

Aquisition Costs Notes

Colville River Delta Lease Sales

STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES:

762-2587, Susan Gaguzis

Colville River Delta lease sales, Sale number 43(a), 15 tracts, awarded as a Cash Bonus Bid (cash up front), sold for a total of **\$8,062,916.20**. The sale was held in May of 1984 as a part of sale number 43. Sale 43 (most of the north slope sale) was awarded for a total of **\$49,039,839.38**.

After drilling, the property goes to the lease/rental category. Further money is paid to the state in this program. This information was not available in Ms. Gaguzis' division.

National Marine Sanctuaries (NMS)

National Oceanic Atmospheric Administration, Marine Sanctuary Program.

FTS#-673-5122, Joe Uravitch, Director

[Debrah Malek, (working on New SEL list)
Frank Chirsthlf, Pacific Branch Manager]

Oil Drilling is prohibited in NMS's (Dave Freeze, NOAA, Anchorage-271-5136).

To be declared as a NMS, the site must first be designated on the SEL, or Site Evaluation List, unless other information is provided. This SEL was drawn up in 1983. The SEL will be re-opened in December of 1990, with the possibility of additional sites being added. The site selected by NOAA from the SEL must then go through an elaborate public and congressional review before it can be finally designated as a NMS (see attachment).

Fishing Regulations: Are different for each sanctuary. Most often, it is the types of gear that are restricted, and not the fishing (e.g.-Key Largo, spear fishing is prohibited, and maybe gillnets, but the usual species are open to be harvested by other means).

Under the regulations, NOAA must complete the NMS designation process within 2 1/2 years after a site has been selected from the SEL. It costs roughly **\$200,000** a year to cover costs of putting a proposal together, or approximately **\$500,000** from start to finish.

Costs of operating a NMS depend on the type of activities performed on the NMS run between **1/4-1 million/year** (e.g. Key Largo costs **\$750,000/year** to operate). Services/operations of a NMS include: staff, projects, facilities, research, etc.

RAWG
J

If state waters are involved in a proposed site, the regulations provide that the governor of that state has line item veto power during the NMS proposal process or after the designation has been made. The governor is granted a 45 day review period after the NMS designation has been made. Regulations in the proposal and boundaries (in state waters only) can be vetoed by the governor.

State Marine Parks

Alaska Department of Natural Resources, Parks.

786-3316, Al Meiners, South Central Regional Manager.

Setting up a State Marine Park (SMP) and its relative costs are dependent on how intensely the park is managed. Currently, it costs approximately **\$50,000** to operate the 13 parks in Prince William Sound. However, these parks are not actively managed, and the real figure is probably at least two times that amount. Things such as a real boat, (they currently have a small inflatable) park improvements (pit toilets, interpretive stations, tent platforms, etc.) are needed and the funds are not there.

Some funding is received under the State Coastal Management Program.

The parks have no fishing regulations- all fish and game falls under federal and state laws.

Protection of cultural resources, lands, etc., is one of the primary goals in the state marine parks.

Currently, the system is looking into the purchase of native lands and water corridors in PWS for protection/designation as parks.

William L. Finnley Wildlife Refuge (Willamette River, Oregon)

(503) 757-7236, FTS 420-4730 Dave Johnson

The WL Finnley NWR has many different areas for acquisition selected along the river, but currently has no funds for acquisition. Mr. Johnson estimated that to acquire all the lands they have identified as critical habitat for Dusky geese will cost approximately **\$17 million**. This purchase price includes 8,000-10,000 acres of privately owned land (e.g. the Glasser property contains 1500 acres of prime dusky habitat. This property alone is valued at approx. \$4 million).

RWC
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Sanctuary Designation Process

As provided by the 1984 Amendments
to the
Marine Sanctuaries Act of 1972

Principal Task	Procedural Steps	Notification and Documentation
Site Evaluation List (SEL) established	Final SEL ↓	• FR ⁴ Notice
	NOAA selects site from SEL ↓	• FR Notice, Written Analysis of how Site Meets SEL Criteria
	Preliminary Consultation ↓	• Public Notice
		• Disseminate Written Analysis
Active Candidates Identified (Active Candidate Selection Starts NEPA ¹ Process)	NOAA Selects Active Candidate ↓	• FR Notice, Public Notice
	Regional Scoping Meeting ↓	• FR Notice, Public Notice
	Prospectus to Congress for Review; DEIS ² , Draft Management Plan (Including Proposed Regulations) & Public Hearing ↓	• FR Notice & Public Notice
	FEIS ³ , Final Management Plan ↓	• FR Notice
Sanctuary Designation	Designation by Secretary of Commerce and Issuance ↓	• FR Notice of Designation
	Congressional and Gubernatorial Review (90 days) ↓	
	Implementation of Management Plan	

¹ National Environmental Policy Act

² Draft Environmental Impact Statement

³ Final Environmental Impact Statement

⁴ Federal Register

contact - FWS or interest group.

Rab
J

→ Ralph Rogers -000

349- → get Ralph's #
= 1412 - re:

① Call Bill Piley
potential costs to expand Willamette NWR
(need quick, high-end ballpark...)

Purpose: ~~to~~ clarify Can. geese ^{winter} habitat acquisition/protection.

William Linn 76208 503 757 7236

not in service
762-4246
(cites 2020)

② Call State DNR (FBX), D.O.T.G.,
value (\$ state got) for Colville R. delta
lease sales (North slope)

③ Call Dave Irons, FWS ^{ANCH} (Sten has # or call
Carol Gorbies @ ~~753-333~~ ^{ask Linda}
+ get summary (verbal) of "forage fish"
findings.

④ Call "someone" in:

① Feds - Probably FWS - re: Nat'l Marine
Sanctuaries. Need info on type flexibility regarding
use restrictions. E.G. - can fishing still occur?
Tourism? Can ~~re~~ restrictions be sanctuary-specific?

② State - Probably DNR - re: same Q's for State Marine
for both - any ballpark info on costs to run/administer these units? Parks.

NAAA

Mar. Sanct.

flexibility in kinds of restrictions
Fishing - never?

Mar. Pks.

what uses allowed
Fishing, tourism
Can Feds regulate?

St Mar Pks - same Q.

how much \$ it costs them
to run
(Total budget on administering the 7
existing)

how much if we create
one - spt hg? etc
same for st.

Gen info DNR
762-2553

9/6/90

lease div.
Suganne Ga Ga Zis 762-2587
(Ga Ga Zis)

Cash Bonus Bids - cash up front
after they drill - lease rentals - info not in
her dept/div.
awarded them the lease

Sales #1'd
#43A (held w/43) \$8, ~~620~~
Track #'s 062, 9/16/20
held in May 84 15 tracts
Colville R delta

Sale 43 total: 49 million 39thous 839.38
49,039,839.38

MAA Dave Fregge Fishing (most always permitted)
Dave Fregge No oil drill

Foster - 427-2332 Silver Spgs MD
(301)(7)
(202)

Debrah Malek - new SEL 1.34
* Frank Christhilf Pac. Brch mgr
Joe Cravitch, Dir. Mar. S. Prog.

There are different regs for diff sanctuaries

* To be designated as a M.S., a site
must be on SEL unless other info provided

AK delg. shot down all proposed sites
in AK on current SEL.
SEL re-opened in december

* Beringian parks proposal (Bering sea)
if local support will probably fly

2

9/6/90

* NOAA Budget frozen - ~~must designate a M.S.~~ 2 1/2 to complete
 + process (also see Foster Article) must finish process in 2 1/2 yrs
 after selected off SEL.

- EIS

- Mgt plan

- Cong. Prospectus

- Regulations ^{DRAFT} - what's controlled

(can dev. whatever regs need to
 protect resources in Sanctuary)

* must consult w/ 73h Mgt councils
 are address reg refs?
 others

* to put together proposal

~ 200,000 yr

(i.e. ~500,000 to set up)

* Mgt of Sanct min 1/4 - 1 mil/yr
 staff, prog, facilities
 research

\$750,000/yr Key Largo

~12 staff,

> 1 mil people yr.

→ public process (NEPA proc)

* scoping meetings

* working "

* Public hearing

* if st HCO involved -

Gov of st has line item veto
 if in st HCOs

can veto regulations, boundaries

45 day review period

usually,

types of gear
 regulated

vs. types of fishing are

3

RWB
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9/6/90

786 - 3316

DAVE IRONS - DNR

DNR PARKS INFO
762-2617

AL MENERS

SCR Mgr

low intense

13 parks in AWS for
annual ~50,000

not active mgt -

one Ranger, volunteers

one infatable

Real # 2x that figure

litter, toilets
Resource day

approx ~60,000 to by a real boat, improvements

planning & Research -

some funding ^{under} Coastal Mgt Program
travel, budget estimates
etc.

for the 12 pks ~40-50K

Working reg s - under Feds & States

everything but F&W harvest
patrolling, campsites, user protection
Cult resources protect, lands etc.

For PWS (buying Native lands - etc.) ^{water corridors} 13 from US Forest

Not that expensive ∴ Roughly 40-50K to
put together

4

FTS - 420 - 4730

WILLIAM L. FINNLEY (503) 757-7236

Dave Johnson

many different areas for ag selected -
but have no funds

e.g. ↓
Glasser (ranch)
1500 acres
\$~4mil
prime dusky
habitat

\$17 million

~\$8,000 - 10,000
privately owned
if

easements thru
farm bill program
to protect habitat

RWB
JL38

- Colville River Delta Lease Sales
- Sanctuary Designation Process

~~WJ~~

R_{rw}
JL39

FAX TRANSMITTAL MEMO

TO: Sandy Rabinowitch
DEPT: _____ FAX #: 271-2467
FROM: _____ PHONE: _____
CO: _____ FAX #: _____
Post-It brand fax transmittal memo 7671

NO. OF
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ALASKA STATUTES

§ 38.05.300

Sec. 38.05.290. Selection practice. (a) The selection of grant, lieu and indemnity land shall conform to this chapter and the policy, orders and regulations adopted by the commissioner. The commissioner shall give preference of selection to the land which will provide the maximum benefits to the people of the state.

(b) Consistent with the best interests of the state, in the selection of general grant land it is the policy of the state to make available the maximum land area from which municipalities may fulfill land entitlements under AS 29.65 or former AS 29.18.201 — 29.18.213. (§ 1 art XI ch 169 SLA 1959; am § 4 ch 180 SLA 1978; am § 58 ch 74 SLA 1985)

Effect of amendments. — The 1985 amendment inserted "AS 29.65 or former" near the end of subsection (b).

Collateral references. — 63A Am. Jur. 2d. Public Lands, §§ 113 to 121.

Section
295. Parks

Sec. 38
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Collateral
2d. Parks, S.
et seq.; 63A
§ 1 et seq.
73A C.J.S.

FVI — relates directly to any potential acquisition

This statute 38.05.300 says if more than 640 acres of state land is set aside for any purpose other than multiple use it requires an act of the legislature.
Sandy

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Article 11. Classification of Land.

Section

300. Classification of land
321. Restriction on sale, lease or other
disposal of agricultural land

Sec. 38.05.300. Classification of land. (a) The commissioner shall classify for surface use land in areas considered necessary and proper. This section does not prevent reclassification of land where the public interest warrants reclassification, nor does it preclude multiple purpose use of land whenever different uses are compatible. State land, water, or land and water area may not, except by act of the state

§ 38.05.300

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§ 38.05.301

PUBLIC LAND

§ 38.05.321

legislature, be closed to multiple purpose use if the area involved contains more than 640 acres.

(b) Not later than February 1 of each year, the commissioner shall submit a written report to each house of the legislature which describes and shows the location of all classifications of state land made under (a) of this section during the preceding year. (§ 1 art III ch 169 SLA 1959; am § 2 ch 31 SLA 1964; am §§ 33, 34 ch 85 SLA 1979; am § 40 ch 152 SLA 1984)

Cross references. — For state land and water restricted to use as public recreation areas and state parks, see AS 41.21.
Editor's notes. — Section 16, ch. 75, SLA 1987, provides that "[l]and that was classified for disposal or other purposes before August 29, 1986, remains subject to the classification order in effect on that date until the land is reclassified under AS 38.04.065, as amended by §§ 1 — 7 of this Act (ch. 75, SLA 1987), and AS 38.05.300."

Section 17, ch. 75, SLA 1987 provides that "[a] land management and disposal decision, including a disposal under AS 38.05.057, AS 38.08, or AS 38.09, or a commercial agricultural project under AS 38.05.020(b)(6), made before June 16, 1987, under a classification order under AS 38.05.300 is valid, notwithstanding the adoption of the classification order before the adoption of the regional land use plan, if other requirements of law were met."

NOTES TO DECISIONS

Department of Natural Resources agricultural classification of lottery parcels proper. — The requirement that an act of the legislature is required where multiple purposes are closed in parcels exceeding 640 acres applied to the management of retained state land, not the disposal of it; thus, Department of Natural

Resources agricultural classification of lottery parcels was proper, even though it did foreclose multiple purposes. *State v. Weidner*, 684 P.2d 103 (Alaska 1984).
Quoted in *Southeast Alaska Conservation Council, Inc. v. State*, 665 P.2d 544 (Alaska 1983).

Sec. 38.05.301. [Renumbered as AS 38.05.830.]

Sec. 38.05.305. Notice and review. [Repealed, § 45 ch 113 SLA 1981. For current law see AS 38.05.945.]

Sec. 38.05.310. [Renumbered as AS 38.05.840.]

Sec. 38.05.315. [Renumbered as AS 38.05.810.]

Sec. 38.05.320. [Renumbered as AS 38.05.820.]

Sec. 38.05.321. Restriction on sale, lease or other disposal of agricultural land. (a) The sale, lease or other disposal of state land classified as agricultural land transfers only rights for agricultural purposes, and all other interests in the land remain with the state unless otherwise required by law.