SENATE CS FOR CS FOR HOUSE BILL NO. 58(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 2/23/96
Referred: Rules

Sponsor(s): REPRESENTATIVES BUNDE, Rokeberg, Toohey

A BILL

FOR AN ACT ENTITLED

"An Act establishing the Chickaloon Flats Critical Habitat Area; and providing
for an effective date."

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

Section 1. AS 16.20 is amended by adding a new section to read:

Sec. 16.20.630. CHICKALOON FLATS CRITICAL HABITAT AREA. (a) The following described area is established as the Chickaloon Flats Critical Habitat Area:

The land and water encompassed by a boundary beginning at the point on the shore of Chickaloon Bay at longitude W149 degrees, 53 minutes; thence westerly along the mean high water line of Chickaloon Bay to longitude W150 degrees, 18 minutes; thence easterly to the point of the beginning.

(b) The Chickaloon Flats Critical Habitat Area is established to

(1) ensure the protection and enhancement of habitat;
(2) ensure the conservation of fish and game; and
(3) guarantee the continuation of hunting, fishing, trapping, and other
uses by the public compatible with the protection and enhancement of habitat and the
conservation of fish and game.
(c) The state may not acquire by eminent domain privately owned land within
the Chickaloon Flats Critical Habitat Area, but may acquire privately owned land by
purchase, exchange, or otherwise for inclusion in the Chickaloon Flats Critical Habitat
Area.
(d) Management decisions under this section made by the commissioner of
natural resources and the commissioner of fish and game are applicable only to land
and water described in (a) of this section.
(e) Public access to the Chickaloon Flats Critical Habitat Area by means of
horse, boat, aircraft, dog team, snowmachine, all-terrain vehicle, or other means
consistent with (b) of this section may not be prohibited.
(f) Access to and from private property within the Chickaloon Flats Critical
Habitat Area shall be guaranteed through access corridors established through
agreement between the Department of Natural Resources, the Department of Fish and
Game, and the private property owners involved.
(g) The Department of Fish and Game and the Department of Natural
Resources shall exercise their respective authorities over the Chickaloon Flats Critical
Habitat Area consistent with a management plan prepared by the Department of Fish
and Game in consultation with the Department of Natural Resources.
(h) The department shall permit entry within the Chickaloon Flats Critical
Habitat Area for the exploration and development of oil and gas resources when it is
compatible with the purposes for which the critical habitat area is established.

* Sec. 2. This Act takes effect immediately under AS 01.10.070(c).