

**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

Islet in Bering Sea);

- (3) Bogoslof Island Refuge;
- (4) Chamisso Island Refuge;
- (5) Forrester Island Refuge;
- (6) Hazen Bay (Nunivakchak and Kirgegag Islands);
- (7) Hazy Islands Refuge;
- (8) Kenai National Moose Range;
- (9) Kodiak National Wildlife Refuge;
- (10) Nunivak Island Refuge;
- (11) St. Lazaria Island Refuge;
- (12) Semidi Islands Wildlife Refuge;
- (13) Tuxedni Refuge (Islands in Tuxedni Harbor);
- (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

Sections 18 - 19

Section 30 [5 - 6]

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

- 1 Sections 1 - 6
- 2 Sections 10 - 11
- 3 (G) Township 56 South, Range 88 West, Seward Meridian
- 4 Sections 1 - 23
- 5 Sections 27 - 33 [27 - 32]
- 6 (H) Township 55 South, Range 87 West, Seward Meridian
- 7 Sections 1 - 36
- 8 (I) Township 56 South, Range 89 West, Seward Meridian
- 9 Sections 1 - 36
- 10 (J) Township 55 South, Range 89 West, Seward Meridian
- 11 Sections 1 - 36
- 12 (K) Township 55 South, Range 88 West, Seward Meridian
- 13 Sections 1 - 36
- 14 (L) Township 55 South, Range 86 West, Seward Meridian
- 15 Sections 6 - 7
- 16 Sections 18 - 19
- 17 Sections 30 - 31
- 18 (M) Township 56 South, Range 90 West, Seward Meridian
- 19 Sections 1 - 36
- 20 (N) Township 54 South, Range 87 West, Seward Meridian
- 21 Sections 35 - 36
- 22 (O) Township 54 South, Range 86 West, Seward Meridian
- 23 Section 31 [(ENTIRE TOWNSHIP)];
- 24 (15) Cape Newenham National Wildlife Range, including tide and
- 25 submerged land in Chagvan Bay described as follows:
- 26 (A) Township 16 South, Range 75 West, Seward Meridian
- 27 Sections 1 - 2 [SECTION 1]
- 28 Sections 11 - 15
- 29 Sections 22 - 27
- 30 Sections 34 - 36
- 31 (B) Township 16 South, Range 74 West, Seward Meridian

Sections 5 - 9 [7 - 9]

Sections 17 - 19

Section 30;

(16) Clarence Rhodes National Wildlife Range;

(17) Arctic National Wildlife Range.

\* **Sec. 2.** AS 16.20.032(a) is amended to read:

(a) The following state-owned land and water is established as the Palmer Hay Flats State Game Refuge:

(1) Township 16 North, Range 1 West, Seward Meridian

Sections 1 - 12

Section 13: N 1/2 Sections 14 - 18;

(2) Township 17 North, Range 1 West, Seward Meridian

Section 25

Section 26: S 1/2, S 1/2 N 1/2, N 1/2 NE 1/4, NE 1/4 NW 1/4

Section 27: S 1/2, SE 1/4 NE 1/4

Section 31: Lot 4, SE 1/4, E 1/2 SW 1/4, SE 1/4 NE 1/4, S 1/2 SW 1/4 NE 1/4

Section 32: S 1/2, S 1/2 NE 1/4, NE 1/4 NE 1/4, SE 1/4 NW 1/4

Sections 33 - 36;

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

Section 19: Lots 3 and 4, E 1/2 SW 1/4, S 1/2 SE 1/4

Section 21: N 1/2 SE 1/4, S 1/2 S 1/2

Section 22:

excluding NW 1/4 NW 1/4

excluding N 1/2 NE 1/4 NW 1/4

excluding NE 1/4 NE 1/4 NE 1/4

excluding all portions of U.S. Survey No. 9024

Section 25 [: LOTS 1 - 6, NW 1/4, N 1/2 NE 1/4, N 1/2 SW 1/4, SW 1/4]

Section 26: SE 1/4 NE 1/4, S 1/2, excluding all portions of U.S. Survey No. 9024

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;

(8) Township 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;

(9) Township 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

- 1 Sections 9 - 10
- 2 Sections 15 - 17;
- 3 (3) Township 49 South, Range 73 West, Seward Meridian
- 4 Sections 10 - 11
- 5 Section 12 (not tide or submerged land)
- 6 Sections 13 - 16
- 7 Section 21
- 8 Section 24
- 9 Section 28;
- 10 (4) Township 51 South, Range 72 West, Seward Meridian
- 11 Sections 5 - 8
- 12 Sections 11 - 12;
- 13 (5) Township 50 South, Range 72 West, Seward Meridian
- 14 Sections 18 - 19
- 15 Sections 30 - 32;
- 16 (6) Township 50 South, Range 73 West, Seward Meridian
- 17 Sections 7 - 13
- 18 Sections 14 - 17 (not tide or submerged land)
- 19 Section 18;
- 20 (7) Township 50 South, Range 74 West, Seward Meridian
- 21 Sections 5 - 7
- 22 Section 8 (not tide or submerged land)
- 23 Sections 9 - 13
- 24 Sections 14 - 16 (not tide or submerged land)
- 25 Sections 17 - 18
- 26 Section 20;
- 27 (8) Township 50 South, Range 75 West, Seward Meridian
- 28 Section 1
- 29 Sections 6 - 7;
- 30 (9) Township 49 South, Range 75 West, Seward Meridian
- 31 Section 3

- 1 Sections 4 - 6 (not tide or submerged land)
- 2 Sections 7 - 11
- 3 Sections 14 - 16
- 4 Sections 21 - 32;
- 5 (10) Township 48 South, Range 74 [75] West, Seward Meridian
- 6 Sections 15 - 18
- 7 Section 22
- 8 Sections 29 - 30
- 9 Section 31 (not tide or submerged land)
- 10 Section 32;
- 11 (11) Township 48 South, Range 75 [76] West, Seward Meridian
- 12 Sections 13 - 17
- 13 Sections 19 - 23
- 14 Sections 25 - 27
- 15 Sections 29 - 30
- 16 Sections 34 - 35
- 17 Section 36 (not tide or submerged land);
- 18 (12) Township 50 South, Range 76 West, Seward Meridian
- 19 Section 1
- 20 Section 3
- 21 Section 4 (not tide or submerged land)
- 22 Section 9 (not tide or submerged land)
- 23 Sections 10 - 13
- 24 Sections 14 - 16 (not tide or submerged land)
- 25 Sections 21 - 23 (not tide or submerged land)
- 26 Sections 24 - 25
- 27 Sections 26 - 28 (not tide or submerged land);
- 28 (13) Township 49 South, Range 76 West, Seward Meridian
- 29 Sections 1 - 4
- 30 Sections 7 - 9
- 31 Sections 10 - 11 (not tide or submerged land)



Sections 12 - 14

Sections 15 - 16 (not tide or submerged land)

Sections 17 - 18

Section 21 (not tide or submerged land)

Section 22

Sections 28 - 29

Sections 33 - 34;

(14) Township 49 South, Range 77 West, Seward Meridian

Sections 1 - 2

Sections 4 - 5

Sections 7 - 12

Sections 13 - 18 (not tide or submerged land);

(15) Township 48 South, Range 76 [77] West, Seward Meridian

Sections 20 - 23

Sections 26 - 28;

(16) Township 48 South, Range 77 [78] West, Seward Meridian

Sections 26 - 27

Sections 31 - 34;

(17) Township 49 South, Range 78 West, Seward Meridian

Sections 2 - 5

Sections 8 - 12

Sections 13 - 16 (not tide or submerged land)

Section 17.

\* **Sec. 4.** AS 16.20.565 is amended to read:

**Sec. 16.20.565. Egegik Critical Habitat Area established.** The following described area is established as the Egegik Critical Habitat Area:

(1) Township 24 South, Range 51 West, Seward Meridian

Sections 1 - 2

Section 11 N [S] 1/2

Section 12 N 1/2;

(2) Township 23 South, Range 51 West, Seward Meridian

Section 13

Sections 24 - 25

Sections 35 - 36;

(3) Township 23 South, Range 50 West, Seward Meridian

Section 7

Sections 18 - 19

Section 30

Section 31 (not tide or submerged land).

\* **Sec. 5.** AS 16.20.570 is amended to read:

**Sec. 16.20.570. Pilot Point Critical Habitat Area established.** The following described area is established as the Pilot Point Critical Habitat Area:

(1) Township 30 South, Range 52 West, Seward Meridian (protracted)

Sections 1 - 3

Section 12;

(2) Township 30 South, Range 51 West, Seward Meridian (protracted)

Sections 5 - 8

Section 17;

(3) Township 31 South, Range 51 West, Seward Meridian (protracted)

Sections 5 - 8

Sections 13 - 15

Sections 17 - 27;

(4) Township 30 South, Range 52 West, Seward Meridian (protracted)

Sections 27 - 29

Sections 31 - 34;

(5) Township 31 South, Range 52 West, Seward Meridian (protracted)

Sections 1 - 3

Sections 5 - 6

Sections 11 - 14

Sections 23 - 24;

(6) Township 30 South, Range 53 West, Seward Meridian (protracted)

Section 36;

(7) Township 31 South, Range 53 West, Seward Meridian (protracted)

Sections 1 - 2

Sections 10 - 11

Sections 12 - 14 (not tide or submerged land)

Sections 15 - 16

Sections 20 - 21

Sections 22 - 28 (not tide or submerged land)

Sections 29 - 31

Sections 32 - 36 (not tide or submerged land);

(8) Township 31 [32] South, Range 54 West, Seward Meridian  
(protracted)

Section 36.

\* **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:

(1) Township 4 South, Range 10 West, Seward Meridian

Section 20 SE 1/4 [(NOT TIDE OR SUBMERGED LAND)]

Section 21 S 1/2 [(NOT TIDE OR SUBMERGED LAND)]

Section 22 S 1/2

Section 23 S 1/2 [(NOT TIDE OR SUBMERGED LAND)]

Sections 25 - 29

Sections 33 - 36;

(2) Township 4 South, Range 9 West, Seward Meridian

Section 30 W 1/2. [(NOT TIDE OR SUBMERGED LAND)]

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

(a) The following described area is established as the Kachemak Bay Critical  
Habitat Area:

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

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

1                   **(3)** [(2)] Township 5 South, Range 10 West, Seward Meridian (only  
2 tide and submerged land and waters);

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

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

7                   **(6)** [(5)] Township 6 South, Range 11 West, Seward Meridian (only  
8 tide and submerged land and waters);

9                   **(7)** [(6)] Township 6 South, Range 12 West, Seward Meridian (only  
10 tide and submerged land and waters);

11                  **(8)** [(7)] Township 6 South, Range 13 West, Seward Meridian (only  
12 tide and submerged land and waters);

13                  **(9)** [(8)] Township 6 South, Range 14 West, Seward Meridian (only  
14 tide and submerged land and waters);

15                  **(10)** [(9)] Township 7 South, Range 11 West, Seward Meridian (only  
16 tide and submerged land and waters);

17                  **(11)** [(10)] Township 7 South, Range 12 West, Seward Meridian (only  
18 tide and submerged land and waters);

19                  **(12)** [(11)] Township 7 South, Range 13 West, Seward Meridian (only  
20 tide and submerged land and waters);

21                  **(13)** [(12)] Township 7 South, Range 14 West, Seward Meridian (only  
22 tide and submerged land and waters);

23                  **(14)** [(13)] Township 8 South, Range 12 West, Seward Meridian (only  
24 tide and submerged land and waters);

25                  **(15)** [(14)] Township 8 South, Range 13 West, Seward Meridian (only  
26 tide and submerged land and waters);

27                  **(16)** [(15)] Township 8 South, Range 14 West, Seward Meridian (only  
28 tide and submerged land and waters);

29                  **(17)** [(16)] Township 9 South, Range 14 West, Seward Meridian (only  
30 tide and submerged land and waters);

31                  **(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

28 Creek

29 Section 15

30 Section 16: N1/2, SE1/4

31 **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 uncoded 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 uncoded 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)];

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