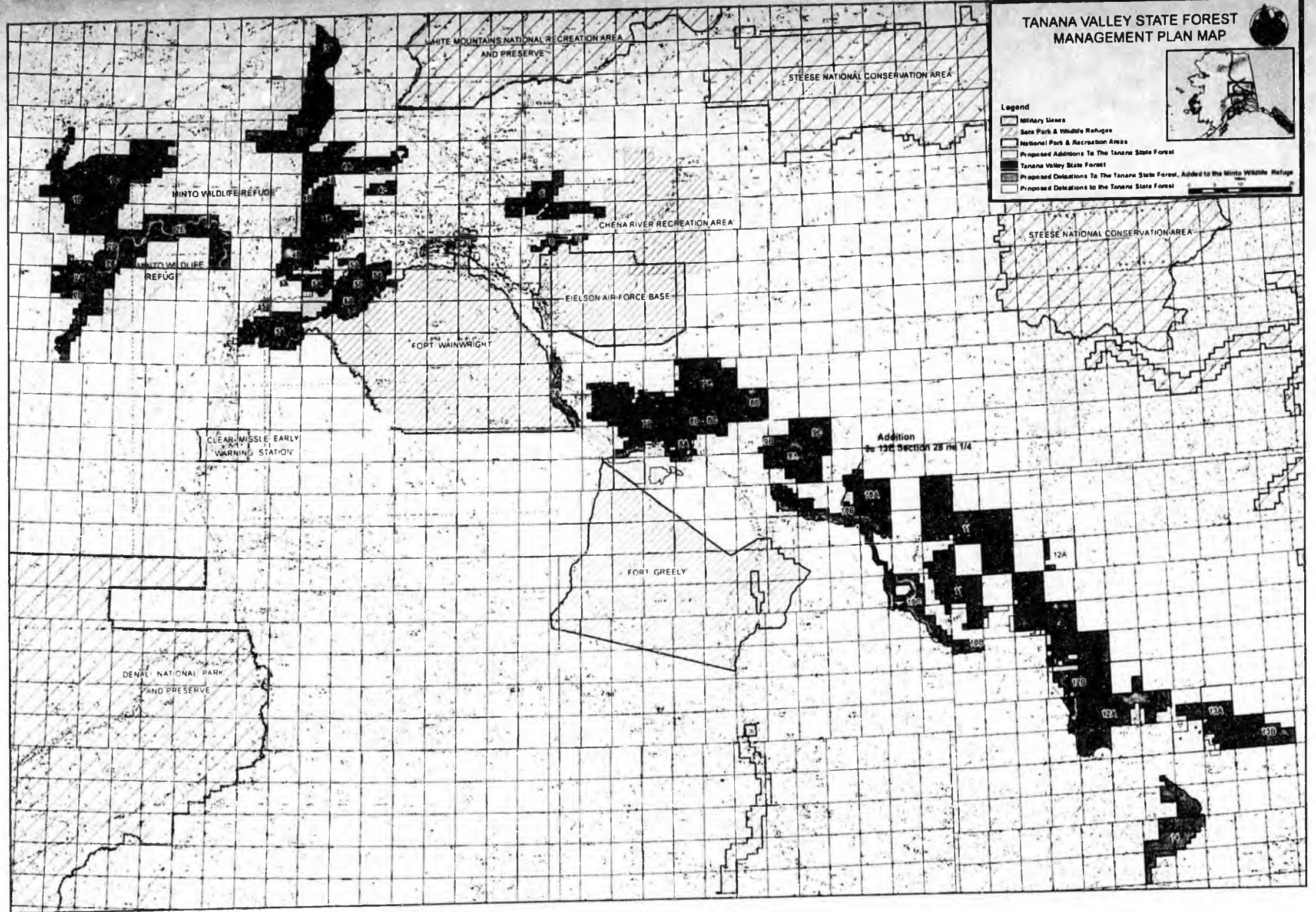
2. TVSF Subunit 3B: 2,400 acres within T4N R7W

This parcel consists of wetlands bordering the Minto Flats State Game Refuge.

TANANA VALLEY STATE FOREST MANAGEMENT PLAN MAP










- Legend**
- Military Sites
 - State Park & Wildlife Refuges
 - National Park & Recreation Areas
 - Proposed Additions To The Tanana State Forest
 - Tanana Valley State Forest
 - Proposed Deletions To The Tanana State Forest, Added to the Minto Wildlife Refuge
 - Proposed Deletions to the Tanana State Forest

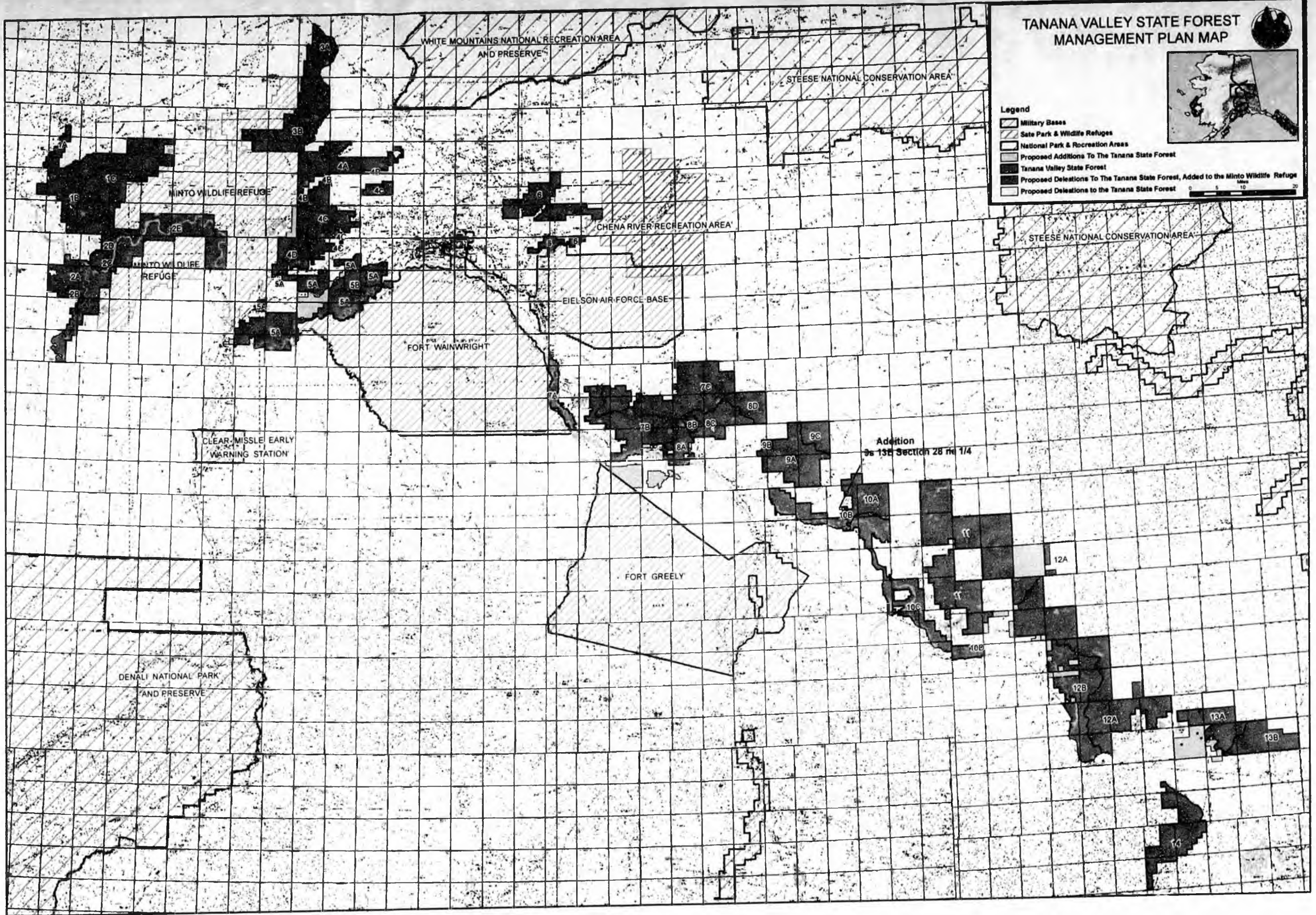


TANANA VALLEY STATE FOREST MANAGEMENT PLAN MAP



Legend

-  Military Bases
-  State Park & Wildlife Refuges
-  National Park & Recreation Areas
-  Proposed Additions To The Tanana State Forest
-  Tanana Valley State Forest
-  Proposed Deletions To The Tanana State Forest, Added to the Minto Wildlife Refuge
-  Proposed Deletions to the Tanana State Forest



NORTHWEST ARCTIC BOROUGH

P.O. Box 1110

Kotzebue, Alaska 99752

(907) 442.2500 or (800) 478.1110

Fax: (907) 442.3740 or 2930

April 8, 2008

Honorable Craig Johnson
Honorable Carl Gatto
Co-chairs House Resources Committee
State Capitol
Juneau, Alaska 99801

Sent by fax: 907-465-3872

Re: HB 243 Coastal Management

Dear Senators Johnson and Gatto:

This letter responds to the request for additional information during the Resources Committee meeting on April 4, 2008, for more information about our coastal management plan. I was not able to attend the meeting; however, John Chase, our community planner and coastal area specialist, did attend and provided testimony. During the meeting, the committee requested more information about the enforceable policies and designated areas disapproved by the Alaska Department of Natural Resources (DNR) for our coastal management plan.

On October 31, 2006, the Commissioner of DNR adopted the Final Recommendation to the Commissioner on the Northwest Arctic Borough's coastal management plan. Since the Final Recommendation is too long to fax, I have arranged for a hard copy of it to be delivered to the Resources Committee. This finding may also be viewed on the Alaska Coastal Management Program (ACMP) website at the following address: http://alaskacoast.state.ak.us/District/Final_Tables/NorthWestArctic.htm

As background, the Northwest Arctic Borough has been revising our coastal management plan since 2005 at the request/direction of the state. We have met all of the deadlines, and we made a special effort to ensure our plan met all of the requirements in the revised ACMP statutes and regulations. Unfortunately, despite many efforts, all of our proposed important habitat areas and areas designated for historic and prehistoric resources were denied; and only one small subsistence use area was approved which contradicts local lifestyles of our Alaska residents that depend solidly on subsistence for our local economy and culture. We are currently in mediation with the state over the decision on our plan, and the mediation meeting is scheduled for May 6 -7, 2008 in Kotzebue.

NORTHWEST ARCTIC BOROUGH

P.O. Box 1110

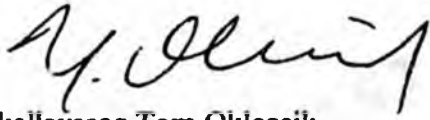
Kotzebue, Alaska 99752

(907) 442.2500 or (800) 478.1110

Fax: (907) 442.3740 or 2930

I appreciate the committee's interest in HB 243, and I urge you to pass this bill from the committee. Please contact me if you have any questions about our proposed plan at (907) 442-2500 or by email at tokleasik@nwabor.org.

Sincerely,



Ukallaysaaq Tom Okleasik
Planning Director

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES
OFFICE OF THE COMMISSIONER

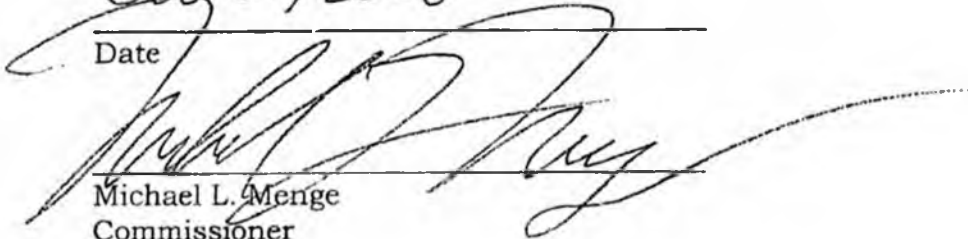
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The Commissioner of the Department of Natural Resources finds that the Northwest Arctic Borough Coastal Management Plan meets the requirements of AS 46.39, AS 46.40, 11 AAC 112 and 11 AAC 114 for coastal management plans, and pursuant to 11 AAC 114.345(k)(1), approves the plan in part, adopting by reference the findings and conclusions set forth in the October 26, 2006, recommendation of the Office of Project Management and Permitting.

Oct 31, 2006

Date



Michael L. Menge
Commissioner

"Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans."

STATE OF ALASKA

FRANK H. MURKOWSKI, GOVERNOR

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October 31, 2006

The Honorable Roswell Schaeffer Sr.
Northwest Arctic Borough
PO Box 1110
Kotzebue, AK 99752

RE: DNR Commissioner Approval of District Final Plan Amendment

Dear Mr. Schaeffer:

Thank you for submitting the Northwest Arctic Borough's revised coastal management program to the Department of Natural Resources (DNR) for our review. In accordance with 11 AAC 114.345(k), and based on DNR's Office of Project Management and Permitting's (OPMP) recommendations, the Commissioner of DNR approved the Northwest Arctic Borough's Final Plan Amendment on October 31, 2006. I congratulate you, your coastal coordinator, and the Northwest Arctic Borough in reaching and succeeding at this important milestone, and applaud the Borough's efforts in working with OPMP to obtain approval on the Final Plan Amendment.

While DNR has approved the Northwest Arctic Borough's Final Plan Amendment, the plan does not yet take effect. OPMP must submit the approved Final Plan Amendment to the National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Management (OCRM) for their review and approval. OPMP will submit your approved Final Plan Amendment to OCRM by November 30, 2006. In addition, the Northwest Arctic Borough must approve or disapprove the approved Final Plan Amendment within 90 days following the DNR Commissioner's approval, and generally after the OCRM review and approval. The Northwest Arctic Borough has until January 29, 2007, to approve the Final Plan Amendment, unless the United States Department of Commerce has not fully approved the plan amendment under 16 U.S.C. 1455.

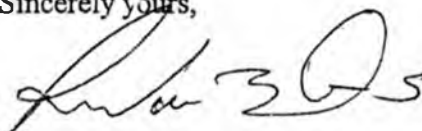
If you choose to mediate the Commissioner's decision you have until November 10, 2006 to notify OPMP of your decision to mediate. Otherwise a complete and clean electronic version (i.e., compact disk, 2 copies) of your Final Plan Amendment incorporating all the changes approved by the DNR Commissioner (including deleting all parts of the plan that were not approved) must be submitted within 15 days after approval. This is required before we can send your Final Plan Amendment to the Office of Ocean and Coastal Resource Management (OCRM) for their review and approval.

"Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans."

The Honorable Roswell Schaeffer Sr.
10/31/2006
Page 2

Again, congratulations on your approved Final Plan Amendment. If you have any questions about the process, please contact Jackie Brock at (907) 465-3177.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Randy Bates". The signature is fluid and cursive, with the first name "Randy" written in a larger, more prominent script than the last name "Bates".

Randy Bates
Acting Director

cc: Kim Franklin, Coastal Coordinator

STATE OF ALASKA

FRANK H. MURKOWSKI, GOVERNOR

**DEPARTMENT OF NATURAL RESOURCES
OFFICE OF PROJECT MANAGEMENT AND PERMITTING
ALASKA COASTAL MANAGEMENT PROGRAM**

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October 26, 2006

Dear Commissioner Menge:

RE: Northwest Arctic Borough Coastal Management Plan, Final Plan Amendment

The Office of Project Management and Permitting has prepared the final recommendation in accordance with 11 AAC 114.350 (j) for the Northwest Arctic Borough's Coastal Management Plan. Attached are the Final Findings and Conclusions document summarizing our recommendations, the district enforceable policy analysis table, and the designated area analysis table. Both tables detail the justification for the policies and designations and repeat our recommendations.

Per 11 AAC 114.345 (k), you have 15 days to approve the plan in whole or in part. The 15-day period ends on November 13, 2006. OPMP will send plans approved in whole or in part to the National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Management for their approval as a routine program change to the ACMP.

If you have any questions please do not hesitate to contact me at (907) 465-3177 or by e-mail at Jaclyn_Brock@dnr.state.ak.us.

Sincerely yours,



Jackie Brock
Coastal Resource Specialist

cc: Ed Fogels, Acting Deputy Commissioner, Department of Natural Resources
Randy Bates, Acting Director, Department of Natural Resources, OPMP/ACMP
Kim Franklin, Coastal Coordinator
Glenn Grey, Consultant

"Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans."

**Department of Natural Resources
Office of Project Management and Permitting**

**Final Recommendation on the
Final Plan Amendment (FPA) of the
Northwest Arctic Borough Coastal District
Coastal Management Plan**

October 26, 2006

RECOMMENDATION TO THE COMMISSIONER 3
SUMMARY FINDINGS 3
PLAN ANALYSIS and FINDINGS 4

ATTACHMENTS:

- 1. Enforceable Policy Analysis Table**
- 2. Designated Area Analysis Table**

INTRODUCTION

The Northwest Arctic Borough coastal district submitted the Final Plan Amendment (FPA) of its Coastal Management Plan on March 1, 2006 per 11 AAC 114.345(g). The Department of Natural Resources, Office of Project Management and Permitting (DNR, OPMP) released the preliminary recommendation for the Northwest Arctic Borough final plan amendment on June 6, 2006. OPMP provided a thirty day review and comment period from June 6, 2006 through July 6, 2006. Per 11 AAC 114.345(j), OPMP had thirty days to consider timely comments and negotiate resolution of any issues and to submit a final recommendation to the commissioner. This package of documents represents OPMP's final recommendation to the DNR Commissioner.

Office of Project Management and Permitting Review

The Alaska Coastal Management Program provides standards and regulations that guide or direct development of a district coastal management plan at 11 AAC 112 and 11 AAC 114. The Final Plan Amendment for the Northwest Arctic Borough Coastal Management Plan is analyzed against these regulations in these final comments to the commissioner. In accordance with 11 AAC 114.345(k), the commissioner will either (1) approve the request in whole or in part, (2) approve the request if the district makes each change that OPMP requires, (3) identify that the request is outside the scope of the amendments under this section, or (4) disapprove the request in whole or in part.

OPMP's final recommendations for the approvability of each district enforceable policy and each designated area are found in the respective attached tables and summarized on the next page.

FINAL RECOMMENDATION TO THE COMMISSIONER

Per 11 AAC 114.345 (j) OPMP recommends that the DNR Commissioner approve sections of the Northwest Arctic Borough's final plan amendment in part.

OPMP recommends **approval** for district enforceable policy: G-7.

OPMP recommends **approval** for the following designated areas: Lower Buckland River Subsistence Area and Natural Hazards designated areas.

OPMP **does not recommend** approval for district enforceable policies A1, A2, A3, A4, A5, A6, A7, B1, B2, B3, B4, B5, B6, B7, B8, B9, B-10, C-1, C-2, C3, D1, D-2, E-1, F1, F2, F3, G1, G2, G3, G4, G5, G6, G-7, H-1, H-2, H-3, H-4, H-5, H-6, H-7, H-8, H-9, H-10, H-11, H-12, H-13, H-14, H-15, H-16 and H-17.

OPMP **does not recommend** approval for the following designated areas: Sisoalik Spit Subsistence Use Area, Kobuk-Selawik Lakes Subsistence Use Area, Cape Espenberg/Goodhope River Subsistence Use Area, Kobuk River Delta Subsistence Use Area, Selawik River Delta Subsistence Use Area, Maniilaq River/Ambler Lowlands Subsistence Use Area, Inmachuk River Subsistence Use Area, North Fork Squirrel River/Omar River Subsistence Use Area, North Kivalina Coast Subsistence Use Area, Onion Portage Subsistence Use Area, Eschscholtz Bay Subsistence Use Area, Elephant Point/Choris Peninsula Subsistence Use Area, Kobuk River Sheefish/Chum Salmon/Whitefish Subsistence Use Area, Wulik River Subsistence Use Area, Noatak River Subsistence Use Area, Upper Kivalina River Subsistence Use Area, Important Habitat and Areas Important to the Study, Understanding or Illustration of History, Prehistory and Archeology.

In addition, OPMP finds that the Northwest Arctic Borough Coastal Management Plan includes all of the sections as required in 11 AAC 114.345 and as listed below.

		<u>Location in Plan</u>
11 AAC 114.200	Issues, Goals and Objectives	Chapter 2
11 AAC 114.210	Organization	Chapter 1
11 AAC 114.220	Coastal Zone Boundaries	Chapter 3
11 AAC 114.230	Resource Inventory	Chapter 6
11 AAC 114.240	Resource Analysis	Chapter 6
11 AAC 114.250	Subject Uses, Activities, and Designations	Chapter 6
11 AAC 114.260	Proper and Improper Uses and Activities	Chapter 5
11 AAC 114.270	District Enforceable Policies	Chapter 4
11 AAC 114.280	Implementation	Chapter
11 AAC 114.290	Public Participation	Chapter 1

OPMP recommends approval of these sections as meeting the requirements of 11 AAC 114.200 -114.290.

PLAN ANALYSIS AND FINDINGS

State Regulation **11 AAC 114.200 ISSUES, GOALS, AND OBJECTIVES**

FINDING:

OPMP finds that the Issues, Goals, and Objectives section of the FPA is approved based on the requirements of the regulations.

State Regulation **11 AAC 114.210 ORGANIZATION**

FINDING:

OPMP finds that the Organization section of the FPA is approved based on the requirements of the regulations.

State Regulation **11 AAC 114.220 COASTAL ZONE BOUNDARIES**

FINDING:

OPMP finds that the Coastal Zone Boundaries section of the FPA is approved based on the requirements of the regulations.

State Regulation **11 AAC 114.230 RESOURCE INVENTORY**

FINDING:

OPMP finds that sections of the Resource Inventory chapter of the FPA are approved based on the requirements of the regulations for specific policies.

State Regulation **11 AAC 114.240 RESOURCE ANALYSIS**

FINDING:

OPMP finds that sections of the Resource Analysis chapter of the FPA is approved based on the requirements of the regulations for specific policies.

State Regulation **11 AAC 114.250 SUBJECT USES, ACTIVITIES, AND DESIGNATIONS**

FINDING:

OPMP finds that sections of the Subject Uses, Activities, and Designations section of the FPA is approved based on the requirements of the regulations. See the attached Designated Area Analysis table for more information on specific Designate Areas.

State Regulation
11 AAC 114.260 PROPER AND IMPROPER USES

FINDING:

OPMP finds that the Proper and Improper Uses section of the FPA is approved based on the requirements of the regulations.

State Regulation
11 AAC 114.270 DISTRICT ENFORCEABLE POLICIES

FINDING:

OPMP finds that sections of the District Enforceable Policy section of the FPA is approved based on the requirements of the regulations. See the attached Enforceable Policy analysis table for information on specific policies.

State Regulation
11 AAC 114.280 IMPLEMENTATION

FINDING:

OPMP finds that the Implementation chapter of the FPA is approved based on the requirements of the regulations.

State Regulation
11 AAC 114.290 PUBLIC PARTICIPATION

FINDINGS:

OPMP finds that the Public Participation chapter of the FPA is approved based on the requirements of the regulations.

REQUIRED TEXTUAL CHANGES:

- Chapter 1, page 2: This statement: “*The regulations deemphasized the role of coastal districts and narrowed their ability to develop enforceable policies.*” Is an editorial comment. Once the coastal management plan is approved by the DNR Commissioner and the Office of Ocean and Coastal Resource and Management (OCRM), it carries the weight of law. Therefore, the plan must contain factual information and be free of editorial opinions. In this regard, this text must be deleted.
- Chapter 3, page 10: This statement is incorrect: “*...the enforceable policies enable the NAB to have a seat at the table during project consistency reviews.*” An approved coastal management plan enables the NAB to have a seat at the table during a consistency review.
- Chapter 4, page 20 Table 4-1; The citations in the Designated Area column are incorrect. The correct citations are provided here:

Designated Area
Natural Hazards Area (11 AAC 114.250(b))
Recreation (11 AAC 114.250(c))
Tourism (11 AAC 114.250(d))
Major Energy Facilities (11 AAC 114.250(e))
Commercial Fishing & Seafood Processing (11 AAC 114.250(f))
Subsistence (11 AAC 114.250(g))
Important Habitat (11 AAC 114.250(h))
History and Prehistory (11 AAC 114.250(i))

- The NAB-CMP list of acronyms incorrectly identifies two NPS units as national parks when in fact ANILCA identified them as national preserves. BLBNP should be Bering Land Bridge National Preserve, and NNP should be Noatak National Preserve. This is important because preserves allow recreational sport hunting and parks do not. Though the list also identifies Kobuk Valley National Park correctly, it fails to even note Cape Krusenstern National Monument.
- Appendix C needs to be updated to reflect the changes in enforceable policy and designated area language.

Northwest Arctic Borough Coastal Management Plan: Designated Area Analysis Table for OPMP and Agency Reviewers

Reviewer Name Jackie Brock Agency or Department DNR/OPMP Phone 465-3177 E-mail Address jaclyn_brock@dnr.state.ak.us

<p><i>NATURAL HAZARDS</i> Natural Hazards Area Designations</p> <p>The NAB designates three types of natural hazard areas under 11 AAC 114.259(b) for all non-federal lands within the district's coastal zone:</p> <ul style="list-style-type: none"> • Permafrost: All offshore and onshore areas are designated as a natural hazard area for permafrost, • Ice Hazards: All offshore areas are designated as hazard areas for ice hazards, including shear zones, ice override, ice gouging and strudel scour, and • Flooding and Erosion: All areas within a half-mile of the mean high water of coastal waters within the 10-foot contour above mean high water are designated as flooding and erosion hazard areas. In addition, all areas within 10 feet above the ordinary high water of inland rivers are designated as flooding and erosion hazard areas. <p>Uses and activities that could be proposed for designated hazard areas include: Subsistence harvests, hunting and fishing, fish and wildlife enhancement, cultural uses, commercial fishing, independent backcountry recreation, commercial recreation, tourism, development of transportation and utility routes and facilities, sand and gravel extraction, onshore and offshore mining, onshore and offshore oil and gas exploration and development, housing and subdivisions, remote camps, and off-road travel.</p>	<p align="center"><i>Response</i></p>	<p align="center"><i>Comments/Discussion</i></p>
<p>1. Name of designated area? Location of description in plan? Location of justification in plan? Location of boundaries in plan?</p> <p><i>(OPMP will make this determination)</i></p>		
<p>2. Does the district plan list the designated areas within the enforceable policies section of the plan, with appropriate references to the description or map of the location?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	

Northwest Arctic Borough Coastal Management Plan: Designated Area Analysis Table for OPMP and Agency Reviewers

Reviewer Name Jackie Brock Agency or Department DNR/OPMP Phone 465-3177 E-mail Address jaclyn_brock@dnr.state.ak.us

<i>(OPMP will make this determination)</i>		
3. Does the designation exclude federal land?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
4. Is the area described or mapped at a scale sufficient to determine whether a use or activity is located within the area? (11 AAC 114.270(g))	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
5. For those natural hazard areas which are designated due to flooding, earthquakes, active faults, tsunamis, landslides, volcanoes, storm surges, ice formations, snow avalanches, erosion, or beach processes, does the Resource Inventory or Analysis describe the likelihood of occurrence of the natural hazard (i.e., what the possibility is that the natural hazard might occur) based on either scientific evidence or local usage?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
6. For those natural hazard areas designated due to <u>other types</u> of natural hazards, is the scientific basis for designating the natural process or adverse condition as a natural hazard provided? As well, is scientific evidence which supports the designation of the area provided and is the likelihood of occurrence described?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
7. OPMP recommendation:	OPMP recommends this designated area be approved in whole.	

Northwest Arctic Borough Coastal Management Plan: Designated Area Analysis Table for OPMP and Agency Reviewers

Reviewer Name Jackie Brock Agency or Department DNR/OPMP Phone 465-3177 E-mail Address jaclyn_brock@dnr.state.ak.us

<i>SUBSISTENCE USE</i>		
Subsistence Areas		
<p>The NAB designates all nonfederal lands and waters within the subsistence use areas depicted on the subsistence maps in Appendix P as designated subsistence use areas under the authority of 11 AAC 114.250(g). These maps indicate subsistence use by the following types of subsistence use: Bowhead whale, polar bear, other marine mammals (seals, walrus, and beluga whale), large game (sheep, moose, caribou, and bear), small game, furbearers, salmon, other fish and marine invertebrates, and waterfowl and egg gathering.</p> <p>Data about subsistence use provided by the Division of Subsistence, Alaska Department of Fish and Game was combined with maps depicting the coastal zone boundaries and federal land. The NAB chose to include information about the total subsistence use area regardless of ownership because this information will be useful during project reviews. As described on the maps, the area designated for subsistence use includes only areas within the coastal zone excluding federal lands.</p> <p>In addition, the NAB designates specific geographic areas listed below as "designations within designations" important for subsistence as described in Section 6.4. These areas, identified in the original coastal management plan as being especially critical for subsistence, are identified on the maps in Appendix H. These subsistence use designations include only nonfederal lands and waters within the coastal zone.</p> <ol style="list-style-type: none"> 1) Sisoalik Spit Subsistence Use Area 2) Kobuk-Selawik Lakes Subsistence Use Area 3) Cape Espenberg/Goodhope River Subsistence Use Area 4) Kobuk River Delta Subsistence Use Area 5) Selawik River Delta Subsistence Use Area 6) Maniilaq River/Ambler Lowlands Subsistence Use Area 7) Inmachuk River Subsistence Use Area 8) Lower Buckland River Subsistence Use Area 9) North Fork Squirrel River/Omar River Subsistence Use Area 10) North Kivalina Coast Subsistence Use Area 	<p><i>Response</i></p>	<p><i>Comments/Discussion</i></p>

¹ 11 AAC 112.990(38) adopts the definition for subsistence uses in AS 16.05.940: "'subsistence uses' means the noncommercial, customary and traditional uses of wild, renewable resources by a resident domiciled in a rural area of the state for direct personal or family consumption as food, shelter, clothing, tools or transportation, for the making and selling of handicraft articles out of nonedible by-products of fish and wildlife resources taken for personal or family consumption, and for the customary trade, barter, or sharing for personal or family consumption; in this paragraph, 'family' means persons related by blood, marriage, or adoption, and a person living in the household on a permanent basis."

Northwest Arctic Borough Coastal Management Plan: Designated Area Analysis Table for OPMP and Agency Reviewers

Reviewer Name Jackie Brock Agency or Department DNR/OPMP Phone 465-3177 E-mail Address jaclyn_brock@dnr.state.ak.us

<p>11) Onion Portage Subsistence Use Area 12) Eschscholtz Bay Subsistence Use Area 13) Elephant Point/Choris Peninsula Subsistence Use Area 14) Kobuk River Sheefish/Chum Salmon/Whitefish Subsistence Use Area 15) Wulik River Subsistence Use Area 16) Noatak River Subsistence Use Area 17) Upper Kivalina River Subsistence Use Area</p> <p>Uses and activities that could be proposed for areas designated for these areas include: Subsistence harvests, hunting and fishing, fish and wildlife enhancement, cultural uses, commercial fishing, independent backcountry recreation, commercial recreation, tourism, development of transportation and utility routes and facilities, sand and gravel extraction, onshore and offshore mining, onshore and offshore oil and gas exploration and development, housing and subdivisions, remote camps, and off-road travel.</p> <p>The subsistence use areas designated by the NAB include other subsistence activities in addition to the actual areas where subsistence use occurs including preparation for subsistence harvests, transportation to and from harvest areas, and other uses included in the definition of subsistence uses.¹</p> <p>Unless prohibited by an enforceable policy, uses and activities that could be proposed for areas designated for subsistence include: Subsistence harvests, hunting and fishing, fish and wildlife enhancement, cultural uses, commercial fishing, independent backcountry recreation, commercial recreation, tourism, development of transportation and utility routes and facilities, sand and gravel extraction, onshore and offshore mining, onshore and offshore oil and gas exploration and development, housing and subdivisions, remote camps, and off-road travel.</p>		
<p>1. Name of designated area? Location of description in plan? Location of justification in plan? Location of boundaries in plan?</p> <p><i>(OPMP will make this determination)</i></p>		
<p>2. Does the district plan list the designated areas within the enforceable policies section of the plan, with appropriate references to the description or map of the</p>	<p><input type="checkbox"/> Yes</p>	

Northwest Arctic Borough Coastal Management Plan: Designated Area Analysis Table for OPMP and Agency Reviewers

Reviewer Name Jackie Brock Agency or Department DNR/OPMP Phone 465-3177 E-mail Address jaclyn_brock@dnr.state.ak.us

location?	<input type="checkbox"/> No	
<i>(OPMP will make this determination)</i>		
3. Does the designation exclude federal land?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
4. Is the area described or mapped at a scale sufficient to determine whether a use or activity is located within the area?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
5. Does the Resource Inventory and Analysis include documentation that the designation is in an area in which a subsistence use is an important use of the coastal resources?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
6. Is the designation not located in areas identified under AS 16.05.258 as nonsubsistence areas?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
7. Has the coastal district consulted with appropriate state agencies, federally recognized Indian tribes, Native corporations, and other appropriate persons or groups prior to the designation of subsistence use areas? Does the district plan summarize and document the process and results of this consultation in the district plan?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
8. OPMP recommendation:	<p>Subsistence use areas are designated under 11 AAC114.250 (g) which allows districts to designate areas where subsistence use is an important use of coastal resources. Under the definition of coastal areas or resources at AS 46.40.210 (3) "coastal use or resources" are defined as land and water use or natural resources of the coastal zone including subsistence.</p> <p>The Northwest Arctic Borough has chosen to designate all nonfederal lands and waters within the subsistence use areas depicted on the subsistence maps in Appendix P. The subsistence use areas in Appendix P are the same as the coastal district boundaries and include areas outside of the coastal zone.</p> <p>OPMP has provided coastal districts, including the Northwest Arctic</p>	

Northwest Arctic Borough Coastal Management Plan: Designated Area Analysis Table for OPMP and Agency Reviewers

Reviewer Name Jackie Brock Agency or Department DNR/OPMP Phone 465-3177 E-mail Address jaclyn_brock@dnr.state.ak.us

Borough, with guidance and direction on how to designate, document, and map a subsistence use. In the subsistence Maps in appendix P, the district has designated the entire coastal district as a subsistence use area. This results in significant portions of the subsistence use areas located outside of the coastal zone. The designation as mapped cannot be approved.

The areas "designated within the designation" in Appendix H areas 1-17 show significant portions designated on federal lands. 11 AAC114.250 (g) which allows districts to designate areas where subsistence use is an important use of coastal resources. Under the definition of "coastal areas or resources" at AS 46.40 .210 (3) "coastal use or resources" are defined as land and water use or natural resources of the coastal zone including subsistence. The definition of coastal zone at AS 46.40.210 (4) specifically excluded federal lands from the coastal zone and thus, designated areas.

The following designated areas are either partially or entirely located on federal lands and cannot be approved:

- 1) Sisoalik Spit Subsistence Use Area
- 2) Kobuk-Selawik Lakes Subsistence Use Area
- 3) Cape Espenberg/Goodhope River Subsistence Use Area
- 4) Kobuk River Delta Subsistence Use Area
- 5) Selawik River Delta Subsistence Use Area
- 6) Maniilaq River/Ambler Lowlands Subsistence Use Area
- 7) Inmachuk River Subsistence Use Area
- 9) North Fork Squirrel River/Omar River Subsistence Use Area
- 10) North Kivalina Coast Subsistence Use Area
- 11) Onion Portage Subsistence Use Area
- 12) Eschscholtz Bay Subsistence Use Area
- 13) Elephant Point/Choris Peninsula Subsistence Use Area
- 14) Kobuk River Sheefish/Chum Salmon/Whitefish Subsistence Use Area
- 15) Wulik River Subsistence Use Area
- 16) Noatak River Subsistence Use Area
- 17) Upper Kivalina River Subsistence Use Area

The proposed designated subsistence uses areas do not comply with the regulations or the guidance provided by OPMP. fail to incorporate changes