

HOUSE BILL NO. 130

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 2/15/17

Referred:

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the Izembek State Game Refuge, Cape Newenham State Game**
2 **Refuge, Palmer Hay Flats State Game Refuge, Port Moller Critical Habitat Area,**
3 **Egegik Critical Habitat Area, Pilot Point Critical Habitat Area, Fox River Flats Critical**
4 **Habitat Area, Kachemak Bay Critical Habitat Area, and Dude Creek Critical Habitat**
5 **Area; and providing for an effective date."**

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

7 * **Section 1.** AS 16.20.030(a) is amended to read:

8 (a) The land areas now included in the National Wildlife Refuge System that
9 are cited in this subsection are designated as state game refuges, and the board shall
10 assign them appropriate refuge names:

11 (1) Aleutian Islands Refuge (except Umnak, Unalaska, Akun, Akutan,
12 Sanak, and Tigalda Islands);

13 (2) Bering Sea Refuge (St. Matthews and Hall Islands, and Pinnacle

1 Islet in Bering Sea);
2 (3) Bogoslof Island Refuge;
3 (4) Chamisso Island Refuge;
4 (5) Forrester Island Refuge;
5 (6) Hazen Bay (Nunivakchak and Kirgegag Islands);
6 (7) Hazy Islands Refuge;
7 (8) Kenai National Moose Range;
8 (9) Kodiak National Wildlife Refuge;
9 (10) Nunivak Island Refuge;
10 (11) St. Lazaria Island Refuge;
11 (12) Semidi Islands Wildlife Refuge;
12 (13) Tuxedni Refuge (Islands in Tuxedni Harbor);
13 (14) Izembek Refuge, including the tide and submerged land described
14 as follows:

15 (A) Township 58 South, Range 91 West, Seward Meridian

16 Sections 1 - 4

17 Sections 9 - 13 [9 - 12]

18 (B) Township 58 South, Range 90 West, Seward Meridian

19 Sections 1 - 12

20 Sections 16 - 17 [1 - 9 SECTION 16]

21 (C) Township 57 South, Range 91 West, Seward Meridian

22 Section 13

23 Sections 24 - 26

24 Sections 34 - 36 [35 - 36]

25 (D) Township 57 South, Range 90 West, Seward Meridian

26 Sections 1 - 36

27 (E) Township 57 South, Range 89 West, Seward Meridian

28 Sections 5 - 7

29 Sections 18 - 19

30 Section 30 [5 - 6]

31 (F) Township 56 South, Range 87 West, Seward Meridian

Section 27: Lot 1, N 1/2, N 1/2 S 1/2, SE 1/4 SW 1/4, S 1/2 SE 1/4

Section 28: Lots 1 - 2, N 1/2, SW 1/4, N 1/2 SE 1/4, SW 1/4 SE 1/4

Section 29: N 1/2, N 1/2 SW 1/4, SE 1/4

Section 30: Lots 1 - 4, E 1/2, E 1/2 W 1/2

Section 31 [: LOTS 1 - 10, NE 1/4 NW 1/4, SW 1/4 NE 1/4, N 1/2 NE 1/4]

Section 32: Lots 3 - 7, NE 1/4, SW 1/4 SW 1/4, NE 1/4 SE 1/4,
including all state tide and submerged lands

Section 33: Lots 5 - 9, S 1/2 SE 1/4, SW 1/4 NW 1/4, including

all state tide and submerged land

Section 34, Lots 1 - 3, E 1/2 NW 1/4, SW 1/4, E 1/2, excluding all portions of U.S. Survey No. 9024

Section 35 [: LOTS 1 - 5, NW 1/4, N 1/2 SW 1/4, SW 1/4 SW 1/4, N 1/2 NE 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4,] excluding all portions of U.S. Survey No. 9024

Section 36: excluding all portions of U.S. Survey No. 9024

[LOTS 1 - 10, SE 1/4 SW 1/4, S 1/2 SE 1/4, NE 1/4 SE 1/4];

(4) Township 17 North, Range 1 East, Seward Meridian

Sections 19 - 21: Tracts B and D, according to Plat No. 2012-110, Palmer Recording District;

(5) Township 17 North, Range 1 East, Seward Meridian

U.S. Survey No. 1169: Lots 1 and 2, Block 31, within Section 26;

(6) Township 16 North, Range 1 East, Seward Meridian

Sections 4 - 9

Section 17: N 1/2

Section 18: N 1/2;

(7) Township 16 North, Range 1 East, Seward Meridian

Section 2: That portion lying westerly of Lot 7 and Parcel F of

U.S. Survey No. 9023

Section 3: That portion lying westerly of Lot 7, Lot 8, and Parcel F of U.S. Survey No. 9023

Section 10: That portion lying westerly of Lot 4, Lot 5, and Parcel C of U.S. Survey No. 9023

Section 15: That portion northerly of the left bank of the Knik River and lying westerly of Lot 3, Lot 4, and Parcel A of U.S. Survey No. 9023

Section 16: That portion northerly of the left bank of the Knik River;

wnship 16 North, Range 2 West, Seward Meridian

Section 1: All, excluding South Hayfield Road right-of-way

Section 2: Lot 5

Section 11: Lots 1 and 3 - 6, N 1/2 NE 1/4

Section 12: Lots 1 - 4, N 1/2 NW 1/4, NE 1/4 NE 1/4;

wnship 17 North, Range 2 West, Seward Meridian

Section 36: That portion of the S 1/2 S 1/2 lying easterly of the South Hayfield Road right-of-way.

* Sec. 3. AS 16.20.550 is amended to read:

Sec. 16.20.550. Port Moller Critical Habitat Area established. The following described area is established as the Port Moller Critical Habitat Area:

(1) Township 50 South, Range 71 West, Seward Meridian

Sections 7 - 8

Section 14 (not tide or submerged land)

Sections 15 - 17

Sections 21 - 23

Section 32:

(2) Township 51 South, Range 71 West, Seward Meridian

Section 3 (not tide or submerged land)

Sections 4 - 5

Section 7

* Sec. 6. AS 16.20.580 is amended to read:

Sec. 16.20.580. Fox River Flats Critical Habitat Area established. The

following described area is established as the Fox River Flats Critical Habitat Area:

16 (1) Township 4 South, Range 10 West, Seward Meridian
17 Section 20 SE 1/4 [(NOT TIDE OR SUBMERGED LAND)]
18 Section 21 S 1/2 [(NOT TIDE OR SUBMERGED LAND)]
19 Section 22 S 1/2
20 Section 23 S 1/2 [(NOT TIDE OR SUBMERGED LAND)]
21 Sections 25 - 29
22 Sections 33 - 36;
23 (2) Township 4 South, Range 9 West, Seward Meridian
24 Section 30 W 1/2, [(NOT TIDE OR SUBMERGED LAND)]

* Sec. 7. AS 16.20.590(a) is amended to read:

28 (1) Township 4 South, Range 10 West, Seward Meridian (only tide
29 and submerged land and waters);

30 (2) **Township 4 South, Range 11 West, Seward Meridian (only tide**
31 **and submerged land and waters;**

(3) [(2)] Township 5 South, Range 10 West, Seward Meridian (only tide and submerged land and waters);

(4) [(3)] Township 5 South, Range 11 West, Seward Meridian (only tide and submerged land and waters);

(5) [(4)] Township 5 South, Range 12 West, Seward Meridian (only tide and submerged land and waters);

(6) [(5)] Township 6 South, Range 11 West, Seward Meridian (only tide and submerged land and waters);

(7) [(6)] Township 6 South, Range 12 West, Seward Meridian (only tide and submerged land and waters);

(8) [(7)] Township 6 South, Range 13 West, Seward Meridian (only tide and submerged land and waters);

(9) [(8)] Township 6 South, Range 14 West, Seward Meridian (only tide and submerged land and waters);

(10) [(9)] Township 7 South, Range 11 West, Seward Meridian (only tide and submerged land and waters);

(11) [(10)] Township 7 South, Range 12 West, Seward Meridian (only tide and submerged land and waters);

(12) [(11)] Township 7 South, Range 13 West, Seward Meridian (only tide and submerged land and waters):

(13) [(12)] Township 7 South, Range 14 West, Seward Meridian (only tide and submerged land and waters):

(14) [(13)] Township 8 South, Range 12 West, Seward Meridian (only tide and submerged land and waters):

(15) [(14)] Township 8 South, Range 13 West, Seward Meridian (only tide and submerged land and waters):

(16) [(15)] Township 8 South, Range 14 West, Seward Meridian (only tide and submerged land and waters):

(17) [(16)] Township 9 South, Range 14 West, Seward Meridian (only tide and submerged land and waters):

(18) [(17)] Township 9 South, Range 15 West, Seward Meridian (only)

1 tide and submerged land and waters east of a line from Anchor Point to Point
 2 Pogibshi);

3 **(19)** [(18)] Township 5 South, Range 15 West, Seward Meridian
 4 (including all tide and submerged land and waters east of a line from Anchor Point to
 5 Point Pogibshi);

6 **(20)** [(19)] Township 6 South, Range 15 West, Seward Meridian
 7 (including all tide and submerged land and waters east of a line from Anchor Point to
 8 Point Pogibshi);

9 **(21)** [(20)] Township 7 South, Range 15 West, Seward Meridian
 10 (including all tide and submerged land and waters east of a line from Anchor Point to
 11 Point Pogibshi);

12 **(22)** [(21)] Township 8 South, Range 15 West, Seward Meridian
 13 (including all tide and submerged land and waters east of a line from Anchor Point to
 14 Point Pogibshi);

15 **(23)** [(22)] Township 9 South, Range 12 West, Seward Meridian (only
 16 tide and submerged land and waters).

17 * **Sec. 8. AS 16.20.610(b)** is amended to read:

18 (b) The following described area is established as the Dude Creek Critical
 19 Habitat Area:

20 **(1)** Township 40 South, Range 58 East, Copper River Meridian

21 Section 2: W1/2

22 Section 3

23 Sections 9 - 10

24 Section 11: W1/2NE1/4, W1/2

25 Section 14: Lot 3, NW1/4, N1/2SW1/4, SW1/4SW1/4,

26 **S1/2SE1/4NE1/4, SW1/4NE1/4, W1/2NW1/4NE1/4,**

27 **N1/2SE1/4 and the tide and submerged lands of Dude
 Creek**

28 Section 15

29 Section 16: N1/2, SE1/4

30 **Section 23: The tide and submerged lands of Dude Creek;**

(2) Tracts A & B of Gustavus Flats, Trust Land Survey No. 2004-01, located within Township 40 South, Range 58 East, Copper River Meridian, containing 1279.09 acres, more or less, according to the survey plat filed in the Juneau Recording District on October 22, 2004, as Plat Number 2004-39.

* **Sec. 9.** AS 16.20.610 is amended by adding a new subsection to read:

(f) Egress and ingress to and from private property within the parcels described in (b) of this section shall be allowed through access corridors established through agreement between the Department of Natural Resources, the Department of Fish and Game, and the private property owners involved.

* **Sec. 10.** The uncodified law of the State of Alaska enacted in sec. 2, ch. 119, SLA 2010, is amended to read:

Sec. 2. AS 16.20.030(a)(14) is amended to read:

(14) Izembek Refuge, including the tide and submerged land described as follows:

(A) Township 58 South, Range 91 West, Seward Meridian

Sections 1 - 4

Sections 9 - 13 [9 - 12]

(B) Township 58 South, Range 90 West, Seward Meridian

Sections 1 - 12

Sections 16 - 17 [1 - 9 SECTION 16]

(C) Township 57 South, Range 91 West, Seward Meridian

Section 13

Sections 24 - 26

Sections 34 - 36 [35 - 36]

(D) Township 57 South, Range 90 West, Seward Meridian

Sections 1 - 36

(E) Township 57 South, Range 89 West, Seward Meridian

Sections 5 - 7 [5 - 6]

Section 12, N1/2, N1/2N1/2S1/2

Sections 18 - 19

Section 30

- (F) Township 56 South, Range 87 West, Seward Meridian
 - Sections 1 - 6
 - Sections 10 - 11
 - Sections 26 - 35
- (G) Township 56 South, Range 88 West, Seward Meridian
 - Sections 1 - 23
 - Section 25
 - Sections 27 - 33 [27 - 32]
 - Section 36
- (H) Township 55 South, Range 87 West, Seward Meridian
 - Sections 1 - 36
- (I) Township 56 South, Range 89 West, Seward Meridian
 - Sections 1 - 36
- (J) Township 55 South, Range 89 West, Seward Meridian
 - Sections 1 - 36
- (K) Township 55 South, Range 88 West, Seward Meridian
 - Sections 1 - 36
- (L) Township 55 South, Range 86 West, Seward Meridian
 - Sections 6 - 7
 - Sections 18 - 19
 - Sections 30 - 31
- (M) Township 56 South, Range 90 West, Seward Meridian
 - Sections 1 - 36 [(ENTIRE TOWNSHIP);]
- (N) Township 57 South, Range 88 West, Seward Meridian
 - Sections 1 - 6
- (O) Township 54 South, Range 87 West, Seward Meridian**
 - Sections 35 - 36
- (P) Township 54 South, Range 86 West, Seward Meridian**
 - Section 31;

* **Sec. 11.** The uncodified law of the State of Alaska enacted in sec. 3, ch. 119, SLA 2010, is amended to read:

1 Sec. 3. AS 16.20.030(a)(14), as amended by sec. 2 of this Act, is amended to
2 read:

3 (14) Izembek Refuge, including the tide and submerged land described
4 as follows:

5 (A) Township 58 South, Range 91 West, Seward Meridian

6 Sections 1 - 4

7 Sections 9 - 13 [9 - 12]

8 (B) Township 58 South, Range 90 West, Seward Meridian

9 Sections 1 - 12

10 Sections 16 - 17 [1 - 9 SECTION 16]

11 (C) Township 57 South, Range 91 West, Seward Meridian

12 Section 13

13 Sections 24 - 26

14 Sections 34 - 36 [35 - 36]

15 (D) Township 57 South, Range 90 West, Seward Meridian

16 Sections 1 - 36

17 (E) Township 57 South, Range 89 West, Seward Meridian

18 Sections 5 - 7

19 Sections 18 - 19

20 Section 30 [5 - 6]

21 (F) Township 56 South, Range 87 West, Seward Meridian

22 Sections 1 - 6

23 Sections 10 - 11

24 (G) Township 56 South, Range 88 West, Seward Meridian

25 Sections 1 - 23

26 Sections 27 - 33 [27 - 32]

27 (H) Township 55 South, Range 87 West, Seward Meridian

28 Sections 1 - 36

29 (I) Township 56 South, Range 89 West, Seward Meridian

30 Sections 1 - 36

31 (J) Township 55 South, Range 89 West, Seward Meridian

Sections 1 - 36

(K) Township 55 South, Range 88 West, Seward Meridian

Sections 1 - 36

(L) Township 55 South, Range 86 West, Seward Meridian

Sections 6 - 7

Sections 18 - 19

Sections 30 - 31

(M) Township 56 South, Range 90 West, Seward Meridian

Sections 1 - 36

(N) Township 54 South, Range 87 West, Seward Meridian

Sections 35 - 36

(O) Township 54 South, Range 86 West, Seward Meridian

Section 31 [(ENTIRE TOWNSHIP)];

14 * **Sec. 12.** This Act takes effect July 1, 2017