

# STATE OF ALASKA

## DEPARTMENT OF FISH AND GAME

### DIVISION OF WILDLIFE CONSERVATION

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COMMUNITY PLANNING  
AND DEVELOPMENT

Dear Dave:

Alaska Department of Fish and Game biologists have reviewed portions of Module 3 (Chapters 7-13 of the Title 21 rewrite) that relate primarily to wildlife habitat conservation and bear safety and offer the following comments.

We appreciate the intent of Section 21.07.020(E) (Wildlife Habitat Protection). If it can be enforced, it will be an important step forward in the evolution of this city. Several items seem to be unnecessary or unenforceable, as follows:

Page 15, footnote 15—"A spatial buffer would prohibit any human activities within the core area, especially roads and motorized traffic and ideally non-motorized traffic and hikers." This is unnecessarily restrictive. There are no wildlife habitats in Anchorage that are so critical that they cannot tolerate some human use. The important consideration is to prohibit permanent development or human activities that will substantially affect critical habitat areas. We recommend "A spatial buffer would prohibit any permanent development or human activity that is likely to permanently reduce the value of the core area to wildlife."

Page 16, section e—It is unlikely that any single project, such as a road or subdivision, would meet the defined threshold for "significant adverse impact on critical wildlife habitat." Section 21.07.020(E) should include a consideration of cumulative impacts; i.e., planners and wildlife biologists should weigh the likelihood that the project in question will contribute to threatening the viability of a local population of a wildlife species in the municipality and, if it is likely to do so, the Director should either deny the municipal authorization or require mitigation that would avoid or minimize cumulative impacts.

Page 22, section A—Include "wildlife habitat" in the list of open-space purposes.

Page 22, section B(2)—We recommend including some way to determine the portion of land or size of the fee that will be required. Otherwise, this requirement will be difficult to enforce.

Page 22, section B(3)—How much park land would be dedicated if less than 1,000 residents are projected? We recommend pro-rating the requirement in some way—e.g., 1 acre/100 residents—or establishing 10 acres as a minimum dedication, even if less than 1,000 residents are projected.

Page 27, section 3(a)(iv)—“Wildlife migration corridors” An earlier list of significant resources [21.07.030(B)(4)(a)(iv)] uses “Wildlife habitat and migration corridors,” and we recommend adding “habitat” to this section also.

Page 47, section E(3)—This was the only reference found in Chapters 21.07 and 21.08 that dealt with refuse collection. It appears to be concerned with aesthetics. In many parts of the city, bears are abundant and they often get into refuse. This is an aesthetic issue because refuse is scattered on the street, across lawns, and in the trees nearby; however, it is also a public safety issue. We are not completely familiar with other sections of the municipal code, but presumably there are some that address refuse in light of public health and safety. Municipal code should require bear-proof or bear-resistant refuse receptacles and prohibit placing a refuse container on the curb until the morning of collection in areas where bear-human interactions are predictable and common.

In many regards, the rewrite of Title 21 is a very thorough document. It addresses northern city concerns as minute as facades “shall not create excessive glare” [Section 21.07.120(E)(9)] and prohibits the use of high intensity, metallic, black, and fluorescent colors on large retail buildings [Section 21.07.130(E)(6)(d)]. The subdivision standards “are enacted generally to promote the health, safety, convenience, order, prosperity, and welfare of the present and future inhabitants of the Municipality...” [Section 21.08.010(A)]. Yet neither chapter of Title 21 mentions bears in the city.

This rewrite of municipal code is the best opportunity in decades to adopt standards for development and design, subdivisions, and parks that address benefits and problems of wildlife in the city. There may not be such an opportunity for another two or three decades. Black bears and brown bears will still be coming into the city in two or three decades. This is not a problem that the State can control without municipal assistance, as it is exacerbated when refuse and animal foods are stored improperly and when subdivisions and recreational trails are built next to salmon spawning streams where brown bears feed. The city needs to plan for and implement standards for refuse storage and collection, pets and livestock, subdivision development, park facilities, and bear safety now, not in two or three decades. Guidelines provided by the Anchorage Bear Committee that were previously forwarded to the planning department are a good source of potential standards.

Please call me (242-0424) if you have any questions.

Sincerely,



Rick Sinnott  
Wildlife Biologist