

34-LS1257/H
Bullard
3/10/26

CS FOR HOUSE BILL NO. 321()

IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTY-FOURTH LEGISLATURE - SECOND SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVE JOSEPHSON

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to state refuges, sanctuaries, and fish and game critical habitat areas;**
2 **relating to the hunting of brown bear; and providing for an effective date."**

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

4 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
5 to read:

6 LEGISLATIVE INTENT. It is the intent of the legislature that the state's existing
7 game refuges, game sanctuaries, and fish and game critical habitat areas be uniformly
8 managed as wildlife refuges and wildlife sanctuaries.

9 * **Sec. 2.** AS 02.20.050(d) is amended to read:

10 (d) Unless closed for public safety reasons by a notice to airmen (NOTAM)
11 provided to the Federal Aviation Administration or by publication in the appropriate
12 aeronautical charts and publications published by the Federal Aviation Administration,
13 unless closed or restricted under the authority provided in AS 16.05.050, 16.05.251,
14 16.05.255, 16.05.270, AS 16.20.010 - 16.20.162, or 16.20.550 - 16.20.690 [16.20.500

1 - 16.20.690], or unless closed or restricted under authority consistent with
2 AS 38.04.200 or AS 41.21.020(e), navigable water in the state or a suitable landing
3 site on public land that is not subject to a surface lease, easement, or permit issued by
4 the Department of Natural Resources is presumed open for operation of aircraft.

5 * **Sec. 3.** AS 16.05.343(c) is amended to read:

6 (c) The department, subject to regulations adopted by the commissioner, may
7 issue, through a competitive auction or raffle, up to four harvest permits each year for
8 each of the following species: emperor goose, Dall sheep, bison, musk ox, brown or
9 grizzly bear, black bear, moose, caribou, goat, elk, and wolf. Subject to regulations, if
10 the department issues permits that allow persons to view bears in the McNeil River
11 **Wildlife** [STATE GAME] Sanctuary established under AS 16.20.160 and 16.20.162,
12 the department may issue up to four of the viewing permits through a competitive
13 auction or raffle. Notwithstanding AS 36.30, the department may authorize a qualified
14 organization selected under (e) of this section to conduct the auction or raffle on
15 behalf of the department. If the department does authorize a qualified organization to
16 conduct an auction or raffle for a species, the department shall make available to a
17 qualified organization at least one harvest permit for that species. A person who is
18 issued a harvest permit under this subsection shall receive, upon the person's request, a
19 complimentary hunting license and, if applicable, a big game tag for the species for
20 which the harvest permit is issued. A hunting license issued under this subsection must
21 bear the inscription "Governor's license" or a similar designation. Notwithstanding an
22 inscription as a "Governor's license" or a similar designation, the commissioner shall
23 issue licenses under this section. A person who receives a harvest permit, hunting
24 license, or big game tag under this subsection may exercise the privileges conveyed by
25 the permit, license, or tag only in accordance with applicable law. In this subsection,
26 "qualified organization" means an organization selected under (e) of this section.

27 * **Sec. 4.** AS 16.05 is amended by adding a new section to read:

28 **Sec. 16.05.793. Prohibiting the hunting of brown bear in Kamishak Bay**
29 **area.** The hunting of brown bear is prohibited in the following described areas:

30 (1) on presently owned state land and water, and land and water
31 acquired in the future by the state, between the boundaries of the McNeil River

1 Wildlife Sanctuary established under AS 16.20.160 and Katmai National Park and
2 Preserve:

3 Township 14 South, Range 32 West, Seward Meridian

4 Sections 13 - 14

5 Sections 23 - 26

6 Sections 31 - 36;

7 (2) on state land between the Kamishak River and Cape Douglas:

8 Township 13 South, Range 30 West, Seward Meridian

9 Sections 1 - 3

10 Sections 10 - 15

11 Sections 19 - 36

12 Township 13 South, Range 29 West, Seward Meridian

13 Township 13 South, Range 28 West, Seward Meridian

14 Township 13 South, Range 27 West, Seward Meridian

15 Township 13 South, Range 26 West, Seward Meridian

16 Sections 3 - 10

17 Sections 15 - 21

18 Sections 29 - 32.

19 * **Sec. 5.** AS 16.20.010(a) is amended to read:

20 (a) The legislature recognizes that

21 (1) the state has jurisdiction over all fish and game in the state except
22 in those areas where it has assented to federal control;

23 (2) the state has not assented to federal control of fish and game in

24 (A) those areas that were set apart as National Bird and
25 Wildlife Refuges while the state was a United States territory; and

26 (B) Glacier Bay National Park and Preserve or the navigable
27 waters within or adjoining the park and preserve;

28 (3) special recognition of the value to the state and the nation of areas
29 of unspoiled habitat and the game characteristic to it will be demonstrated by
30 designating as state wildlife [GAME] refuges those federal lands that were National
31 Bird and Wildlife Refuges or Ranges at the time that Alaska achieved statehood.

1 * **Sec. 6.** AS 16.20.020 is repealed and reenacted to read:

2 **Sec. 16.20.020. Purposes.** (a) The purposes of AS 16.20.010 - 16.20.075 and
3 16.20.550 - 16.20.690 are to protect and preserve natural habitats, fish and wildlife
4 populations, and areas crucial to the perpetuation of fish and wildlife and to restrict all
5 other uses not compatible with the purposes.

6 (b) Subject to (a) of this section, the department may allow hunting, trapping,
7 fishing, subsistence activities, wildlife viewing, photography, recreation, and other
8 public uses of wildlife refuges under AS 16.20.010 - 16.20.075 and 16.20.550 -
9 16.20.690.

10 (c) The department, the Board of Fisheries, and the Board of Game, as
11 appropriate, may adopt regulations to achieve the purposes described in this section.

12 * **Sec. 7.** AS 16.20 is amended by adding a new section to read:

13 **Sec. 16.20.028. Restrictions on the discharge of firearms and public access.**

14 (a) The discharge of firearms during lawful activities, including hunting, trapping, and
15 fishing is permitted within the boundaries of a wildlife refuge established under
16 AS 16.20.010 - 16.20.075 or 16.20.550 - 16.20.690, except that the department may,
17 for purposes of public safety, close a designated area within a wildlife refuge to the
18 discharge of firearms for purposes other than lawful hunting, trapping, and fishing.

19 (b) The department may by regulation prohibit public access to a designated
20 area within a wildlife refuge established under AS 16.20.010 - 16.20.075 or 16.20.550
21 - 16.20.690 if the closure is reasonably necessary to

22 (1) protect the public's health and safety;

23 (2) allow for the safe operation of a facility within the refuge.

24 * **Sec. 8.** AS 16.20.030(a) is amended to read:

25 (a) The land areas now included in the National Wildlife Refuge System that
26 are cited in this subsection are designated as state **wildlife** [GAME] refuges, and the
27 board shall assign them appropriate refuge names:

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

30 (2) Bering Sea Refuge (St. Matthews and Hall Islands [,] and Pinnacle
31 Islet in Bering Sea);

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

13 as follows:

14 (A) Township 58 South, Range 91 West, Seward Meridian
15 Sections 1 - 4

16 Sections 9 - 13 [9 - 12]

17 (B) Township 58 South, Range 90 West, Seward Meridian
18 Sections 1 - 12

19 Sections 16 - 17 [1 - 9
20 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

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Sections 1 - 6

Sections 10 - 11

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

Sections 1 - 23

Sections 27 - 33 [27 - 32]

(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

(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)];

(15) Cape Newenham National Wildlife Range, including tide and submerged land in Chagvan Bay described as follows:

(A) Township 16 South, Range 75 West, Seward Meridian

Sections 1 - 2 [SECTION 1]

Sections 11 - 15

Sections 22 - 27

Sections 34 - 36

(B) Township 16 South, Range 74 West, Seward Meridian

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Sections 5 - 9 [7 - 9]

Sections 17 - 19

Section 30;

(16) Clarence Rhodes National Wildlife Range;

(17) Arctic National Wildlife Range.

* **Sec. 9.** AS 16.20.030(a)(14), as amended by sec. 2, ch. 119, SLA 2010, 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

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(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. 10.** AS 16.20.030(a)(14), as amended by sec. 3, ch. 119, SLA 2010, 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

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- 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
Sections 1 - 6
Sections 10 - 11
- (G) Township 56 South, Range 88 West, Seward Meridian
Sections 1 - 23
Sections **27 - 33** [27 - 32]
- (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

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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. 11.** AS 16.20.030(c) is amended to read:

(c) The presently owned state land, tideland, submerged tideland, submerged land and water, and the land and water acquired in the future by the state, lying within the parcels described in (1) - (2) of this subsection are established as the Goose Bay **Wildlife** [STATE GAME] Refuge:

(1) Township 15 North, Range 3 West, Seward Meridian

Sections 17 - 20, 29, 30: All;

(2) Township 15 North, Range 4 West, Seward Meridian

Section 1: W1/2W1/2

Sections 2 - 3: All

Section 4: Lot 1, SE1/4NE1/4, E1/2SE1/4

Section 9: Lots 1, 2, 3, NE1/4NE1/4

Sections 10 - 11: All

Section 12: S1/2

Sections 13 - 15: All

Section 23: N1/2NE1/4

Section 24: All

The following protracted and fractional parts within Tract A:

Section 9: E1/2

Section 10: All

Section 15: All

Section 16: All

Section 21: N1/2

Section 22: N1/2.

* **Sec. 12.** AS 16.20.030(d) is amended to read:

(d) The state may not acquire by eminent domain privately owned land within state-owned land specified in (c) of this section for inclusion in the Goose Bay **Wildlife** [STATE GAME] Refuge. The Department of Natural Resources may adopt, in accordance with **AS 44.62 (Administrative Procedure Act)** [THE ADMINISTRATIVE PROCEDURE ACT (AS 44.62)], zoning regulations governing privately owned land within the Goose Bay **Wildlife** [STATE GAME] Refuge.

* **Sec. 13.** AS 16.20.031(a) is amended to read:

(a) The **presently** [FOLLOWING DESCRIBED] state-owned land and water, **and land and water acquired in the future by the state, within the described area** is established as the Anchorage Coastal Wildlife Refuge and shall be managed as a state **wildlife** [GAME] refuge for the protection of waterfowl, shorebirds, salmon, and other fish and wildlife species [,] and their habitat and for the use and enjoyment of the people of the state:

(1) Township 13 North, Range 4 West, Seward Meridian

Section 20: SE1/4 seaward of the 20 foot elevation contour

SE1/4NE1/4 seaward of the 20 foot elevation contour

Section 29: E1/2 seaward of the 20 foot elevation contour

SW1/4 seaward of the 20 foot elevation contour

Section 30: SE1/4SE1/4

Section 31: All seaward of the 20 foot elevation contour except

NW1/4NW1/4

Section 32: All seaward of the 20 foot elevation contour;

(2) Township 13 North, Range 5 West, Seward Meridian

Section 36: S1/2, S1/2N1/2;

(3) Township 12 North, Range 4 West, Seward Meridian

Sections 6 - 9: Seaward of the 20 foot elevation contour

Section 15: NW1/4 seaward of the 20 foot elevation contour

SW1/4NE1/4 seaward of the 20 foot elevation contour

Government Lot 5 and the remainder of the W1/2SE1/4, all

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SW1/4

Section 16: Seaward of the 20 foot elevation contour

Sections 17 - 22

Section 23: Government Lot 1 and the remainder of the SW1/4,
all seaward of the 20 foot elevation contour

Government Lot 2 and the remainder of the S1/2NW1/4, all
seaward of the 20 foot elevation contour

Government Lots 3 and 4, and the remainder of the SE1/4,
all seaward of the 20 foot elevation contour

Section 24: Tract A, Shorecrest Subdivision (Plat No. 81-68,
Anchorage Recording District)

Section 25: Government Lots 1 and 2, and the remainder of the
W1/2, all

Tract A, Johns Park Estates, and the remainder of the NE1/4,
excluding Skyway Park Estates, Addition No. 1 all seaward
of the 20 foot elevation contour

Government Lots 3 and 4, and the remainder of the SE1/4,
all

Sections 26 - 36;

(4) Township 12 North, Range 5 West, Seward Meridian

Sections 1 - 2

Sections 11 - 14

Sections 23 - 26

Sections 35 - 36;

(5) Township 12 North, Range 3 West, Seward Meridian

Section 29: That portion of the SW1/4 southwesterly of the
Alaska Railroad right-of-way and southerly of Oceanview
Subdivision, Addition No. 6

Section 30: That portion of Tract A, Johns Park Estates,
seaward of the 20 foot elevation contour

Government Lot 2 and that portion of the SE1/4NW1/4

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southwesterly of Oceanview West Subdivision, Addition No. 1

Government Lots 3 and 4 and the remainder of the SW1/4, all

That portion of the SW1/4NE1/4 and the SE1/4 southwesterly of Oceanview Subdivision, Addition No. 4 and Addition No. 6

Section 31

Section 32: All land southwesterly of the Alaska Railroad right-of-way

Section 33: All land westerly of the Alaska Railroad right-of-way

Lots 238 and 205;

(6) Township 11 North, Range 3 West, Seward Meridian

Section 3: Government Lot 5

Section 4: That portion southwesterly of the Old Seward Highway right-of-way and The Landings Subdivision which is northeasterly of the New Seward Highway right-of-way

That portion southwesterly of the Alaska Railroad right-of-way

Sections 5 - 8

Section 9: That portion southwesterly of the Alaska Railroad right-of-way

That portion northeasterly of the New Seward Highway right-of-way

Section 10: That portion westerly of the Old Seward Highway right-of-way which is northeasterly of the New Seward Highway right-of-way

Lots 26 and 27;

That portion southwesterly of the Alaska Railroad right-of-way;

(7) Township 11 North, Range 4 West, Seward Meridian

Sections 1 - 4

Sections 10 - 12.

* **Sec. 14.** AS 16.20.032(a) is amended to read:

(a) The **presently** [FOLLOWING] state-owned land and water, **and land and water acquired in the future by the state, within the described area** is established as the Palmer Hay Flats **Wildlife** [STATE GAME] Refuge:

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

Sections 1 - 12

Section 13: N1/2

Sections 14 - 18

Section 20: NE1/4

Section 21: N1/2;

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

Section 25

Section 26: S1/2, S1/2 N1/2, N1/2 NE1/4, NE1/4 NW1/4

Section 27: S1/2, SE1/4 NE1/4

Section 31: Lot 4, SE1/4, E1/2 SW1/4, SE1/4 NE1/4, S1/2 SW1/4, NE1/4

Section 32: S1/2, S1/2 NE1/4, NE1/4 NE1/4, SE1/4 NW1/4

Sections 33 - 36;

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

Section 19: Lots 3 and 4, E1/2 SW1/4, S1/2 SE1/4

Section 21: N1/2 SE1/4, S1/2 S1/2

Section 22:

excluding NW1/4 NW1/4

excluding N1/2 NE1/4 NW1/4

excluding NE1/4 NE1/4 NE1/4

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

Section 25 [: LOTS 1 - 6, NW1/4, N1/2 NE1/4, N1/2 SW1/4, SW1/4 SW1/4]

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Section 26:
SE1/4 NE1/4[,]
S1/2, excluding all portions of U.S. Survey No. 9024

Matanuska TWNST (USS 1169) Block 31, Lots 1 and 2

Section 27: Lot 1, N1/2, N1/2 S1/2, SE1/4 SW1/4, S1/2 SE1/4

Section 28: Lots 1 - 2, N1/2, SW1/4, N1/2 SE1/4, SW1/4 SE1/4

Section 29: N1/2, N1/2 SW1/4, SE1/4

Section 30: Lots 1 - 4, E1/2, E1/2 W1/2

Section 31 [: LOTS 1 - 10, NE1/4 NW1/4, SW1/4 NE1/4, N1/2
NE1/4]

Section 32: Lots 3 - 7, NE1/4, SW1/4 SW1/4, NE1/4 SE1/4,
including all state tide and submerged land

Section 33: Lots 5 - 9, S1/2 SE1/4, SW1/4 NW1/4, including all
state tide and submerged land

Section 34: Lots 1 - 3, E1/2 NW1/4, SW1/4, E1/2, excluding all
portions of U.S. Survey No. 9024

Section 35: [LOTS 1 - 5, NW1/4, N1/2 SW1/4, SW1/4 SW1/4,
N1/2 NE1/4, SW1/4 NE1/4, NW1/4 SE1/4,] excluding all
portions of U.S. Survey No. 9024

Section 36 [: LOTS 1 - 10, SE1/4 SW1/4, S1/2 SE1/4, NE1/4
SE1/4];

(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: N1/2

Section 18: N1/2;

(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, N1/2 NE1/4

Section 12: Lots 1 - 4, N1/2 NW1/4, NE1/4 NE1/4;

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

Section 36: That portion of the S1/2 S1/2 lying easterly of the South Hayfield Road right-of-way.

* **Sec. 15.** AS 16.20.032(c) is amended to read:

(c) Land selected by the Matanuska-Susitna Borough in Township 17, North Range 1 East S.M. shall be included in the Palmer Hay Flats **Wildlife** [STATE GAME] Refuge, subject to borough approval. If the borough relinquishes the selection of the land, the selected land becomes part of the Palmer Hay Flats **Wildlife** [STATE GAME] Refuge.

* **Sec. 16.** AS 16.20.032(d) is amended to read:

(d) The state may not acquire by eminent domain privately owned land within state-owned land specified in (c) of this section for inclusion in the Palmer Hay Flats **Wildlife** [STATE GAME] Refuge. The Department of Natural Resources may adopt, in accordance with AS 44.62 (Administrative Procedure Act), zoning regulations

governing privately owned land within the Palmer Hay Flats **Wildlife** [STATE GAME] Refuge.

* **Sec. 17.** AS 16.20.032(e) is amended to read:

(e) Notwithstanding the provisions of (a) of this section, the land described in this subsection is excluded from the Palmer Hay Flats **Wildlife** [STATE GAME] Refuge established under (a) of this section for the establishment of a transportation and utility corridor. Land within the transportation and utility corridor that is determined by the commissioner of transportation and public facilities to be unnecessary for future transportation or utility corridors becomes a part of the Palmer Hay Flats **Wildlife** [STATE GAME] Refuge. The commissioner of transportation and public facilities is directed to provide access to the Palmer Hay Flats **Wildlife** [STATE GAME] Refuge during future development of state highways in the area. The land that is excluded from the Palmer Hay Flats **Wildlife** [STATE GAME] Refuge under this subsection is described as

Township 17 North, Range 1 East, Seward Meridian

Section 22: SE1/4 NW1/4, W1/2 NE1/4, SE1/4 NE1/4, S1/2 NE1/4 NE1/4, NW1/4 NE1/4 NE1/4, NE1/4 SW1/4, W1/2 SE1/4

Sections 27 and 34: a corridor 300 feet on each side of the existing highway centerline.

* **Sec. 18.** AS 16.20.033(a) is amended to read:

(a) The **presently** [FOLLOWING] state-owned land and water, and all land **and water** acquired in the future by the state, lying within the parcels described in this subsection are established as the Yakataga **Wildlife** [STATE GAME] Refuge:

(1) Township 20 South, Range 13 East, Copper River Meridian

Section 11: SE1/4

Section 12: S1/2

Section 13

Section 14: E1/2

Sections 22 - 27

Sections 34 - 36;

(2) Township 20 South, Range 14 East, Copper River Meridian

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- Sections 7 - 12: S1/2
- Sections 13 - 36;
- (3) Township 20 South, Range 15 East, Copper River Meridian
 - Sections 7 - 12: S1/2
 - Sections 13 - 36;
- (4) Township 20 South, Range 16 East, Copper River Meridian
 - Sections 7 - 9: S1/2
 - Sections 16 - 36;
- (5) Township 21 South, Range 11 East, Copper River Meridian
 - Excluding that portion of Tract A-148 lying north and west of Seal River:
 - Sections 1 - 2
 - Sections 3 - 4: North and east of the Seal River and its associated lake system
 - Section 10: East of Seal River and one mile north of mean high tide line on the Gulf of Alaska
 - Sections 11 - 12
 - Sections 13 - 14: above mean high tide line on the Gulf of Alaska;
- (6) Township 21 South, Range 11 1/2 East, Copper River Meridian
 - Sections 6 - 7
 - Section 18: Above mean high tide line on the Gulf of Alaska;
- (7) Township 21 South, Range 12 East, Copper River Meridian
 - Sections 13 - 14: S1/2
 - Sections 23 - 26
 - Sections 35 - 36: Above mean high tide line on the Gulf of Alaska;
- (8) Township 21 South, Range 13 East, Copper River Meridian
 - Sections 1 - 21
 - Section 22: W1/2, E1/2 one mile north of mean high tide line on the Gulf of Alaska

1 Sections 23 - 24: One mile north of mean high tide line on the
2 Gulf of Alaska;

3 (9) Township 21 South, Range 14 East, Copper River Meridian

4 Sections 1 - 12

5 Sections 13 - 15: One mile north of mean high tide line on the
6 Gulf of Alaska

7 Sections 16 - 18

8 Sections 19 - 22: One mile north of mean high tide line on the
9 Gulf of Alaska;

10 (10) Township 21 South, Range 15 East, Copper River Meridian

11 Sections 1 - 7

12 Sections 8 - 12: One mile north of mean high tide line on the
13 Gulf of Alaska;

14 (11) Township 21 South, Range 16 East, Copper River Meridian

15 Sections 1 - 6

16 Sections 7 - 12: One mile north of mean high tide line on the
17 Gulf of Alaska.

18 * **Sec. 19.** AS 16.20.033(b) is amended to read:

19 (b) The Yakataga **Wildlife** [STATE GAME] Refuge is established to protect
20 the

21 (1) fish and wildlife habitat and populations, including salmon
22 spawning and rearing habitat and critical goat and moose winter habitat;

23 (2) public uses of fish and wildlife and their habitat, particularly
24 commercial, sport, and subsistence fishing, hunting, viewing, photography, and
25 general public recreation in a high quality environment; and

26 (3) the use and disposition of other resources when the activities are
27 not inconsistent with (1) and (2) of this subsection.

28 * **Sec. 20.** AS 16.20.033(d) is amended to read:

29 (d) The state may not acquire by eminent domain private land that is located
30 within the state-owned land specified in (a) of this section for inclusion in the
31 Yakataga **Wildlife** [STATE GAME] Refuge. The state may acquire private land that is

1 located within the state-owned land specified in (a) of this section by purchase,
2 exchange, or otherwise from willing owners for inclusion in the Yakataga **Wildlife**
3 [STATE GAME] Refuge.

4 * **Sec. 21.** AS 16.20.033(e) is amended to read:

5 (e) The establishment of the Yakataga **Wildlife** [STATE GAME] Refuge
6 under this section does not impair or alter valid existing rights including pending
7 Native allotment applications, access to set net sites, and access to and from private
8 land located within the Yakataga **Wildlife** [STATE GAME] Refuge.

9 * **Sec. 22.** AS 16.20.033(f) is amended to read:

10 (f) The department shall allow commercial, sport, and subsistence fishing and
11 hunting within the Yakataga **Wildlife** [STATE GAME] Refuge under regulations of
12 the Board of Fisheries and the Board of Game. The department shall also permit
13 associated support activities when necessary and consistent with **AS 16.20.010 -**
14 **16.20.075** [AS 16.20.010 - 16.20.080] to support fishing and hunting permitted under
15 this section, including fish buying operations, aircraft support including landing strips,
16 and off-road vehicle use.

17 * **Sec. 23.** AS 16.20.033(g) is amended to read:

18 (g) Egress and ingress to and from private property within the parcels
19 described in (a) of this section shall be allowed through access corridors established by
20 agreement between the department, the Department of Natural Resources, and the
21 owners of private land involved. The establishment of the Yakataga **Wildlife** [STATE
22 GAME] Refuge does not impair or alter existing rights of access to set net lease sites.

23 * **Sec. 24.** AS 16.20.033(h) is amended to read:

24 (h) The department shall adopt and may revise a management plan for the
25 Yakataga **Wildlife** [STATE GAME] Refuge.

26 * **Sec. 25.** AS 16.20.034(a) is amended to read:

27 (a) The **presently** [FOLLOWING] state-owned land, **and land acquired in**
28 **the future by the state, within the described area,** including tide and submerged
29 land, [AND EXCLUDING PRIVATELY OWNED LAND,] is established as the
30 Mendenhall Wetlands **Wildlife** [STATE GAME] Refuge: Beginning at U.S.C.G.S.
31 Triangulation Station "Salmon" located on the northeastern shore of Douglas Island,

1 lying within the City and Borough of Juneau, First Judicial District, State of Alaska;
2 thence northeasterly across Gastineau Channel approximately .5 miles to U.S.C.G.S.
3 Triangulation Station "Creek," [,] said station being on the shore of Gastineau
4 Channel, 200 feet south of Salmon Creek; thence trend northerly to the intersection of
5 Egan Drive and Salmon Creek; thence trend northwesterly immediately adjacent to but
6 not on [UPON] or within the designated right-of-way of Egan Drive approximately
7 2.7 miles to the intersection with the easterly boundary of Sunny Point Park
8 Subdivision, recorded as Plat No. 333; thence southerly along said boundary; thence
9 along said right-of-way line to the intersection with the 22.7 foot extreme high tide
10 line; thence southerly and westerly on said 22.7 foot extreme high tide line, abutting
11 said Sunny Point Park Subdivision, U.S. Survey 2475, Sunny Point Subdivision (Plat
12 No. 307), and Egan Drive approximately one mile to the easterly line of the accreted
13 property to the U.S. Survey No. 1568; thence southerly and westerly, along the
14 boundary of said accreted property approximately .4 miles to Corner No. 14 of Alaska
15 Tidelands Survey No. 716; thence southerly and westerly along the west meander line
16 of U.S. Survey No. 716, approximately 2.6 miles to Corner No. 4 of said Tidelands
17 Survey; thence northerly along the west meander line of U.S. Survey No. 1742,
18 approximately 790 feet to the northwesterly corner of Juneau Airport property (Corner
19 No. AP-4 of survey dated 6-69); thence northwesterly approximately 440 feet to the
20 southerly meander line of U.S. Survey No. 1919; thence southerly and westerly, along
21 the southerly meanders of U.S. Surveys No. 1919 and No. 1042 (as accreted),
22 approximately .5 miles to the intersection with the south line of U.S. Survey No. 2136;
23 thence westerly, along said south line, approximately .6 miles to the intersection with
24 the 22.7 foot extreme high tide line; thence southerly, along said line approximately
25 1.4 miles to U.S.C.G.S. Triangulation Station "Glacier" on the southerly tip of
26 Mendenhall Peninsula; thence in a southerly direction across Gastineau Channel
27 approximately 1.3 miles to the mouth of Cove Creek; thence in a general easterly
28 direction along the 22.7 foot extreme high tide line of Douglas Island approximately 9
29 miles to U.S.C.G.S. Triangulation Station "Salmon," [,] the true point of beginning;
30 **and including Lot 2, Widgeon Ponds Subdivision (a subdivision of Lot 2E1 within**
31 **U.S. Survey 2901), according to Plat 2010-7, Juneau Recording District, First**

Judicial District, State of Alaska.

* **Sec. 26.** AS 16.20.034(b) is amended to read:

(b) The state may not acquire by eminent domain privately owned land within or **adjacent to** [ABUTTING] state-owned land described in (a) of this section for inclusion in the Mendenhall Wetlands **Wildlife** [STATE GAME] Refuge but may acquire privately owned land by purchase, exchange, or otherwise for inclusion in the Mendenhall Wetlands **Wildlife** [STATE GAME] Refuge.

* **Sec. 27.** AS 16.20.034(e) is amended to read:

(e) Except within that portion of the Mendenhall Wetlands **Wildlife** [STATE GAME] Refuge commonly known as the Twin Lakes area, the boundaries of which shall be established by the department after consultation with the City and Borough of Juneau, the taking of game is expressly permitted within the land described in (a) of this section if consistent with the management plan adopted by the department and conducted under regulations adopted by the board.

* **Sec. 28.** AS 16.20.034(j) is amended to read:

(j) Notwithstanding the provisions of (d) - (i) of this section, if the City and Borough of Juneau demonstrates to the Departments of Natural Resources and Fish and Game, jointly, that there is a superior public need for or use of the land to its use as a **wildlife** [STATE GAME] refuge, after public hearing and a finding by the departments supporting the determination that such a need or use exists or is required, the use shall be permitted. A final administrative order, ruling, or determination by the departments adverse to the petition of the City and Borough of Juneau is subject to judicial review under AS 44.62.560 - 44.62.570.

* **Sec. 29.** AS 16.20.036(a) is amended to read:

(a) The **presently** [FOLLOWING] state-owned land, including tide and submerged land, and all land, including tide and submerged land, acquired in the future by the state, lying within the parcels described in this subsection is established as the Susitna Flats **Wildlife** [STATE GAME] Refuge:

- (1) Township 13 North, Range 4 West, Seward Meridian
Section: 6;
- (2) Township 13 North, Range 5 West, Seward Meridian

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- Sections: 1 - 10;
- (3) Township 13 North, Range 6 West, Seward Meridian
Sections: 1 - 18;
- (4) Township 13 North, Range 7 West, Seward Meridian
Sections: 1 - 18;
- (5) Township 13 North, Range 8 West, Seward Meridian
Sections: 1 - 24;
- (6) Township 13 North, Range 9 West, Seward Meridian
Sections: 1 - 36;
- (7) Township 13 North, Range 10 West, Seward Meridian
Sections: 13, 23 - 26, 36 (excluding uplands above the toe of the bluff);
- (8) Township 14 North, Range 4 West, Seward Meridian
Sections: Lots 1 - 6, SE1/4 NW1/4, W1/2 NE1/4 NW1/4, SE1/4 NE1/4 NW1/4, NE1/4 SW1/4, NW1/4 SE1/4, SE1/4 SE1/4, W1/2 SW1/4 NE1/4, SE1/4 SW1/4 NE1/4, S1/2 NE1/4 SW1/4 NE1/4 of Section 31;
- (9) Township 14 North, Range 5 West, Seward Meridian
Sections: W1/2 1, 2 - 11, W1/2 12, 13 - 36;
- (10) Township 14 North, Ranges 6 - 9 West, Seward Meridian
Sections: All;
- (11) Township 14 North, Range 10 West, Seward Meridian
Sections: 12 - 14, 22 - 27, 34 - 36;
- (12) Township 15 North, Range 5 West, Seward Meridian
Sections: 3 - 10, 15 - 22, SW1/4 26, 27 - 35, SW1/4 36;
- (13) Township 15 North, Range 6 West, Seward Meridian
Sections: All;
- (14) Township 15 North, Range 7 West, Seward Meridian
Sections: 1 - 4, E1/2 5, 7 - 36;
- (15) Township 15 North, Range 8 West, Seward Meridian
Sections: 1, 2, 8 - 36;

- 1 (16) Township 15 North, Range 9 West, Seward Meridian
- 2 Sections: 23 - 28, 32 - 36;
- 3 (17) Township 16 North, Range 5 West, Seward Meridian
- 4 Sections: 19 - 22, 27 - 34;
- 5 (18) Township 16 North, Range 6 West, Seward Meridian
- 6 Sections: 21 - 28, 31 - 36;
- 7 (19) Township 16 North, Range 7 West, Seward Meridian
- 8 Sections: 22 - 27, 34 - 36.

9 * **Sec. 30.** AS 16.20.036(b) is amended to read:

10 (b) The Susitna Flats Wildlife [STATE GAME] Refuge is established to
11 protect the following:

12 (1) fish and wildlife habitat and populations, particularly waterfowl
13 nesting, feeding, and migration areas; moose calving areas; spring and fall bear
14 feeding areas; salmon spawning and rearing habitats;

15 (2) public uses of fish and wildlife and their habitat, particularly
16 waterfowl, moose, and bear hunting; viewing; photography; and general public
17 recreation in a high quality environment.

18 * **Sec. 31.** AS 16.20.036(c) is amended to read:

19 (c) Entry on [UPON] the Susitna Flats Wildlife [STATE GAME] Refuge for
20 purposes of exploration and development of oil and gas resources shall be permitted
21 when compatible with the purposes specified in (b) of this section; however, all
22 existing leases shall be valid and continue in full force and effect according to their
23 terms.

24 * **Sec. 32.** AS 16.20.036(d) is amended to read:

25 (d) Land selected by the Matanuska-Susitna Borough within the area
26 described in (a) of this section shall be included in the Susitna Flats Wildlife [STATE
27 GAME] Refuge, subject to borough approval. If the borough relinquishes the selection
28 of the land, the selected land becomes part of the Susitna Flats Wildlife [STATE
29 GAME] Refuge.

30 * **Sec. 33.** AS 16.20.036(e) is amended to read:

31 (e) The state may not acquire by eminent domain privately owned land within

1 state-owned land specified in (a) of this section for inclusion in the Susitna Flats
 2 **Wildlife** [STATE GAME] Refuge. The Department of Natural Resources may adopt,
 3 in accordance with AS 44.62 (Administrative Procedure Act), zoning regulations
 4 governing privately owned land within the Susitna Flats **Wildlife** [STATE GAME]
 5 Refuge, only to the extent that these regulations may **ensure** [INSURE] compatibility
 6 with the intended use of the refuge.

7 * **Sec. 34.** AS 16.20.037(a) is amended to read:

8 (a) The **presently** [FOLLOWING] state-owned land and water, **and land and**
 9 **water acquired in the future by the state, within the following described area** is
 10 established as the Minto Flats **Wildlife** [STATE GAME] Refuge:

11 (1) Township 1 North, Range 6 West, Fairbanks Meridian

12 Sections 2 - 11

13 Sections 14 - 23

14 Sections 26 - 34;

15 (2) Township 1 North, Range 7 West, Fairbanks Meridian

16 Sections 1 - 36;

17 (3) Township 1 North, Range 8 West, Fairbanks Meridian

18 Sections 1 - 16

19 Sections 21 - 28: excluding ASLS 95-37

20 Section 35: E1/2

21 Section 36;

22 (4) Township 1 North, Range 9 West, Fairbanks Meridian

23 Sections 1 - 12;

24 (5) Township 1 North, Range 10 West, Fairbanks Meridian

25 Sections 1 - 12;

26 (6) Township 1 North, Range 11 West, Fairbanks Meridian

27 Sections 1 - 4

28 Sections 8 - 17

29 Section 18: east of Tolovana River

30 Section 19: east of Tolovana River

31 Sections 20 - 29

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- Section 30: east of Tolovana River;
- (7) Township 2 North, Range 6 West, Fairbanks Meridian
Sections 1 - 36;
- (8) Township 2 North, Range 7 West, Fairbanks Meridian
Sections 1 - 36;
- (9) Township 2 North, Range 8 West, Fairbanks Meridian
Sections 1 - 36;
- (10) Township 2 North, Range 9 West, Fairbanks Meridian
Sections 1 - 36;
- (11) Township 2 North, Range 10 West, Fairbanks Meridian
Section 3
Section 7: S1/2
Sections 8 - 10
Section 11: S1/2N1/2, S1/2
Section 12: S1/2N1/2, S1/2
Sections 13 - 36;
- (12) Township 2 North, Range 11 West, Fairbanks Meridian
Section 10: S1/2
Section 11: S1/2
Section 12: S1/2
Sections 13 - 15
Sections 22 - 27
Sections 34 - 36;
- (13) Township 3 North, Range 6 West, Fairbanks Meridian
Sections 13 - 36;
- (14) Township 3 North, Range 7 West, Fairbanks Meridian
Sections 6 - 8
Section 9: S1/2S1/2
Sections 13 - 36;
- (15) Township 3 North, Range 8 West, Fairbanks Meridian
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- Sections 5 - 10
- Sections 14 - 23
- Sections 25 - 36;
- (16) Township 3 North, Range 9 West, Fairbanks Meridian
 - Section 24: S1/2
 - Section 25
 - Sections 33 - 36;
- (17) Township 3 North, Range 10 West, Fairbanks Meridian
 - Sections 34 - 35;
- (18) Township 4 North, Range 6 West, Fairbanks Meridian
 - Sections 2 - 9
 - Sections 16 - 21;
- (19) Township 4 North, Range 7 West, Fairbanks Meridian
 - Sections 1 - 4
 - Section 5: S1/2
 - Section 6: S1/2
 - Sections 7 - 24
 - Sections 27 - 29
 - Sections 30 - 31
 - Section 32: N1/2, SW1/4;
- (20) Township 4 North, Range 8 West, Fairbanks Meridian
 - Sections 10 - 15
 - Sections 22 - 27
 - Sections 30 - 31
 - Sections 35 - 36;
- (21) Township 5 North, Range 5 West, Fairbanks Meridian
 - Section 6: W1/2
 - Section 7: W1/2
 - Section 18: W1/2;
- (22) Township 5 North, Range 6 West, Fairbanks Meridian
 - Sections 1 - 3

- 1 Section 4: SE1/4
- 2 Section 9: E1/2
- 3 Sections 10 - 15
- 4 Section 16: E1/2, SW1/4
- 5 Section 20: S1/2
- 6 Sections 21 - 29
- 7 Sections 31 - 36;
- 8 (23) Township 5 North, Range 7 West, Fairbanks Meridian
- 9 Section 35: SE1/4
- 10 Section 36: S1/2;
- 11 (24) Township 1 South, Range 6 West, Fairbanks Meridian
- 12 Sections 5 - 8
- 13 Sections 17 - 20
- 14 Sections 29 - 31;
- 15 (25) Township 1 South, Range 7 West, Fairbanks Meridian
- 16 Sections 1 - 36;
- 17 (26) Township 1 South, Range 8 West, Fairbanks Meridian
- 18 Sections 1 - 2
- 19 Sections 11 - 14
- 20 Sections 23 - 26
- 21 Sections 35 - 36;
- 22 (27) Township 1 South, Range 9 West, Fairbanks Meridian
- 23 Sections 1 - 36;
- 24 (28) Township 1 South, Range 10 West, Fairbanks Meridian
- 25 Sections 7 - 36;
- 26 (29) Township 1 South, Range 11 West, Fairbanks Meridian
- 27 Sections 25 - 26
- 28 Sections 35 - 36;
- 29 (30) Township 2 South, Range 6 West, Fairbanks Meridian
- 30 Section 6: S1/2NW1/4, S1/2
- 31 Section 7: all North and West of the Alaska Railroad right-of-

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Section 18: all North and West of the Alaska Railroad right-of-way

Section 19: all North and West of the Alaska Railroad right-of-way;

(31) Township 2 South, Range 7 West, Fairbanks Meridian

Sections 1 - 12

Section 13: NE1/4, E1/2NW1/4, NE1/4SW1/4, S1/2SW1/4, SE1/4

Section 14: W1/2

Sections 15 - 22

Section 23: W1/2

Section 24: all North and West of the Alaska Railroad right-of-way

Section 27: NW1/4

Sections 28 - 32

Section 33: NE1/4NE1/4, W1/2NE1/4, W1/2, W1/2SE1/4;

(32) Township 2 South, Range 8 West, Fairbanks Meridian

Section 1

Sections 12 - 13

Sections 24 - 25

Section 36;

(33) Township 2 South, Range 9 West, Fairbanks Meridian

Sections 1 - 12

Section 17: W1/2NW1/4, NW1/4SW1/4

Section 18

Section 19: N1/2, N1/2S1/2;

(34) Township 2 South, Range 10 West, Fairbanks Meridian

Sections 1 - 20

Section 21: NE1/4, W1/2

Section 22: NW1/4

- 1 Section 24: N1/2, N1/2S1/2
- 2 Sections 29 - 31;
- 3 (35) Township 2 South, Range 11 West, Fairbanks Meridian
- 4 Sections 1 - 5
- 5 Sections 7 - 36;
- 6 (36) Township 2 South, Range 12 West, Fairbanks Meridian
- 7 Sections 25 - 26
- 8 Sections 35 - 36;
- 9 (37) Township 3 South, Range 7 West, Fairbanks Meridian
- 10 Section 5: N1/2NE1/4, W1/2
- 11 Sections 6 - 7
- 12 Section 18: NE1/4, W1/2, N1/2SE1/4, SW1/4SE1/4;
- 13 (38) Township 3 South, Range 8 West, Fairbanks Meridian
- 14 Section 1
- 15 Section 12
- 16 Section 13
- 17 Section 22: NE1/4 (that portion above the ordinary high water
- 18 mark right bank Tanana River)
- 19 Section 23: N1/2, SE1/4
- 20 Section 24: N1/2, SW1/4
- 21 Section 25: NW1/4;
- 22 (39) Township 3 South, Range 11 West, Fairbanks Meridian
- 23 Sections 2 - 10
- 24 Section 11: N1/2
- 25 Section 14: SW1/4NE1/4, S1/2NW1/4, SW1/4, W1/2SE1/4
- 26 Sections 15 - 21
- 27 Section 22: NE1/4, W1/2, W1/2SE1/4
- 28 Section 23: NW1/4
- 29 Section 27: W1/2NE1/4, NW1/4, W1/2SW1/4
- 30 Sections 28 - 31
- 31 Section 32: NE1/4, NW1/4, SE1/4

Section 33: W1/2;

(40) Township 3 South, Range 12 West, Fairbanks Meridian

Sections 1 - 2

Sections 11 - 14

Sections 23 - 26

Sections 35 - 36.

* **Sec. 35.** AS 16.20.037(b) is amended to read:

(b) The Minto Flats **Wildlife** [STATE GAME] Refuge is established to

(1) ensure the protection and enhancement of habitat;

(2) ensure the conservation of fish and wildlife; 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 wildlife.

* **Sec. 36.** AS 16.20.037(c) is amended to read:

(c) The state may not acquire by eminent domain privately owned land within the Minto Flats **Wildlife** [STATE GAME] Refuge, but may acquire privately owned land by purchase, exchange, or otherwise for inclusion in the Minto Flats **Wildlife** [STATE GAME] Refuge.

* **Sec. 37.** AS 16.20.037(e) is amended to read:

(e) Public access to the Minto Flats **Wildlife** [STATE GAME] Refuge by means of horse, boat, aircraft, dog team, snow machine, ATV, or other means consistent with (b) of this section may not be prohibited.

* **Sec. 38.** AS 16.20.037(f) is amended to read:

(f) Access to and from private property within the Minto Flats **Wildlife** [STATE GAME] Refuge 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.

* **Sec. 39.** AS 16.20.037(g) is amended to read:

(g) The Department of Fish and Game and the Department of Natural Resources shall exercise their respective authorities over the Minto Flats **Wildlife** [STATE GAME] Refuge consistent with a management plan prepared by the

1 Department of Fish and Game in consultation with the Department of Natural
2 Resources.

3 * **Sec. 40.** AS 16.20.037(h) is amended to read:

4 (h) Entry on [UPON] the Minto Flats **Wildlife** [STATE GAME] Refuge for
5 purposes of exploration and development of oil and gas resources shall be permitted
6 unless a person demonstrates, on the basis of sound science or local traditional
7 knowledge, that exploration and development is incompatible with the purposes
8 specified in (b) of this section.

9 * **Sec. 41.** AS 16.20.038(a) is amended to read:

10 (a) The presently [FOLLOWING] state-owned land, including tide and
11 submerged land, and all land, including tide and submerged land, acquired in the
12 future by the state, lying within the following parcels described in this subsection is
13 established as the Trading Bay **Wildlife** [STATE GAME] Refuge:

- 14 (1) Township 9 North, Range 13 West, Seward Meridian
15 Sections 6 - 7;
- 16 (2) Township 9 North, Range 14 West, Seward Meridian
17 Sections 1 - 4, E 1/2 5, 8 - 12, W 1/2 13, 14 - 17, E 1/2 19, 20 -
18 22, W 1/2 23, W 1/2 27, 28 - 30;
- 19 (3) Township 9 North, Range 15 West, Seward Meridian
20 Sections W 1/2 1, 2 - 4, 9 - 11, W 1/2 12 and 13, 14 - 16, 19 -
21 23, W 1/2 24, 26 - 28, 31 - 35;
- 22 (4) Township 10 North, Range 13 West, Seward Meridian
23 Sections 1 - 12, 14 - 22, 28 - 32;
- 24 (5) Township 10 North, Range 14 West, Seward Meridian
25 Sections 1 - 18, E 1/2 19, 20 - 29, 32 - 36;
- 26 (6) Township 10 North, Range 15 West, Seward Meridian
27 Sections 1 - 12, 14 - 23, 26 - 35;
- 28 (7) Township 11 North, Range 13 West, Seward Meridian
29 Sections SW 1/4 3, 4 - 10, SW 1/4 11, W 1/2SW 1/4 13, 14 -
30 23, W 1/2, SE 1/4, W 1/2 NE 1/4, SE 1/4 NE 1/4 24, 25 - 36;
- 31 (8) Township 11 North, Range 14 - 15 West, Seward Meridian

Sections 1 - 36;

(9) Township 12 North, Range 13 West, Seward Meridian

Sections 19, 29 - 33;

(10) Township 12 North, Range 14 West, Seward Meridian

Sections 23 - 26, 31 - 33, 36.

* **Sec. 42.** AS 16.20.038(b) is amended to read:

(b) The Trading Bay **Wildlife** [STATE GAME] Refuge is established to protect the following:

(1) fish and wildlife habitat and populations, particularly waterfowl nesting, feeding, and migration areas; moose calving areas; spring and fall bear feeding areas; salmon spawning and rearing habitats;

(2) public uses of fish and wildlife and their habitat, particularly waterfowl, moose, and bear hunting; viewing; photography; and general public recreation in a high quality environment.

* **Sec. 43.** AS 16.20.038(c) is amended to read:

(c) Entry **on** [UPON] the Trading Bay **Wildlife** [STATE GAME] Refuge for purposes of exploration and development of oil and gas resources shall be permitted when compatible with the purposes specified in (b) of this section; however, all existing leases shall be valid and continue in full force and effect according to their terms.

* **Sec. 44.** AS 16.20.038(d) is amended to read:

(d) Land selected by a borough within the area described in (a) of this section shall be included in the Trading Bay **Wildlife** [STATE GAME] Refuge, subject to borough approval. If the borough relinquishes the selection of the land, the selected land becomes part of the Trading Bay **Wildlife** [STATE GAME] Refuge.

* **Sec. 45.** AS 16.20.038(e) is amended to read:

(e) The state may not acquire by eminent domain privately owned land within state-owned land specified in (a) of this section for inclusion in the Trading Bay **Wildlife** [STATE GAME] Refuge. The Department of Natural Resources may adopt, in accordance with AS 44.62 (Administrative Procedure Act), zoning regulations governing privately owned land within the Trading Bay **Wildlife** [STATE GAME]

1 Refuge, only to the extent that these regulations are imperative to **ensure** [INSURE]
2 compatibility with the intended use of the refuge.

3 * **Sec. 46.** AS 16.20.038(h) is amended to read:

4 (h) Land within existing and applied for highway, pipeline, and railway rights-
5 of-way, as of September 22, 1976, are excluded from the land described in (a) of this
6 section; however, when these interests revert to the state, the land shall be included
7 within the Trading Bay **Wildlife** [STATE GAME] Refuge.

8 * **Sec. 47.** AS 16.20.039(a) is amended to read:

9 (a) The **presently** [FOLLOWING] state-owned land and water, **and land and**
10 **water acquired in the future by the state, within the following described area** is
11 established as the Creamer's Field Migratory Waterfowl Refuge:

12 (1) commencing at the Section Corner on the Fairbanks Base Line
13 common to Sections 33 and 34, Township 1 North, Range 1 West, Fairbanks
14 Meridian, Point of Beginning, thence East along the Fairbanks Base Line 4703.30 feet,
15 thence South 0 degrees 00 minutes 16 seconds West 235.67 feet to the south bank of a
16 tributary of Isabella Creek, thence along the south bank of the tributary to Isabella
17 Creek North 70 degrees 59 minutes 51 seconds West 525.44 feet, continuing North 88
18 degrees 22 minutes 22 seconds West 85.48 feet to the confluence with the south bank
19 of Isabella Creek, thence along the south bank of Isabella Creek South 85 degrees 27
20 minutes 47 seconds West 209.43 feet, continuing South 68 degrees 10 minutes 59
21 seconds West 220.04 feet, continuing South 65 degrees 19 minutes 35 seconds West
22 434.66 feet to the northwestern boundary to Tract No. 5 of instrument number 60-
23 4556 (Plat, recorded June 21, 1960) in the Fairbanks Recorder's Office, thence South
24 53 degrees 52 minutes 05 seconds West 1228.34 feet along the westerly boundary of
25 the Subdivision of Tract No. 5 from the Charles Creamer Property, thence South 35
26 degrees 00 minutes 05 seconds West 300.08 feet to the northerly boundary of Lemeta
27 Subdivision, thence along the north boundary of the Lemeta Subdivision North 89
28 degrees 52 minutes 58 seconds West 646.40 feet to the northern College Road right-
29 of-way, thence along the north edge of the College Road right-of-way North 71
30 degrees 53 minutes 31 seconds West 688.05 feet, thence North 18 degrees 21 minutes
31 30 seconds East 12 feet, continuing on a 2 degree 17 minute 26 second curve to the

1 right 415.49 feet, continuing North 62 degrees 07 minutes 30 seconds West 275.16
2 feet, thence North 27 degrees 52 minutes 30 seconds East 10.00 feet, continuing on a 2
3 degree 26 minute 29 second curve to the left 473.08 feet, thence leaving the College
4 Road right-of-way North 0 degrees 03 minutes East 611.23 feet to the Fairbanks Base
5 Line, thence North 89 degrees 56 minutes 34 seconds East along the Fairbanks Base
6 Line 200.03 feet to the Section Corner common to Sections 33 and 34 on the
7 Fairbanks Base Line and the Point of Beginning, containing 83.7 acres, more or less;

8 (2) the W1/2SW1/4 and the SE1/4SW1/4 of Section 27; the S1/2 of
9 Section 28; the portions of the S1/2SE1/4 lying southerly of the Farmers Loop Road
10 right-of-way and the SE1/4SE1/4NE1/4SE1/4 of Section 29; all of Section 34; and the
11 W1/2 and the W1/2E1/2 of Section 35, all in Township 1 North, Range 1 West,
12 Fairbanks Meridian;

13 (3) Tract B-2 and Tract C of Alaska State Land Survey No. 83-62 in
14 Section 33, Township 1 North, Range 1 West, Fairbanks Meridian, according to Plat
15 No. 83-272 as filed in the Fairbanks Recording District on December 20, 1983, and as
16 modified by the public utility easement vacation plat filed in the Fairbanks Recording
17 District on February 22, 1985, as Plat No. 85-27;

18 (4) the SW1/4SW1/4 of Section 26 in Township 1 North, Range 1
19 West, Fairbanks Meridian (also known as a portion of Tax Lot 2600);

20 (5) the SE1/4 of Section 27 in Township 1 North, Range 1 West,
21 Fairbanks Meridian excepting therefrom:

22 (A) all that portion lying within Air Park Subdivision according
23 to the plat filed November 20, 1978, as Plat No. 78-206 Fairbanks Recording
24 District; Replat Lot 7 Block 1 Air Park Subdivision and Air Park Subdivision
25 First Addition according to the plat filed April 2, 1979, as Plat No. 79-56
26 Fairbanks Recording District; Air Park Second Addition, according to the plat
27 filed November 26, 1979, as Plat No. 79-264 and amended plat filed May 15,
28 1980, as Plat No. 80-86 Fairbanks Recording District; Air Park Subdivision
29 Third Addition according to the plat filed June 14, 1993, as Plat No. 93-160
30 Fairbanks Recording District; and

31 (B) the West 240 feet as conveyed to Sherman Field Airstrip

1 Owner's Association, Inc., by Bargain and Sale Deed recorded January 19,
2 1989, in Book 606, Page 586, Fairbanks Recording District;

3 (6) the portions of the E1/2SW1/4SE1/4NW1/4,
4 W1/2SE1/4SE1/4NW1/4, E1/2NW1/4SE1/4NW1/4, and W1/2NE1/4SE1/4NW1/4
5 lying southerly of Farmers Loop Road right-of-way, according to the Department of
6 Transportation and Public Facilities Project RS-0644(13)/60384, as Plat No. 2008-89,
7 Fairbanks Recording District, all lying within Section 28 in Township 1 North, Range
8 1 West, Fairbanks Meridian;

9 (7) the E1/2SW1/4 and the NW1/4SW1/4 within Section 26 in
10 Township 1 North, Range 1 West, Fairbanks Meridian;

11 **(8) Tract A of Fairbanks Golf and Country Club, First Addition,**
12 **according to the plat filed July 15, 1993, as Plat No. 93-169; records of the**
13 **Fairbanks Recording District, Fourth Judicial District, State of Alaska;**

14 **(9) NE1/4 of the NW1/4 of Fairbanks Golf and Country Club, First**
15 **Addition, according to the plat filed July 15, 1993, as Plat No. 93-169; records of**
16 **the Fairbanks Recording District, Fourth Judicial District, State of Alaska;**

17 **(10) Tract A of North College Road Subdivision, according to the**
18 **plat filed July 2, 2020, as Plat 2020-46; records of the Fairbanks Recording**
19 **District, Fourth Judicial District, State of Alaska;**

20 **(11) Section 33: N1/2S1/2, excluding Tract B of Alaska State Land**
21 **Survey No. 80-67; according to the General Land Office survey plat of Township**
22 **1 North, Range 1 West, Fairbanks Meridian, Alaska, approved by the U.S.**
23 **Surveyor General's Office in Juneau, Alaska, on October 9, 1913; according to**
24 **the Division of Technical Services survey plat of Alaska State Land Survey No.**
25 **80-67, within surveyed Section 33, Township 1 North, Range 1 West, Fairbanks**
26 **Meridian, Alaska, filed in the Fairbanks Recording District on March 11, 1983,**
27 **as Plat No. 83-43;**

28 **(12) Section 33 N1/2, according to the General Land Office survey**
29 **plat of Township 1 North, Range 1 West, Fairbanks Meridian, Alaska, approved**
30 **by the U.S. Surveyor General's Office in Juneau, Alaska, on October 9, 1913.**

31 * Sec. 48. AS 16.20.041 is amended to read:

1 **Sec. 16.20.041. McNeil River Wildlife [STATE GAME] Refuge.** (a) The
 2 **presently** [FOLLOWING] state-owned land and water, **and land and water**
 3 **acquired in the future by the state**, including the tideland but exclusive of marine
 4 water and submerged land, lying within the **following** parcels described in this
 5 subsection is established as the McNeil River **Wildlife** [STATE GAME] Refuge:

6 Township 10 South, Range 29 West, Seward Meridian

7 Section 19: S1/2

8 Section 20: SW1/4

9 Section 29: W1/2

10 Sections 30 - 31

11 Township 10 South, Range 30 West, Seward Meridian

12 Section 3: SW1/4

13 Section 4: SE1/4

14 Sections 10 - 11

15 Sections 14 - 16

16 Section 17: E1/2

17 Sections 20 - 23

18 Sections 25 - 29

19 Section 30: SE1/4

20 Section 31: NE1/4, S1/2

21 Sections 32 - 36

22 Township 11 South, Range 29 West, Seward Meridian

23 Sections 1 - 35

24 Section 36, except Nordyke Island and its tideland

25 Township 11 South, Range 30 West, Seward Meridian

26 Sections 1 - 36

27 Township 11 South, Range 31 West, Seward Meridian

28 Sections 1 - 36

29 Township 11 South, Range 32 West, Seward Meridian

30 Sections 1 - 36, except land within Katmai National Park and Preserve

31 Township 12 South, Range 31 West, Seward Meridian

1 Sections 1 - 36

2 Township 12 South, Range 32 West, Seward Meridian

3 Sections 1 - 36, except land within Katmai National Park and Preserve

4 Township 13 South, Range 33 West, Seward Meridian

5 Section 1, except land within Katmai National Park and Preserve.

6 (b) The McNeil River **Wildlife** [STATE GAME] Refuge is established to

7 (1) provide permanent protection for brown bear and other fish and
8 wildlife populations and their habitats, so that these resources may be preserved for
9 scientific, aesthetic, and educational purposes;

10 (2) manage human use and activities in a way that is compatible with
11 (1) of this subsection and to maintain and enhance the unique bear viewing
12 opportunities in the McNeil River **Wildlife** [STATE GAME] Sanctuary established
13 under AS 16.20.160;

14 (3) provide opportunities that are compatible with (1) of this
15 subsection for wildlife viewing, fisheries enhancement, fishing, hunting, and trapping,
16 for temporary safe anchorage, and for other activities.

17 (c) The [BOARD OF GAME SHALL DETERMINE WHETHER] hunting of
18 brown bears **is prohibited** within the McNeil River **Wildlife** [STATE GAME] Refuge
19 [SHOULD BE PROHIBITED].

20 (d) The use and enjoyment of valid rights and interests in mineral claims,
21 including the right of access, within the McNeil River **Wildlife** [STATE GAME]
22 Refuge is protected. This subsection does not affect the power of the commissioner of
23 natural resources to open or close land within the McNeil River **Wildlife** [STATE
24 GAME] Refuge to new mineral entry under AS 38.05.185 - 38.05.275.

25 (e) The department and the Department of Natural Resources

26 (1) may not enter into sales of land within the McNeil River **Wildlife**
27 [STATE GAME] Refuge;

28 (2) may enter into leases within the McNeil River **Wildlife** [STATE
29 GAME] Refuge if the commissioner finds that activity conducted under the lease is
30 compatible with the purposes for which the refuge is established;

31 (3) may not accept transfer of state selected land from the federal

1 government, or conveyance of other land, within the refuge if the land is subject to

2 (A) a lease, easement, or other right to operate or maintain a
3 private facility on the land or to conduct a private enterprise on the land; or

4 (B) a continuing trespass by an unauthorized private facility or
5 private enterprise.

6 (f) The commissioner shall prepare a report and notify the legislature of its
7 availability by January 30 of each year on

8 (1) the status of the brown bears and other fish and wildlife resources
9 within the McNeil River Wildlife [STATE GAME] Refuge; and

10 (2) the effect of hunting, fishing, and trapping, fishery enhancement
11 activity, and mineral resource development on these resources.

12 * **Sec. 49.** AS 16.20.050 is amended to read:

13 **Sec. 16.20.050. Multiple land use.** Where the use, lease, or disposal of real
14 property in state wildlife [GAME] refuges created by AS 16.20.010 - 16.20.075
15 [AS 16.20.010 - 16.20.080] is under the control or jurisdiction of the state, whether
16 through federal permit or state ownership, the responsible state department or agency
17 shall notify the commissioner of fish and game before initiating any use, lease, or
18 disposal of real property. The commissioner shall acknowledge receipt of notice by
19 return mail.

20 * **Sec. 50.** AS 16.20.050 is amended by adding a new subsection to read:

21 (b) Before the use, lease, or other disposal of land under private ownership or
22 state jurisdiction and control, within state wildlife refuges created under AS 16.20.550
23 - 16.20.690, the person or responsible state department or agency shall notify the
24 commissioner of fish and game. The commissioner shall acknowledge receipt of
25 notice by return mail.

26 * **Sec. 51.** AS 16.20 is amended by adding a new section to read:

27 **Sec. 16.20.052. Submission of plans and specifications.** (a) When a board
28 determines that the following information is required for a particular use of land and
29 water within a state wildlife refuge, the board shall instruct the commissioner, in the
30 letter of acknowledgment required under AS 16.20.050(b), to require the person or
31 governmental agency to submit

- 1 (1) full plans for the anticipated use;
- 2 (2) full plans and specifications of proposed construction work;
- 3 (3) complete plans and specifications for the proper protection of fish
- 4 and game; and
- 5 (4) the approximate date when the construction or work is to
- 6 commence.

7 (b) The board shall require the person or governmental agency to obtain the
 8 written approval of the commissioner as to the sufficiency of the plans or
 9 specifications before construction is commenced.

10 * **Sec. 52.** AS 16.20.075 is amended to read:

11 **Sec. 16.20.075. Regulations.** The board shall, under AS 16.05, adopt
 12 regulations governing the taking of game on state wildlife [GAME] refuges under
 13 AS 16.20.010 - 16.20.075 and 16.20.550 - 16.20.690 that it considers advisable for
 14 conservation and protection purposes.

15 * **Sec. 53.** AS 16.20.090(b) is amended to read:

16 (b) The purpose of AS 16.20.090 - 16.20.098 is to protect the walruses and
 17 other wildlife [GAME] on the Walrus Islands.

18 * **Sec. 54.** AS 16.20.092 is amended to read:

19 **Sec. 16.20.092. Walrus Islands Wildlife [STATE GAME] Sanctuary**
 20 **established.** The following land areas in Bristol Bay and adjacent state waters are
 21 established as a wildlife [STATE GAME] sanctuary to be known as the Walrus
 22 Islands Wildlife [STATE GAME] Sanctuary:

- 23 (1) Round Island;
- 24 (2) Crooked Island;
- 25 (3) High Island;
- 26 (4) Summit Island;
- 27 (5) The Twins;
- 28 (6) Black Rock.

29 * **Sec. 55.** AS 16.20.094 is amended to read:

30 **Sec. 16.20.094. Authority to administer.** The boards may adopt regulations
 31 governing entry, development, construction, hunting, fishing, and all other uses or

activities not in conflict with AS 16.20.096 and 16.20.098 for the purpose of preserving the natural habitat and the fish and wildlife [GAME] of the Walrus Islands Wildlife [STATE GAME] Sanctuary.

* **Sec. 56.** AS 16.20.096 is amended to read:

Sec. 16.20.096. Multiple use. Oil and mineral exploration and development is permitted on the Walrus Islands Wildlife [STATE GAME] Sanctuary in accordance with state or federal laws and regulations, subject to the limitations of AS 16.20.098 and to additional limitations jointly determined by the commissioner of natural resources and the commissioner of fish and game to ensure [ASSURE] compatible multiple land use practices.

* **Sec. 57.** AS 16.20.098 is amended to read:

Sec. 16.20.098. Sale prohibited; authorized leasing. Land in the Walrus Islands Wildlife [STATE GAME] Sanctuary may not be sold. It may be leased only as mineral land as authorized in regulations of the Department of Natural Resources.

* **Sec. 58.** AS 16.20.150 is amended to read:

Sec. 16.20.150. Stan Price [STATE] Wildlife Sanctuary. (a) The presently state-owned tide and submerged land and water, and tide and submerged land and water acquired in the future by the state, within the following described parcels is established as a [STATE] wildlife sanctuary to be known as the Stan Price [STATE] Wildlife Sanctuary:

Township 46 South, Range 69 East, Copper River Meridian

Section 5: W1/2, W1/2E1/2

Section 6: SE1/4SE1/4

Section 7: NE1/4NE1/4

Section 8: NW1/4, W1/2NE1/4, N1/2SW1/4.

(b) The Stan Price [STATE] Wildlife Sanctuary is established to provide permanent protection for brown bears, other fish and wildlife populations, and their habitats in the area so that these resources may be preserved for scientific, aesthetic, and educational purposes.

(c) A board may adopt regulations governing access, entry, development, construction, and each other use and activity affecting the natural habitat and the fish

and wildlife within the Stan Price [STATE] Wildlife Sanctuary.

(d) Consistent with (b) of this section, the commissioner shall manage the Stan Price [STATE] Wildlife Sanctuary compatibly with the United States Forest Service's management of the adjacent upland. The commissioner may enter into a cooperative management agreement with a federal agency, a municipality, another state agency, or a private landowner to achieve the purposes of this section.

* Sec. 59. AS 16.20.160 is amended to read:

Sec. 16.20.160. McNeil River Wildlife [STATE GAME] Sanctuary. The **presently** [FOLLOWING] state-owned land and water, **and land and water acquired in the future by the state,** including the tidelands but exclusive of marine water and submerged land, lying within the **following** parcels described in this subsection is established as the McNeil River **Wildlife** [STATE GAME] Sanctuary:

Township 12 South, Range 29 West, Seward Meridian

Sections 1 - 36

Township 12 South, Range 30 West, Seward Meridian

Sections 1 - 36

Township 13 South, Range 29 West, Seward Meridian

Sections 5 - 8

Sections 17 - 20

Sections 29 - 32

Township 13 South, Range 30 West, Seward Meridian

Sections 1 - 36

Township 13 South, Range 31 West, Seward Meridian

Sections 1 - 36

Township 13 South, Range 32 West, Seward Meridian

Sections 1 - 36

Township 14 South, Range 32 West, Seward Meridian

Sections 1 - 12

Sections 15 - 22

Sections 27 - 30.

* Sec. 60. AS 16.20.160, as repealed and reenacted by sec. 5, ch. 56, SLA 1991, is amended

1 to read:

2 **Sec. 16.20.160. Sanctuary established [SANCTUARY ESTABLISHED].**

3 The **presently state owned land and water, and land and water acquired in the**
4 **future by the state, in the** following described area and adjacent state waters are
5 established as a state **wildlife** [GAME] sanctuary to be known as the McNeil River
6 **Wildlife** [STATE GAME] Sanctuary: Beginning at the NE corner of Section 13, T 12
7 S R 30 W, S.M., westerly along the section lines to the NW corner of Section 18, T 12
8 S R 30 W, S.M., thence southerly along the township boundary to the SW corner of T
9 12 S R 30 W, S.M., thence westerly along the north boundary of T 13 S R 31 W, S.M.,
10 to the NW corner of T 13 S R 31 W, S.M., thence westerly along the north boundary
11 of T 13 S R 32 W, S.M., to the NW corner of T 13 S R 32 W, S.M., thence southerly
12 along the west boundary of T 13 S R 32 W, S.M., to the SW corner of T 13 S R 32 W,
13 S.M., thence southerly along the west boundary of T 14 S R 32 W, S.M., to the SW
14 corner of Section 30, T 14 S R 32 W, S.M., thence easterly along the section lines to
15 the SE corner of Section 27, T 14 S R 32 W, S.M., thence northerly along the section
16 lines to the NE corner of Section 15, T 14 S R 32 W, S.M., thence easterly along the
17 section lines to the east boundary of T 14 S R 32 W, S.M., thence northerly along the
18 east boundary of T 14 S R 32 W, S.M., to the NE corner of T 14 S R 32 W, S.M.,
19 thence easterly along the south boundary of T 13 S R 31 W, S.M., to the SE corner of
20 T 13 S R 31 W, S.M., thence northerly along the east boundary of T 13 S R 31 W,
21 S.M., to the NE corner of Section 24, T 13 S R 31 W, S.M., thence easterly along the
22 section lines to the SE corner of Section 16, T 13 S R 30 W, S.M., thence northerly
23 along the section lines to the NE corner of Section 4, T 13 S R 30 W, S.M., thence
24 easterly along the south boundary of T 12 S R 30 W, S.M., to the SE corner of T 12 S
25 R 30 W, S.M., thence easterly along the south boundary of T 12 S R 29 W, S.M., to
26 the shoreline of Horseshoe Cove located in Section 32, T 12 S R 29 W, S.M., thence
27 northerly, westerly, and northerly along the line of mean high tide to the point of
28 beginning.

29 * **Sec. 61.** AS 16.20.162 is amended to read:

30 **Sec. 16.20.162. Purpose; regulations.** (a) The McNeil River **Wildlife**
31 [STATE GAME] Sanctuary is established to

1 (1) provide permanent protection for brown bear and other fish and
2 wildlife populations and their habitats, so that these resources may be preserved for
3 scientific, aesthetic, and educational purposes;

4 (2) manage human use and activities in a way that is compatible with
5 (1) of this subsection and to maintain and enhance the unique bear viewing
6 opportunities within the sanctuary; and

7 (3) provide opportunities that are compatible with (1) of this
8 subsection for wildlife viewing, fisheries enhancement, and fishing, for temporary safe
9 anchorage, and for other activities.

10 (b) Hunting and trapping within the McNeil River **Wildlife** [STATE GAME]
11 Sanctuary are prohibited.

12 (c) The department and the Department of Natural Resources

13 (1) may not enter into sales of land within the McNeil River **Wildlife**
14 [STATE GAME] Sanctuary;

15 (2) may enter into leases within the McNeil River **Wildlife** [STATE
16 GAME] Sanctuary if the commissioner finds that activity conducted under the lease is
17 compatible with the purposes for which the sanctuary is established;

18 (3) may not accept transfer of state selected land from the federal
19 government, or conveyance of other land, within the sanctuary if the land is subject to

20 (A) a lease, easement, or other right to operate or maintain a
21 private facility on the land or to conduct a private enterprise on the land; or

22 (B) a continuing trespass by an unauthorized private facility or
23 private enterprise.

24 (d) The McNeil River **Wildlife** [STATE GAME] Sanctuary is closed to
25 mineral entry under AS 38.05.185 - 38.05.275.

26 (e) The boards may adopt regulations governing access, entry, development,
27 construction, fishing, and other uses and activities affecting the natural habitat, fish
28 and wildlife, and public use of the McNeil River **Wildlife** [STATE GAME]
29 Sanctuary.

30 (f) The commissioner shall prepare a report and notify the legislature of its
31 availability by January 30 of each year on

1 (1) the status of the brown bears and other fish and wildlife resources
2 within the McNeil River **Wildlife** [STATE GAME] Sanctuary; and

3 (2) the effects of fishing and fishery enhancement activity on these
4 resources.

5 * **Sec. 62.** AS 16.20.162, as repealed and reenacted by sec. 6, ch. 56, SLA 1991, is amended
6 to read:

7 **Sec. 16.20.162. Applicability of other laws [APPLICABILITY OF OTHER**
8 **LAWS].** The provisions of AS 16.20.120 - 16.20.140 relating to administration,
9 multiple use and sale and lease of the Walrus Islands **Wildlife** [STATE GAME]
10 Sanctuary apply also with respect to the McNeil River **Wildlife** [STATE GAME]
11 Sanctuary.

12 * **Sec. 63.** AS 16.20.550 is amended to read:

13 **Sec. 16.20.550. Port Moller Wildlife Refuge [CRITICAL HABITAT**
14 **AREA] established.** The **presently state-owned land and water, and land and**
15 **water acquired in the future by the state, within the** following described area is
16 established as the Port Moller **Wildlife Refuge** [CRITICAL HABITAT AREA]:

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

18 Sections 7 - 8

19 Section 14 [(NOT TIDE OR SUBMERGED LAND)]

20 Sections 15 - 17

21 Sections 21 - 23

22 Section 32;

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

24 Section 3 [(NOT TIDE OR SUBMERGED LAND)]

25 Sections 4 - 5

26 Section 7

27 Sections 9 - 10

28 Sections 15 - 17;

29 (3) Township 49 South, Range 73 West, Seward Meridian

30 Sections 10 - 11

31 Section 12 [(NOT TIDE OR SUBMERGED LAND)]

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

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- (10) Township 48 South, Range 74 [75] West, Seward Meridian
 - Sections 15 - 18
 - Section 22
 - Sections 29 - 30
 - Section 31 [(NOT TIDE OR SUBMERGED LAND)]
 - Section 32;
- (11) Township 48 South, Range 75 [76] West, Seward Meridian
 - Sections 13 - 17
 - Sections 19 - 23
 - Sections 25 - 27
 - Sections 29 - 30
 - Sections 34 - 35
 - Section 36 [(NOT TIDE OR SUBMERGED LAND)];
- (12) Township 50 South, Range 76 West, Seward Meridian
 - Section 1
 - Section 3
 - Section 4 [(NOT TIDE OR SUBMERGED LAND)]
 - Section 9 [(NOT TIDE OR SUBMERGED LAND)]
 - Sections 10 - 13
 - Sections 14 - 16 [(NOT TIDE OR SUBMERGED LAND)]
 - Sections 21 - 23 [(NOT TIDE OR SUBMERGED LAND)]
 - Sections 24 - 25
 - Sections 26 - 28 [(NOT TIDE OR SUBMERGED LAND)];
- (13) Township 49 South, Range 76 West, Seward Meridian
 - Sections 1 - 4
 - Sections 7 - 9
 - 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)]

- 1 Section 22
- 2 Sections 28 - 29
- 3 Sections 33 - 34;
- 4 (14) Township 49 South, Range 77 West, Seward Meridian
- 5 Sections 1 - 2
- 6 Sections 4 - 5
- 7 Sections 7 - 12
- 8 Sections 13 - 18 [(NOT TIDE OR SUBMERGED LAND)];
- 9 (15) Township 48 South, Range 76 [77] West, Seward Meridian
- 10 Sections 20 - 23
- 11 Sections 26 - 28;
- 12 (16) Township 48 South, Range 77 [78] West, Seward Meridian
- 13 Sections 26 - 27
- 14 Sections 31 - 34;
- 15 (17) Township 49 South, Range 78 West, Seward Meridian
- 16 Sections 2 - 5
- 17 Sections 8 - 12
- 18 Sections 13 - 16 [(NOT TIDE OR SUBMERGED LAND)]
- 19 Section 17.

20 * **Sec. 64.** AS 16.20.550 is amended by adding a new subsection to read:

21 (b) Regulations adopted for the Port Moller Wildlife Refuge do not apply to
22 private land located within the area described in (a) of this section.

23 * **Sec. 65.** AS 16.20.555 is amended to read:

24 **Sec. 16.20.555. Port Heiden Wildlife Refuge [CRITICAL HABITAT**
25 **AREA] established. The presently state-owned land and water, and land and**
26 **water acquired in the future by the state, within the following described area is**
27 **established as the Port Heiden Wildlife Refuge [CRITICAL HABITAT AREA]:**

- 28 (1) Township 38 South, Range 59 West, Seward Meridian
- 29 Sections 13 - 15 (not tide or submerged land)
- 30 Section 16
- 31 Section 21

- 1 Sections 22 - 27 (not tide or submerged land)
- 2 Section 28
- 3 Sections 33 - 34
- 4 Sections 35 - 36 (not tide or submerged land);
- 5 (2) Township 38 South, Range 60 West, Seward Meridian
- 6 Sections 17 - 19;
- 7 (3) Township 38 South, Range 61 West, Seward Meridian
- 8 Sections 24 - 26
- 9 Section 34;
- 10 (4) Township 39 South, Range 59 West, Seward Meridian
- 11 Sections 1 - 2 (not tide or submerged land)
- 12 Section 3
- 13 Sections 10 - 14 (not tide or submerged land)
- 14 Section 15
- 15 Sections 19 - 22
- 16 Sections 26 - 29
- 17 Sections 30 - 33 (not tide or submerged land)
- 18 Sections 34 - 36;
- 19 (5) Township 39 South, Range 60 West, Seward Meridian
- 20 Sections 18 - 24
- 21 Section 25 (not tide or submerged land)
- 22 Sections 26 - 27
- 23 Sections 28 - 36 (not tide or submerged land);
- 24 (6) Township 39 South, Range 61 West, Seward Meridian
- 25 Sections 2 - 4
- 26 Sections 8 - 9
- 27 Section 10 (not tide or submerged land)
- 28 Sections 11 - 13
- 29 Sections 14 - 15 (not tide or submerged land)
- 30 Sections 16 - 18
- 31 Sections 19 - 20 (not tide or submerged land)

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Section 21
Sections 22 - 36 (not tide or submerged land);
(7) Township 39 South, Range 62 West, Seward Meridian
Section 13
Sections 23 - 28
Sections 32 - 34
Sections 35 - 36 (not tide or submerged land).

* **Sec. 66.** AS 16.20.555 is amended by adding a new subsection to read:
(b) Regulations adopted for the Port Heiden Wildlife Refuge do not apply to private land located within the area described in (a) of this section.

* **Sec. 67.** AS 16.20.560 is amended to read:
Sec. 16.20.560. Cinder River Wildlife Refuge [CRITICAL HABITAT AREA] established. The **presently state-owned land and water, and land and water acquired in the future by the state, within the** following described area is established as the Cinder River **Wildlife Refuge** [CRITICAL HABITAT AREA]:

- (1) Township 32 South, Range 54 West, Seward Meridian
Section 29
Sections **31 - 33** [31 - 32];
- (2) Township 33 South, Range 55 West, Seward Meridian
Sections 1 - 4
Sections 7 - 13
Sections 14 - 17
Sections 18 - 23
Sections 27 - 32 [(NOT TIDE OR SUBMERGED LAND) SECTION 18];
- (3) Township 33 South, Range 56 West, Seward Meridian
Sections 13 - 14
Sections 22 - 23
Sections 24 - 26 [(NOT TIDE OR SUBMERGED LAND)]
Sections 27 - 29
Sections 31 - 32

Sections 33 - 36 [(NOT TIDE OR SUBMERGED LAND)];

(4) Township 34 South, Range 56 West, Seward Meridian

Sections 3 - 10

Sections 15 - 16 [5 - 7

SECTION 4 N 1/2];

(5) Township 34 South, Range 57 West, Seward Meridian

Section 1

Section 12.

* **Sec. 68.** AS 16.20.565 is amended to read:

Sec. 16.20.565. Egegik Wildlife Refuge [CRITICAL HABITAT AREA] established. The presently state-owned land and water, and land and water acquired by the state in the future, within the following described area is established as the Egegik Wildlife Refuge [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. 69.** AS 16.20.565 is amended by adding a new subsection to read:

(b) Regulations adopted for the Egegik Wildlife Refuge do not apply to private land located within the area described in (a) of this section.

* **Sec. 70.** AS 16.20.570 is amended to read:

Sec. 16.20.570. Pilot Point Wildlife Refuge [CRITICAL HABITAT AREA]

1 **established. The presently state-owned land and water, and land and water**
 2 **acquired in the future by the state, within the** following described area is
 3 established as the Pilot Point **Wildlife Refuge** [CRITICAL HABITAT AREA]:

- 4 (1) Township 30 South, Range 52 West, Seward Meridian (protracted)
- 5 Sections 1 - 3
- 6 Section 12;
- 7 (2) Township 30 South, Range 51 West, Seward Meridian (protracted)
- 8 Sections 5 - 8
- 9 Section 17;
- 10 (3) Township 31 South, Range 51 West, Seward Meridian (protracted)
- 11 Sections 5 - 8
- 12 Sections 13 - 15
- 13 Sections 17 - 27;
- 14 (4) Township 30 South, Range 52 West, Seward Meridian (protracted)
- 15 Sections 27 - 29
- 16 Sections 31 - 34;
- 17 (5) Township 31 South, Range 52 West, Seward Meridian (protracted)
- 18 Sections 1 - 3
- 19 Sections 5 - 6
- 20 Sections 11 - 14
- 21 Sections 23 - 24;
- 22 (6) Township 30 South, Range 53 West, Seward Meridian (protracted)
- 23 Section 36;
- 24 (7) Township 31 South, Range 53 West, Seward Meridian (protracted)
- 25 Sections 1 - 2
- 26 Sections 10 - 11
- 27 Sections 12 - 14 [(NOT TIDE OR SUBMERGED LAND)]
- 28 Sections 15 - 16
- 29 Sections 20 - 21
- 30 Sections 22 - 28 [(NOT TIDE OR SUBMERGED LAND)]
- 31 Sections 29 - 31

1 Sections 32 - 36 [(NOT TIDE OR SUBMERGED LAND)];
 2 (8) Township 31 [32] South, Range 54 West, Seward Meridian
 3 (protracted)

4 Section 36.

5 * **Sec. 71.** AS 16.20.570 is amended by adding a new subsection to read:

6 (b) Regulations adopted for the Pilot Point Wildlife Refuge do not apply to
 7 private land located within the area described in (a) of this section.

8 * **Sec. 72.** AS 16.20.575 is amended to read:

9 **Sec. 16.20.575. Kalgin Island Wildlife Refuge [CRITICAL HABITAT**
 10 **AREA] established. The presently state-owned land and water, and land and**
 11 **water acquired in the future by the state, within the** following described area is
 12 established as the Kalgin Island **Wildlife Refuge** [CRITICAL HABITAT AREA]:

13 (1) Township 3 North, Range 15 West, Seward Meridian

14 Section 7: NW 1/4

15 Section 6: SW 1/4;

16 (2) Township 3 North, Range 16 West, Seward Meridian

17 Section 1

18 Sections 11 - 12

19 Section 2: E 1/2;

20 (3) Township 4 North, Range 16 West, Seward Meridian

21 Section 35: E 1/2

22 Section 36.

23 * **Sec. 73.** AS 16.20.580 is amended to read:

24 **Sec. 16.20.580. Fox River Flats Wildlife Refuge [CRITICAL HABITAT**
 25 **AREA] established. The presently state-owned land and water, and land and**
 26 **water acquired in the future by the state, within the** following described area is
 27 established as the Fox River Flats **Wildlife Refuge** [CRITICAL HABITAT AREA]:

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

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

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

31 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. 74.** AS 16.20.580 is amended by adding new subsections to read:

(b) A person may not operate a personal watercraft within the Fox River Flats Wildlife Refuge established under (a) of this section.

(c) In this section, "personal watercraft" means a vessel that is

(1) less than 16 feet in length;

(2) propelled by a water jet pump or other machinery as its primary source of motor propulsion; and

(3) designed to be operated by a person sitting, standing, or kneeling on the vessel, rather than by a person sitting or standing inside the vessel.

* **Sec. 75.** AS 16.20.585 is amended to read:

Sec. 16.20.585. Chilkat River Wildlife Refuge [CRITICAL HABITAT AREA] established. The **presently state-owned land and water, and land and water acquired in the future, within the** following described area is established as the Chilkat River **Wildlife Refuge** [CRITICAL HABITAT AREA]:

The areas encompassed by a boundary beginning at a point identical with the north corners common to Sections 1 and 2, Township 29 South, Range 56 East, Copper River Meridian, Alaska; thence west a distance of 500 feet along the north boundary of Section 2; thence south along a line parallel to the west boundary of Section 2, Township 29 South, Range 56 East, Copper River Meridian, a distance of approximately one mile to the south boundary of Section 2; thence east a distance of approximately 500 feet to the southeast corner of Section 2; thence south along the east boundary of Section 11, Township 29 South, Range 56 West, Copper River Meridian crossing the Tsirku River, to the first point of intersection with a meander line 500 feet upland from the line of mean high water on the south bank of the Tsirku River; thence easterly along said meander line to its first point of intersection with a western boundary or the northerly extension of the western boundary of U.S. Survey

1 786; thence to the northwest corner of U.S. Survey 786; thence east 2,640 feet to the
 2 northeast corner of U.S. Survey 786; thence south along the east boundary to U.S.
 3 Survey 786 to its intersection with the section line common to Sections 17 and 20 of
 4 Township 29 South, Range 57 East, Copper River Meridian; thence east along said
 5 section line to its first point of intersection with a meander line running 500 feet
 6 upland from the mean high water mark on the west bank of the Chilkat River; thence
 7 meandering in a southeasterly direction along a line 500 feet upland from the mean
 8 high water mark on the southeast bank of the Chilkat River to its first point of
 9 intersection with the section line common to Sections 21 and 28 of Township 29
 10 South, Range 57 East, Copper River Meridian; thence east along said section line to
 11 the corner common to Sections 21, 22, 27, and 28, Township 29 South, Range 57 East,
 12 Copper River Meridian; thence north along section lines to the point of intersection
 13 with the Haines Highway right-of-way; thence northwesterly along the southwest
 14 boundary of said highway right-of-way to the point of intersection with the north
 15 boundary of Section 6, Township 29 South, Range 57 East, Copper River Meridian;
 16 thence west along section lines to the point of beginning, comprising 4,800 acres,
 17 more or less.

18 * **Sec. 76.** AS 16.20.590 is amended to read:

19 **Sec. 16.20.590. Kachemak Bay Wildlife Refuge [CRITICAL HABITAT**
 20 **AREA] established.** (a) The **presently state-owned land and water, and land and**
 21 **water acquired in the future by the state, within the** following described area is
 22 established as the Kachemak Bay **Wildlife Refuge** [CRITICAL HABITAT AREA]:

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

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

27 (3) Township 5 South, Range 10 West, Seward Meridian (only tide
 28 and submerged land and waters);

29 (4) [(3)] Township 5 South, Range 11 West, Seward Meridian (only
 30 tide and submerged land and waters);

31 (5) [(4)] Township 5 South, Range 12 West, Seward Meridian (only

1 tide and submerged land and waters);

2 (6) [(5)] Township 6 South, Range 11 West, Seward Meridian (only
3 tide and submerged land and waters);

4 (7) [(6)] Township 6 South, Range 12 West, Seward Meridian (only
5 tide and submerged land and waters);

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

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

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

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

14 (12) [(11)] Township 7 South, Range 13 West, Seward Meridian (only
15 tide and submerged land and waters);

16 (13) [(12)] Township 7 South, Range 14 West, Seward Meridian (only
17 tide and submerged land and waters);

18 (14) [(13)] Township 8 South, Range 12 West, Seward Meridian (only
19 tide and submerged land and waters);

20 (15) [(14)] Township 8 South, Range 13 West, Seward Meridian (only
21 tide and submerged land and waters);

22 (16) [(15)] Township 8 South, Range 14 West, Seward Meridian (only
23 tide and submerged land and waters);

24 (17) [(16)] Township 9 South, Range 14 West, Seward Meridian (only
25 tide and submerged land and waters);

26 (18) [(17)] Township 9 South, Range 15 West, Seward Meridian (only
27 tide and submerged land and waters east of a line from Anchor Point to Point
28 Pogibshi);

29 (19) [(18)] Township 5 South, Range 15 West, Seward Meridian
30 (including all tide and submerged land and waters east of a line from Anchor Point to
31 Point Pogibshi);

1 **(20)** [(19)] Township 6 South, Range 15 West, Seward Meridian
 2 (including all tide and submerged land and waters east of a line from Anchor Point to
 3 Point Pogibshi);

4 **(21)** [(20)] Township 7 South, Range 15 West, Seward Meridian
 5 (including all tide and submerged land and waters east of a line from Anchor Point to
 6 Point Pogibshi);

7 **(22)** [(21)] Township 8 South, Range 15 West, Seward Meridian
 8 (including all tide and submerged land and waters east of a line from Anchor Point to
 9 Point Pogibshi);

10 **(23)** [(22)] Township 9 South, Range 12 West, Seward Meridian (only
 11 tide and submerged land and waters).

12 (b) Notwithstanding (a) of this section, the land described in this subsection is
 13 excluded from the Kachemak Bay **Wildlife Refuge** [CRITICAL HABITAT AREA]
 14 established under (a) of this section. The land that is excluded is described as

15 (1) Township 6 South, Range 13 West, Seward Meridian

16 Section 35 (those portions of the tidelands and submerged lands
 17 lying northerly of the Homer Spit, including any portion of the
 18 Homer Small Boat Basin, within the SE1/4 of the protracted
 19 section; and any portion within The Fishin' Hole subdivision,
 20 Plat 92-39 Homer Recording District)

21 Section 36 (those portions of the tidelands and submerged
 22 lands, including any portion of the Homer Small Boat Basin
 23 within the S1/2 of the protracted section);

24 (2) Township 7 South, Range 13 West, Seward Meridian

25 Section 1 (those portions of the tidelands and submerged lands
 26 lying northerly or easterly of the Homer Spit, including any
 27 portion of the Homer Small Boat Basin, within the N1/2N1/2
 28 and N1/2S1/2N1/2 of the protracted section)

29 Section 2 (those portions of the tidelands and submerged lands
 30 lying in the Homer Small Boat Basin within the
 31 NE1/4NE1/4NE1/4 of the protracted section).

1 * **Sec. 77.** AS 16.20.590 is amended by adding new subsections to read:

2 (c) A person may not operate a personal watercraft within the Kachemak Bay
3 Wildlife Refuge established under (a) of this section.

4 (d) In this section, "personal watercraft" has the meaning given in
5 AS 16.20.580(c).

6 * **Sec. 78.** AS 16.20.595 is amended to read:

7 **Sec. 16.20.595. Clam Gulch Wildlife Refuge [CRITICAL HABITAT**
8 **AREA] established. The presently state-owned tide and submerged land to the**
9 **minus five foot elevation, and tide and submerged land to the minus five foot**
10 **elevation acquired in the future by the state, from Cape Kasilof to Happy Valley**
11 **within the** following described area is established as the Clam Gulch **Wildlife Refuge**
12 **[CRITICAL HABITAT AREA]:**

13 [ALL TIDE AND SUBMERGED LAND TO THE MINUS FIVE FOOT
14 ELEVATION, FROM CAPE KASILOF TO HAPPY VALLEY, CONTAINED IN
15 THE FOLLOWING DESCRIPTION:]

16 (1) Township 3 North, Range 12 West, Seward Meridian Sections 9,
17 16, 21, 28, 33;

18 (2) Township 2 North, Range 12 West, Seward Meridian Sections 4, 8,
19 9, 17, 20, 29, 31, 32;

20 (3) Township 1 North, Range 12 West, Seward Meridian Sections 6 -
21 7;

22 (4) Township 1 North, Range 13 West, Seward Meridian Sections 12 -
23 14, 22, 23, 27, 33, 34;

24 (5) Township 1 South, Range 13 West, Seward Meridian Sections 5 -
25 7;

26 (6) Township 1 South, Range 14 West, Seward Meridian Sections 12 -
27 14, 23, 26 - 27, 33 - 34;

28 (7) Township 2 South, Range 14 West, Seward Meridian Sections 4, 8
29 - 9, 17, 20, 29, 32;

30 (8) Township 3 South, Range 14 West, Seward Meridian Sections 5, 6,
31 and that portion of Section 7 lying north of Happy Creek.

* **Sec. 79.** AS 16.20.600 is amended to read:

Sec. 16.20.600. Copper River Delta Wildlife Refuge [CRITICAL HABITAT AREA] established. The **presently state-owned land and water, and land and water acquired by the state in the future, within the** following described area is established as the Copper River Delta **Wildlife Refuge** [CRITICAL HABITAT AREA]:

All [PUBLIC] land, tideland, submerged land, and water contained in the following **described area** [DESCRIPTION]: Beginning at a point on the south edge of the Copper River Highway right-of-way 200' west of its intersection with the Eyak Trail trailhead; thence southwesterly 200' west of the Eyak Trail and parallel to it approximately 4 miles to the mean high tide line; thence southwesterly along the mean high tide line to Point Whitshed; thence northwesterly along the mean high tide line to a point of intersection at the west edge of Section 21, T16S, R4W, C.R.M. and the mean high tide line at the mouth of Orca Inlet; thence westerly a distance of approximately 3 miles to the northeast tip of Little Mummy Island; thence southwesterly a distance of approximately 4 miles to the intersection of the south edge of Section 33, T16S, R5W, C.R.M. and the mean high tide line; thence along the mean high tide line on the east portion of Hinchinbrook Island, including Boswell Bay to Point Bentinck; thence S.68°E. approximately 57 miles to a point of intersection with the protracted boundary line common between R4E and R5E, C.R.M.; thence N.13°E. approximately 10 miles to Palm Point; thence northwesterly along the mean high tide line to a point of intersection with the west boundary line of Section 25, T19S, R4E, C.R.M. to a point of intersection with the mean high tide line on the north shore of Softuk Bar; thence northwesterly to Windy Point; thence due east approximately 1.1 miles to the 200 foot contour; thence northerly along the 200 foot contour around Ragged Mountain, easterly and northerly along the eastern shore of Martin and Little Martin lakes to a point 4 miles due south of Bridge No. 227 on the Proposed Bering River Highway; thence north to Bridge No 227; thence westerly along the south edge of the Bering River Highway to its junction with the Copper River Highway; thence, westerly along the south edge of the Copper River Highway to the point of beginning; excluding all areas within the Cordova Airport Boundaries.

* **Sec. 80.** AS 16.20.605(a) is amended to read:

(a) All **presently state-owned** [STATE] land and water, **and all land and water acquired in the future by the state,** contained in the following described areas is established as the Anchor River and Fritz Creek **Wildlife Refuge** [CRITICAL HABITAT AREA]:

(1) Township 4 South, Range 13 West, Seward Meridian

Section 25

Section 35

Section 36;

(2) Township 5 South, Range 12 West, Seward Meridian

Sections 17 - 20;

(3) Township 5 South, Range 13 West, Seward Meridian

Section 2

Section 3

Section 4: E1/2

Section 8: S1/2

Sections 9 - 11

Sections 13 - 20

Section 21: W1/2

Section 24;

(4) Township 5 South, Range 14 West, Seward Meridian

Section 13

Section 20: NE1/4

Sections 21 - 24

Section 26: N1/2

Section 27: N1/2

Section 28: N1/2, **NW1/4 SW1/4**

Section 29: Lots 1 - 15, Lots 17 - 23, inclusive, Angler's

Haven Estates, according to the official plat filed under

Plat No. 2000-63, records of the Homer Recording District,

Third Judicial District, State of Alaska; Lot A-2, Hughes

Tool Co. Sayer Addition, according to the survey plat recorded in the Homer Recording District on December 4, 2002, as Plat No. 2002-70

Section 32: Lot 36-A and Tract A, Hughes Tool Co. Sayer Addition No. 6, according to the official plat filed under Plat No. 2007-110, records of the Homer Recording District, Third Judicial District, State of Alaska.

* **Sec. 81.** AS 16.20.605(b) is amended to read:

(b) Notwithstanding AS 16.20.020 [AS 16.20.500] and the establishment of the Anchor River and Fritz Creek Wildlife Refuge [CRITICAL HABITAT AREA] under (a) of this section,

(1) the use of and appropriation of water rights from Fritz Creek for a municipal and community water source is protected within the Anchor River and Fritz Creek Wildlife Refuge [CRITICAL HABITAT AREA];

(2) the possibility of the construction of a dam and reservoir on Fritz Creek is reserved within the Anchor River and Fritz Creek Wildlife Refuge [CRITICAL HABITAT AREA].

* **Sec. 82.** AS 16.20.605(c) is amended to read:

(c) The use and enjoyment of valid existing rights and interests within the Anchor River and Fritz Creek Wildlife Refuge [CRITICAL HABITAT AREA] are protected. Future conveyances, including [BUT NOT LIMITED TO] rights-of-way, timber sales, municipal entitlements, grazing leases, and oil and gas leases, may occur.

* **Sec. 83.** AS 16.20.605(d) is amended to read:

(d) A management plan for the Anchor River and Fritz Creek Wildlife Refuge [CRITICAL HABITAT AREA] shall be adopted and may be revised by the Department of Fish and Game in consultation with the Department of Natural Resources under AS 44.62 (Administrative Procedure Act). The management plan shall reflect the concurrence of the Kenai Peninsula Borough as it applies to land committed by the borough to the Anchor River and Fritz Creek Wildlife Refuge [CRITICAL HABITAT AREA].

* **Sec. 84.** AS 16.20.605(e) is amended to read:

1 (e) The department shall establish a citizens' advisory committee to work with
 2 the department and advise on implementation and revisions of the management plan
 3 for the Anchor River and Fritz Creek Wildlife Refuge [CRITICAL HABITAT
 4 AREA].

5 * **Sec. 85.** AS 16.20.610(a) is amended to read:

6 (a) The purpose of the Dude Creek Wildlife Refuge [CRITICAL HABITAT
 7 AREA] is the protection and enhancement of the wet meadow habitat that is the key
 8 roosting area for migrating lesser sandhill cranes, for the protection of lesser sandhill
 9 cranes, and for the continued public use and enjoyment of the area.

10 * **Sec. 86.** AS 16.20.610(b) is amended to read:

11 (b) The presently state-owned land and water, and land and water
 12 acquired in the future by the state, within the following described area is
 13 established as the Dude Creek Wildlife Refuge [CRITICAL HABITAT AREA]:

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

15 Section 2: W1/2

16 Section 3

17 Sections 9 - 10

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

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

20 S1/2SE1/4NE1/4, SW1/4NE1/4, W1/2NW1/4NE1/4,

21 N1/2SE1/4 and the tide and submerged land of Dude

22 Creek

23 Section 15

24 Section 16: N1/2, SE1/4

25 **Section 23: The tide and submerged land of Dude Creek;**

26 **(2) Tracts A and B of Gustavus Flats, Trust Land Survey No.**

27 **2004-01, located within Township 40 South, Range 58 East, Copper River**

28 **Meridian, containing 1,279.09 acres, more or less, according to the survey plat**

29 **filed in the Juneau Recording District on October 22, 2004, as Plat No. 2004-39.**

30 * **Sec. 87.** AS 16.20.610(c) is amended to read:

31 (c) The Dude Creek Wildlife Refuge [CRITICAL HABITAT AREA]

described in (b) of this section shall be managed under a management plan prepared and implemented by the department in consultation with the community of Gustavus and the Board of Game.

* **Sec. 88.** AS 16.20.610(e) is amended to read:

(e) The legislature understands that a portion of the state land described in (b) of this section is mental health trust land of the state and the legislature intends that the land retain its status as mental health trust land, notwithstanding its inclusion in the Dude Creek **Wildlife Refuge** [CRITICAL HABITAT AREA].

* **Sec. 89.** 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. 90.** AS 16.20.615 is amended to read:

Sec. 16.20.615. Tugidak Island Wildlife Refuge [CRITICAL HABITAT AREA]. (a) The **presently state-owned** [STATE] land **and water, and land and water acquired in the future by the state, that is** above the mean **lower low water** [HIGH TIDE] line **and is** within the following described area is established as the Tugidak Island **Wildlife Refuge** [CRITICAL HABITAT AREA]:

- (1) Township 41 South, Ranges 33 - 34 West, Seward Meridian;
- (2) Township 42 South, Range 33 West, Seward Meridian
 - Sections 1 - 11
 - Sections 14 - 23
 - Sections 25 - 36;
- (3) Township 42 South, Ranges 34 - 35 West, Seward Meridian;
- (4) Township 43 South, Ranges 34 - 35 West, Seward Meridian.

(b) In addition to the area described in (a) of this section, the **presently state-owned** water and the land, **and water and land acquired by the state in the future,** below the mean high tide line in the lagoon at the northeast end of Tugidak Island are included within the Tugidak Island **Wildlife Refuge** [CRITICAL HABITAT AREA].

(c) The Tugidak Island **Wildlife Refuge** [CRITICAL HABITAT AREA]

1 described in (a) and (b) of this section shall be managed under a management plan
2 prepared by the department.

3 (d) The department shall permit existing cabins to remain, subsistence and
4 recreational uses to continue, and commercial uses, such as seal hunting and placer
5 mining, to continue, if appropriate under the management plan adopted under (c) of
6 this section, to the extent that the activities are compatible with the establishment of
7 the Tugidak Island **Wildlife Refuge** [CRITICAL HABITAT AREA].

8 (e) The department shall permit entry within the Tugidak Island **Wildlife**
9 **Refuge** [CRITICAL HABITAT AREA] for the exploration and development of oil
10 and gas resources when compatible with the purposes for which the **refuge**
11 [CRITICAL HABITAT AREA] was established. An oil and gas lease of state land
12 within the Tugidak Island **Wildlife Refuge** [CRITICAL HABITAT AREA] is valid
13 and continues in full force according to its terms.

14 * **Sec. 91.** AS 16.20.620 is amended to read:

15 **Sec. 16.20.620. Willow Mountain Wildlife Refuge [CRITICAL HABITAT**
16 **AREA] established.** (a) The **presently state-owned land and water, and land and**
17 **water acquired in the future by the state, within the** following described area is
18 established as the Willow Mountain **Wildlife Refuge** [CRITICAL HABITAT AREA]:

19 (1) Township 20 North, Range 2 West, Seward Meridian

20 Section 7

21 Sections 18 - 19;

22 (2) Township 20 North, Range 3 West, Seward Meridian

23 Sections 1 - 2

24 Sections 11 - 14

25 Sections 23 - 24;

26 (3) Township 21 North, Range 2 West, Seward Meridian

27 Sections 4 - 7

28 Section 18: W1/2;

29 (4) Township 21 North, Range 3 West, Seward Meridian

30 Section 1

31 Sections 11 - 14

Sections 23 - 26

Sections 35 - 36;

(5) Township 22 North, Range 2 West, Seward Meridian

Sections 19 - 21

Sections 28 - 33.

(b) Notwithstanding AS 16.20.050 - 16.20.075 [AS 16.20.510 - 16.20.530], the commissioner of fish and game, in consultation with the commissioner of natural resources, shall prepare a management plan for the Willow Mountain **Wildlife Refuge** [CRITICAL HABITAT AREA]. The commissioner of fish and game and the commissioner of natural resources shall exercise their respective authorities over the area in a manner consistent with the management plan.

* **Sec. 92.** AS 16.20.625(a) is amended to read:

(a) The state-owned land and water, **and land and water acquired in the future by the state, that is** above mean lower low water **and is within** [CONTAINED IN] the following described parcels is designated as the Redoubt Bay **Wildlife Refuge** [CRITICAL HABITAT AREA]:

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

Sections 1 - 12: North of the South Bank of Drift River

Sections 14 - 18: North of the South Bank of Drift River

Sections 20 - 22: North of the south bank of Drift River;

(2) Township 6 North, Range 17 West, Seward Meridian

Sections 1 - 6: North of the south bank of Drift River

Sections 10 - 12: North of the south bank of Drift River;

(3) Township 7 North, Range 14 West, Seward Meridian

Section 5: S1/2

Sections 6 - 8

Section 18;

(4) Township 7 North, Range 15 West, Seward Meridian

Sections 1 - 21

Sections 29 - 31;

(5) Township 7 North, Range 16 West, Seward Meridian;

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(6) Township 7 North, Range 17 West, Seward Meridian

Sections 1 - 4

Section 8: E1/2

Sections 9 - 17

Sections 19 - 27

Section 30

Sections 34 - 36;

(7) Township 8 North, Range 15 West, Seward Meridian

Section 1: S1/2

Section 2: S1/2

Section 3: W1/2

Sections 4 - 11

Section 12: N1/2

Sections 13 - 36;

(8) Township 8 North, Range 16 West, Seward Meridian;

(9) Township 8 North, Range 17 West, Seward Meridian

Sections 1 - 17

Sections 20 - 29

Sections 32 - 36;

(10) Township 8 North, Range 18 West, Seward Meridian

Sections 1 - 12;

(11) Township 9 North, Range 15 West, Seward Meridian

Sections 29 - 30;

(12) Township 9 North, Range 16 West, Seward Meridian

Sections 19 - 36;

(13) Township 9 North, Range 17 West, Seward Meridian

Sections 21 - 36.

* **Sec. 93.** AS 16.20.625(b) is amended to read:

(b) Notwithstanding AS 16.20.020 [AS 16.20.500] and the establishment of the Redoubt Bay **Wildlife Refuge** [CRITICAL HABITAT AREA] under (a) of this section, egress and ingress to and from private property within the Redoubt Bay

1 **Wildlife Refuge** [CRITICAL HABITAT AREA] shall be permitted through access
2 corridors established through agreement between the state and the private property
3 owners involved.

4 * **Sec. 94.** AS 16.20.625(c) is amended to read:

5 (c) The state may not acquire by eminent domain privately owned land within
6 the Redoubt Bay **Wildlife Refuge** [CRITICAL HABITAT AREA] but may acquire
7 privately owned land within the Redoubt Bay **Wildlife Refuge** [CRITICAL
8 HABITAT AREA] by purchase, exchange, or otherwise for inclusion in the Redoubt
9 Bay **Wildlife Refuge** [CRITICAL HABITAT AREA].

10 * **Sec. 95.** AS 16.20.625(d) is amended to read:

11 (d) The department shall permit entry within the Redoubt Bay **Wildlife**
12 **Refuge** [CRITICAL HABITAT AREA] for the exploration and development of oil
13 and gas resources when it is compatible with the purposes for which the **refuge**
14 [CRITICAL HABITAT AREA] is established. An oil and gas lease of state land and
15 existing oil and gas pipeline rights-of-way within the **refuge** [CRITICAL HABITAT
16 AREA] are valid and continue in full force according to their terms. The
17 commissioner shall permit inspection and maintenance activities necessary to ensure
18 the integrity of oil and gas pipelines on existing leases and pipeline rights-of-way in a
19 manner that is compatible with the purposes for which the Redoubt Bay **Wildlife**
20 **Refuge** [CRITICAL HABITAT AREA] was established.

21 * **Sec. 96.** AS 16.20.625(e) is amended to read:

22 (e) The department shall permit uses of the Redoubt Bay **Wildlife Refuge**
23 [CRITICAL HABITAT AREA] in a manner that is compatible with the purposes for
24 which the **refuge** [CRITICAL HABITAT AREA] is established. The department shall
25 permit the following public uses to continue without further approval by the
26 department unless the department determines that the use is not compatible with the
27 purposes for which the Redoubt Bay **Wildlife Refuge** [CRITICAL HABITAT AREA]
28 is established:

29 (1) hunting, including subsistence hunting, trapping, and subsistence,
30 commercial, and sport fishing, including the continued use of cabins for the purpose of
31 hunting, trapping, and fishing;

- 1 (2) hiking, backpacking, and camping, including the use of campfires;
- 2 (3) cross-country skiing, snowmachining, boating, and the landing of
- 3 aircraft; and
- 4 (4) other related uses that are temporary in duration and have no
- 5 foreseeable adverse effects on vegetation, drainage, soil stability, or fish and game and
- 6 their habitat.

7 * **Sec. 97.** AS 16.20.625(f) is amended to read:

8 (f) The Kenai Peninsula Borough shall establish a citizens' advisory
9 committee to work with the department and the Department of Natural Resources and
10 advise on the development of policies and regulations that affect the Redoubt Bay
11 **Wildlife Refuge** [CRITICAL HABITAT AREA].

12 * **Sec. 98.** AS 16.20.630(a) is amended to read:

13 (a) The **presently state-owned land and water, and land and water**
14 **acquired in the future by the state, within the** following described area is
15 established as the **Beluga Wetlands Wildlife Refuge** [HOMER AIRPORT
16 CRITICAL HABITAT AREA]:

17 (1) Tract A:

18 Township 6 South, Range 13 West, Seward Meridian

19 Section 21: that portion of the S1/2NE1/4NW1/4 upland of the
20 ordinary high water line of Beluga Lake, comprising 9.3 acres,
21 more or less, **that portion of the N1/2SW1/4NW1/4 upland**
22 **of the ordinary high water line of Beluga Lake,**
23 **N1/2NE1/4NW1/4, N1/2NW1/4NE1/4;**

24 (2) Tract B:

25 Township 6 South, Range 13 West, Seward Meridian

26 Section 21: that portion of the NE1/4 upland of the ordinary
27 high water line of Beluga Lake that is encompassed by a
28 boundary beginning at the section corner common to Sections
29 15, 16, 21, and 22, Township 6 South, Range 13 West, Seward
30 Meridian; thence proceeding South 00 degrees 01 minute 00
31 seconds East along the section line common to Sections 21

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and 22, Township 6 South, Range 13 West, Seward Meridian, to the point of intersection with a line located 1,520 feet South of and parallel to the northern section line of Section 21, Township 6 South, Range 13 West, Seward Meridian; thence along the line located 1,520 feet South of and parallel to the northern section line of Section 21, Township 6 South, Range 13 West, Seward Meridian, to the point of intersection with the ordinary high water line of Beluga Lake; thence in a northwesterly direction along the meanders of the ordinary high water line of Beluga Lake to the point of intersection with the West boundary line of NE1/4, Section 21, Township 6 South, Range 13 West, Seward Meridian, being common to the center quarter line of Section 21, Township 6 South, Range 13 West, Seward Meridian; thence North 00 degrees 01 minute 00 seconds West along the West boundary line of NE1/4, Section 21, Township 6 South, Range 13 West, Seward Meridian, to the point of intersection with the section line common to Sections 16 and 21, Township 6 South, Range 13 West, Seward Meridian; thence East along the section line common to Sections 16 and 21, Township 6 South, Range 13 West, Seward Meridian, to the point of beginning; comprising 70.4 acres, more or less;

(3) Tract C:

Township 6 South, Range 13 West, Seward Meridian
Section 15: S1/2SW1/4, comprising 80 acres, more or less;

(4) Tract D:

Township 6 South, Range 13 West, Seward Meridian
Section 22: that portion of the NW1/4 northwesterly of a line parallel to, northwesterly of, and 750 feet perpendicular from the monumented runway centerline of the Homer Airport, comprising 60 acres, more or less;

1 **Section 22: beginning at the northwest corner of**
 2 **Government Lot 2, thence South 89 degrees 49 minutes 19**
 3 **seconds East 1064.51 feet, thence South 56 degrees 17**
 4 **minutes 36 seconds West 1297.70 feet, thence North 01**
 5 **degree 10 minutes 41 seconds East 742.19 feet to the point**
 6 **of beginning (excluding that portion inside the Homer**
 7 **Airport perimeter fence);**

8 (5) Tract E, comprising 74 acres, more or less:

9 Township 6 South, Range 13 West, Seward Meridian

10 Section 15: those portions of SW1/4SE1/4 and E1/2SE1/4
 11 northwesterly of a line parallel to, northwesterly of, and 750
 12 feet perpendicular from the monumented runway centerline of
 13 the Homer Airport [;]

14 Section 22: that portion of the NW1/4NE1/4 northwesterly of a
 15 line parallel to, northwesterly of, and 750 feet perpendicular
 16 from the monumented runway centerline of the Homer
 17 Airport;

18 **(6) Tract F: Township 6 South, Range 13 West, Seward Meridian**

19 **Section 14: W1/2SW1/4 (that portion external to the Homer**
 20 **Airport boundary fence);**

21 **Section 22: N1/2NE1/4 limited to state-owned lands lying**
 22 **southerly of the Homer Airport perimeter fence and**
 23 **northerly of Kachemak Drive bounded easterly by Arctic**
 24 **Tern Place and westerly by Lampert Lake;**

25 **(7) Tract G: Township 6 South, Range 13 West, Seward Meridian**

26 **Section 14: that portion of Government Lot 51 lying**
 27 **westerly of Kachemak Drive, Government Lot 48, Three**
 28 **Mile Subdivision Lot 47B, SW1/4NE1/4SW1/4, Harry**
 29 **Feyer Subdivision Lot 5, Charles R. Hart and James O.**
 30 **Campbell Property Tract 52A;**

31 **Section 22: Hodnik Subdivision Lot 4, Government Lots 10**

1 and 11, that portion of Government Lot 15 lying northerly
 2 of Kachemak Drive, Scenic Bay Subdivision Lot 4, that
 3 portion of Government Lot 13 lying northerly of
 4 Kachemak Drive;

5 Section 23: Checkmate Shores Subdivision Lot 1,
 6 Government Lots 9 and 5, Homer Airport Industrial Park
 7 Subdivision Lots 1, 2, 3, and 4, that portion of Government
 8 Lot 3 lying northwesterly of Kachemak Bay Drive, Mailea
 9 Bay Subdivision Lots 1 and 4;

10 (8) Tract H: Township 6 South, Range 13 West, Seward Meridian
 11 Section 15: Tietjen Subdivision portion of Tract P beginning
 12 at SE corner of Tract P, thence West 200 feet, thence
 13 North 217.8 feet, thence East 200 feet, thence South 217.8
 14 feet to the point of beginning, Tietjen Subdivision Tract P,
 15 except the East 200 feet of the South 217.8 feet,
 16 NW1/4SE1/4, NE1/4SW1/4;

17 (9) Tract I: Township 6 South, Range 13 West, Seward Meridian
 18 Section 16: beginning at the southeast corner of Section 16,
 19 thence North on the section line common to Section 15 and
 20 16 877 feet, thence West 1047 feet, thence South 877 feet
 21 along the section line common to Section 16 and 21 1047
 22 feet to the point of beginning, beginning at the southwest
 23 corner of Lot 7, Block 3 of Mariner Village Subdivision,
 24 proceed South along the easterly boundary of Mariner
 25 Drive 410 feet to the point of beginning, thence continue
 26 South along Mariner Drive 416 feet, thence East 1068 feet,
 27 thence North 416 feet, thence West 1068 feet to the point of
 28 beginning.

29 * **Sec. 99.** AS 16.20.630(b) is amended to read:

30 (b) Notwithstanding AS 16.20.020 and 16.20.050 - 16.20.075 [AS 16.20.500 -
 31 16.20.530], the land in Township 6 South, Range 13 West, Section 21 described in

(a)(1) and (2) [(a)] of this section is subject to the following:

(1) the right of unobstructed passage by aircraft over the land;

(2) the right of aircraft to use the airspace above the land without restrictions on noise, dust, or fumes, other than those imposed under federal and state laws governing air and water quality;

(3) the authority of the Department of Transportation and Public Facilities to

(A) prohibit the construction of obstructions and permanent structures on the land;

(B) clear the land and keep the land clear, including removal of trees, brush, soil, berms, hills, irregularities in the topography, stockpiles, rocks, buildings, structures, and other obstructions;

(C) prohibit or remove an activity, installation, or object on the land that

(i) creates electrical interference with radio communication or navigational instruments of aircraft or the Homer Airport;

(ii) may enhance bird habitat on or in the vicinity of the Homer Airport;

(iii) hinders the ability of pilots to distinguish between airport lights and other lights;

(iv) results in glare in the eyes of pilots using the Homer Airport;

(v) impairs visibility in the vicinity of the Homer Airport; or

(vi) endangers the landing, departure, or maneuvering of aircraft at the Homer Airport;

(D) prohibit development on the land for any purpose, other than public access across the land;

(E) require

(i) approval of the Department of Transportation and

Public Facilities for the design and construction of access across the land;

(ii) relocation of access across the land as necessary to satisfy applicable standards of airport design, safety, and security;

(F) install navigational aids on the land; and

(G) enter on [UPON] the land for the purpose of enforcing or implementing this subsection.

* **Sec. 100.** AS 16.20.630(c) is amended to read:

(c) Notwithstanding AS 16.20.020 and 16.20.050 - 16.20.075 [AS 16.20.500 - 16.20.530], the land in Township 6 South, Range 13 West, Sections 15 and 22 described in (a)(3) - (6) [(a)] of this section is subject to the following:

(1) the right of unobstructed passage by aircraft over the land;

(2) the right of aircraft to use the airspace above the land without restrictions on noise, dust, or fumes, other than those imposed under federal and state laws governing air and water quality;

(3) the authority of the Department of Transportation and Public Facilities to

(A) prohibit the construction of obstructions and permanent structures extending above the imaginary surface of the Homer Airport as determined under regulations of the Federal Aviation Administration;

(B) clear the land and keep the land clear of obstructions extending above the imaginary surface of the Homer Airport as determined under regulations of the Federal Aviation Administration, including removal of trees, brush, soil, berms, hills, irregularities in the topography, stockpiles, rocks, buildings, structures, and other obstructions;

(C) prohibit or remove an activity, installation, or object that

(i) creates electrical interference with radio communication or navigational instruments of aircraft or the Homer Airport;

(ii) may enhance bird habitat on or in the vicinity of the Homer Airport;

(iii) hinders the ability of pilots to distinguish between airport lights and other lights;

(iv) results in glare in the eyes of pilots using the Homer Airport;

(v) impairs visibility in the vicinity of the Homer Airport; or

(vi) endangers the landing, departure, or maneuvering of aircraft at the Homer Airport;

(D) enter on [UPON] the land for the purpose of enforcing or implementing this subsection.

* **Sec. 101.** AS 16.20.630(e) is amended to read:

(e) Neither the Department of Fish and Game nor another person may create, develop, or enhance bird habitat within the Beluga Wetlands Wildlife Refuge [HOMER AIRPORT CRITICAL HABITAT AREA].

* **Sec. 102.** AS 16.20.630(f) is amended to read:

(f) The state land described in (a)(1) - (6) [(a)] of this section may not be transferred to municipal or private ownership or to another state agency unless covenants or easements in the land, containing provisions substantially similar to (b) and (c) of this section, are reserved to the Department of Transportation and Public Facilities for the benefit of the Homer Airport.

* **Sec. 103.** AS 16.20.630(g) is amended to read:

(g) The Department of Fish and Game shall establish and appoint an advisory committee to work with the department and advise on the management of the Beluga Wetlands Wildlife Refuge [HOMER AIRPORT CRITICAL HABITAT AREA]. If the department develops a management plan for the refuge [CRITICAL HABITAT AREA], the department shall consult with the advisory committee, and the plan must allow guaranteed access to and continued public fishing, hunting, and trapping activities and opportunities in the refuge [AREA]. Among appointments to the advisory committee, the department shall include

(1) industry and commercial users and hunters, trappers, fishermen, and recreational users recommended by the City of Homer;

1 (2) an official representing the City of Homer; and

2 (3) a representative of the Department of Transportation and Public
3 Facilities.

4 * **Sec. 104.** AS 16.20.630 is amended by adding a new subsection to read:

5 (h) Land owned by a municipality that lies within the boundary of the Beluga
6 Wetlands Wildlife Refuge described in (a) of this section may be included in the
7 refuge. An agreement between the Department of Fish and Game and the respective
8 municipality for the management of the land within the refuge that is owned by the
9 municipality shall be approved by the municipality and by the Department of Fish and
10 Game.

11 * **Sec. 105.** AS 16.20.690 is amended to read:

12 **Sec. 16.20.690. Additional wildlife refuges [CRITICAL HABITAT**
13 **AREAS].** The commissioner shall submit a list of **proposed** additional **wildlife**
14 **refuges [CRITICAL HABITAT AREAS]** to the legislature annually.

15 * **Sec. 106.** AS 38.05.030 is amended by adding a new subsection to read:

16 (h) The provisions of this chapter do not authorize the commissioner to levy a
17 fee on, or otherwise assess, the Department of Fish and Game for carrying out a duty
18 assigned to the department under AS 16.20, including the development, construction,
19 and management of public use and administrative facilities within wildlife refuges.

20 * **Sec. 107.** AS 38.05.825(b) is amended to read:

21 (b) The commissioner may not convey land under this section that has been
22 designated by statute unless the commissioner determines that the proposed use is
23 consistent or compatible with the purpose of the statutory designation. Land
24 designated as a state **wildlife** [GAME] refuge **or wildlife** [, GAME] sanctuary [, OR
25 CRITICAL HABITAT AREA] may not be conveyed unless the commissioner of fish
26 and game also determines that the proposed use is consistent or compatible with the
27 purpose of the designation. If land designated by statute is conveyed, uses of the land
28 after conveyance are restricted to those uses determined by the commissioner of
29 natural resources to be consistent or compatible with the purpose of the designation.

30 * **Sec. 108.** AS 41.21.131(a) is amended to read:

31 (a) The presently state-owned land and water, and all that acquired in the

1 future by the state, lying within the parcels described in this section are designated as
 2 the Kachemak Bay State Park. In order to protect and preserve this land and water for
 3 its unique and exceptional scenic value, the park is established and shall be managed
 4 as a scenic park. The land and water lying within the following described parcels is
 5 reserved from all uses incompatible with its primary function as a scenic park and is
 6 assigned to the department for control, development, and maintenance:

7 (1) Township 5 South, Range 10 West, Seward Meridian Chugachik
 8 Island

9 Sections 31 - 32;

10 (2) Township 5 South, Range 11 West, Seward Meridian

11 Section 2: Lot 1, excluding Tract A

12 Section 3: Lots 1 - 8, SW1/4NE1/4, S1/2NW1/4, N1/2SW1/4

13 Section 4: Lots 1 - 4, S1/2N1/2, SE1/4, E1/2SW1/4

14 Section 8: E1/2NE1/4, SE1/4

15 Section 9: Lots 1 and 2, NW1/4NE1/4, NE1/4NW1/4,
 16 W1/2NW1/4, N1/2NE1/4SW1/4, SW1/4NE1/4SW1/4,
 17 excluding Lot 6

18 Section 10: Lot 1

19 Section 16: Lot 1

20 Section 17: Lots 1, 3, 4, NW1/4SW1/4, S1/2NW1/4

21 Section 18: Lot 4, SE1/4, E1/2NE1/4

22 Section 19: Lots 1 - 6, NW1/4NE1/4, NE1/4NW1/4

23 Section 20: Lot 1

24 Sections 24 - 25, excluding tide and submerged land within the
 25 Kachemak Bay Wildlife Refuge [CRITICAL HABITAT
 26 AREA]

27 Section 26: SE1/4, excluding tide and submerged land within
 28 the Kachemak Bay Wildlife Refuge [CRITICAL HABITAT
 29 AREA]

30 Section 35, excluding tide and submerged land within the
 31 Kachemak Bay Wildlife Refuge [CRITICAL HABITAT

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- AREA]
- Section 36;
- (3) Township 6 South, Range 11 West, Seward Meridian;
- (4) Township 7 South, Range 11 West, Seward Meridian
- Sections 1 - 4
- Section 5: N1/2
- Sections 7 - 36;
- (5) Township 7 South, Range 12 West, Seward Meridian
- Section 12, except N1/2NE1/4
- Section 13
- Sections 19 - 36;
- (6) Township 7 South, Range 13 West, Seward Meridian
- Sections 25 - 26
- Sections 35 - 36;
- (7) Township 8 South, Range 11 West, Seward Meridian
- Sections 1 - 8
- Section 9: N1/2
- Section 10: N1/2
- Section 11: N1/2
- Section 12: N1/2
- Sections 17 - 18;
- (8) Township 8 South, Range 12 West, Seward Meridian;
- (9) Township 8 South, Range 13 West, Seward Meridian
- Sections 1 - 2
- Sections 10 - 14
- Section 15: E1/2
- Section 23: N1/2 and SE1/4
- Sections 24 - 25
- Section 26: E1/2
- Section 35: E1/2
- Section 36;

- 1 (10) Township 9 South, Range 8 West, Seward Meridian
- 2 Section 2: W1/2
- 3 Section 3 - 10
- 4 Sections 15 - 22
- 5 Sections 27 - 34;
- 6 (11) Township 9 South, Range 9 West, Seward Meridian;
- 7 (12) Township 9 South, Range 10 West, Seward Meridian
- 8 Sections 10 - 15
- 9 Sections 22 - 27
- 10 Sections 34 - 36;
- 11 (13) Township 9 South, Range 12 West, Seward Meridian
- 12 Sections 1 - 6
- 13 Section 8: NE1/4
- 14 Sections 9 - 12
- 15 Section 13: N1/2
- 16 Section 14: N1/2;
- 17 (14) Township 9 South, Range 13 West, Seward Meridian
- 18 Sections 1 - 2;
- 19 (15) Township 10 South, Range 8 West, Seward Meridian
- 20 Sections 4 - 8
- 21 Sections 17 - 19;
- 22 (16) Township 10 South, Range 9 West, Seward Meridian
- 23 Sections 1 - 4
- 24 Sections 10 - 15
- 25 Sections 22 - 24.

26 * **Sec. 109.** AS 41.21.612 is amended to read:

27 **Sec. 41.21.612. Land excluded.** (a) Private land, approved or pending Native
 28 allotments, pending and approved land selections made by the Haines Borough under
 29 state law on July 1, 1982, University of Alaska grant land not located within the
 30 Chilkat River Wildlife Refuge [CRITICAL HABITAT AREA] established by
 31 AS 16.20.585, and existing transportation and utility corridors located partially or

1 completely within the Alaska Chilkat Bald Eagle Preserve are excluded from the
2 Alaska Chilkat Bald Eagle Preserve.

3 (b) University of Alaska grant land located within the boundary of the Chilkat
4 River Wildlife Refuge [CRITICAL HABITAT AREA] established under
5 AS 16.20.585 is excluded from the Alaska Chilkat Bald Eagle Preserve.

6 * **Sec. 110.** AS 41.23.480(c) is amended to read:

7 (c) The commissioner may not manage a recreation river corridor described in
8 AS 41.23.500 as a unit of the state park system or as a wildlife [GAME] refuge or
9 wildlife [, GAME] sanctuary [, OR A CRITICAL HABITAT]. The commissioner may
10 assign management of a recreation facility or site such as a campground or a boat
11 launch to the division of parks.

12 * **Sec. 111.** AS 16.20.080, 16.20.500, 16.20.510, 16.20.520, and 16.20.530 are repealed.

13 * **Sec. 112.** The uncodified law of the State of Alaska is amended by adding a new section
14 to read:

15 TRANSITION. To reflect the name changes made by this Act, the Department of
16 Natural Resources and the Department of Fish and Game shall update departmental signs,
17 literature, and digital publications, as necessary, on a schedule developed by each department.

18 * **Sec. 113.** Section 9 of this Act takes effect on the effective date of sec. 2, ch. 119, SLA
19 2010.

20 * **Sec. 114.** Section 10 of this Act takes effect on the effective date of sec. 3, ch. 119, SLA
21 2010.

22 * **Sec. 115.** Section 60 of this Act takes effect on the effective date of sec. 5, ch. 56, SLA
23 1991.

24 * **Sec. 116.** Section 62 of this Act takes effect on the effective date of sec. 6, ch. 56, SLA
25 1991.

26 * **Sec. 117.** Except as provided in secs. 113 - 116 of this Act, this Act takes effect
27 immediately under AS 01.10.070(c).