

**ALASKA DEPARTMENT OF NATURAL RESOURCES
ALASKA DEPARTMENT OF FISH AND GAME
NOTICE OF PROPOSED ACTIONS ON STATE LAND
MENDENHALL WETLANDS STATE GAME REFUGE**

Management of the surface and subsurface estate within the refuge is the responsibility of the Department of Natural Resources (DNR). Management of the habitat is the responsibility of the Department of Fish and Game (DFG) under the plan approved for the refuge. The Juneau International Airport/City and Borough of Juneau (CBJ) is proposing a number of actions that are required by the Federal Aviation Administration in order to be in compliance with their regulations. Several of these actions directly affect the refuge and require authorization and/or approval from DNR and DFG. Proposed decisions on these actions have been made and DNR/DFG is requesting comments on them, they are as follows:

1. ADL 107380 – Conveyance of refuge land to CBJ

In accordance with AS 38.05.825, the Division of Mining, Land and Water (DMLW) of DNR has made a preliminary written decision under AS 38.05.035(e) to convey approximately 14 acres of refuge land to CBJ. The purpose of this conveyance is to allow for the expansion of the runway areas of the airport so it meets FAA's required runway safety areas. There are two parcels that will be conveyed. One parcel is about 2 acres and is located at the east end of the runway (26) in section 32 of Township 40 South, Range 66 East and in section 1 of Township 41 South Range 66 East. The second parcel is about 12 acres and is located at the west end of runway (08) in section 36, Township 40 South, Range 65 East, Copper River Meridian.

In accordance with AS 16.20.034, the Mendenhall Wetlands State Game Refuge Management Plan, adopted under 5 AAC 95.520, recognizes that CBJ may acquire refuge lands for airport expansion, but one of the requirements is that the impacts be fully mitigated. To accomplish this, the mitigation plan has identified and upon approval of the project will allocate funds to purchase replacement land equivalent to the functional capacity unit acreage that is conveyed. Both DMLW and ADF&G must agree to accept land acquired for refuge mitigation. Once replacement lands are accepted, DMLW will assign management authority to ADF&G to manage the land in accordance with the refuge management plan.

2. ADL 107597 – Avigation Easement

In accordance with AS 38.05.850, the DMLW has made a proposed decision to grant a public easement to CBJ for an avigation easement. The purpose of the easement is to ensure protection and control of the airspace for the approaches to runways 08 and 26. The 08 runway easement area will affect about 123 acres and the 26 runway easement area will affect about 505 acres for a total easement area of about 628 acres. The 08 runway area is within section 36 of Township 40 South, Range 65 East and the 26 runway area is within sections 32 and 33 of Township 40 South, Range 66 East, sections 1 and 2 of Township 41 South, Range 66 East, and section 6 of Township 41 South, Range 67 East of the Copper River Meridian.

3. LAS 26603 – Permit for construction

In accordance with AS 38.05.850, the DMLW has made a proposed decision to authorize the relocation and construction of the East Runway Slough under this land use permit for a maximum term of five years or when construction is completed. The existing slough will be filled and as mitigation for the loss of this habitat a new slough will be constructed. The approximate acres that will be directly affected are about 5 acres and the construction area is about 20 acres. This area is located directly east of runway 26 within section 32, Township 40 South, Range 66 East, Copper River Meridian.

4. FG 07-I-0004 - ADF&G Special Areas permit for construction

In accordance with 5 AAC 95.420, the ADF&G has made a proposed decision to issue a Special Areas permit for relocation and construction of the East Runway Slough. The existing slough will be filled for the eastern runway safety area, and as mitigation a new slough will be constructed that will be similar to the existing slough and maintain hydrologic connection with Fritz Cove. The Juneau Airport anticipates constructing this slough during summer 2009. The maximum term for which ADF&G usually issues permits is 2 years, or through 2009. If necessary, the permit may be extended.

The public is invited to comment on any or all of these decisions. Copies of these decisions and applications are available from the Division of Mining, Land and Water, 400 Willoughby Ave., P.O. Box 111020, Juneau, AK 99811-1020. **Comments must be in writing and received at the above address, by fax at (907) 586-2954, or by electronic mail at jim.anderson@alaska.gov by May 5, 2008** in order to ensure consideration. Please include your mailing address and telephone number. In casefile, ADL 107380 the preliminary decision sets out the schedule for the final finding as well as the appeal process. Pursuant to AS 38.05.035(i)-(j), to be eligible to appeal, a person must comment, in writing, during the comment period. If you have any questions please contact Jim Anderson at (907) 465-3427, or the above email address. Accommodations for disability are provided on request. Persons with audio impairment can call between 10am and 5pm, M-F at TDD 907-269-8411.

If public comment in response to this notice indicates the need for significant changes in any of the decisions, additional public notice will be given. If no significant change is required, the preliminary decision, including any minor changes, will be issued as the final decision. Copies of additional public notice, if any, and all subsequent decisions on this proposed action will be sent to any person who submits written comments on the preliminary decision.

If your comments are specific to the habitat that will be affected or to the refuge plan you may address your comments directly to Tom Schumacher at DFG, his contact phone number is (907) 465-4346, fax number is 465-4272, electronic mail at tom.schumacher@alaska.gov. The mailing address is Alaska Department of Fish and Game, PO Box 110024, Juneau, AK 99811-0024.

Per AS 16.20.034(j) DFG and DNR are required to hold a public hearing to collect testimony on the question on if there is a superior public need for or use of the land to be conveyed to its use as a state game refuge. This is to give notice that during this comment period we will hold a public hearing at 7:00pm on April 24, 2008 in the Hickel Room of Centennial Hall to collect testimony. A participant's testimony will ensure consideration in the final decision for the proposed conveyance, ADL 107380 and will establish their appeal rights. If you have questions on this please contact either Jim Anderson or Tom Schumacher.

The Division of Mining, Land and Water reserves the right to waive technical defects in this publication.

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Ed Collazzi, Southeast Regional Manager