

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE _____

TO: SB 230

1 Page 1, line 1, following "Act":

2 Insert "**relating to state refuges and fish and game critical habitat areas;**"

3

4 Page 1, following line 3:

5 Insert new bill sections to read:

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

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

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

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

14 (3) Bogoslof Island Refuge;

15 (4) Chamisso Island Refuge;

16 (5) Forrester Island Refuge;

17 (6) Hazen Bay (Nunivakchak and Kirgegag Islands);

18 (7) Hazy Islands Refuge;

19 (8) Kenai National Moose Range;

20 (9) Kodiak National Wildlife Refuge;

21 (10) Nunivak Island Refuge;

22 (11) St. Lazaria Island Refuge;

23 (12) Semidi Islands Wildlife Refuge;

- 1 (13) Tuxedni Refuge (Islands in Tuxedni Harbor);
- 2 (14) Izembek Refuge, including the tide and submerged land described
- 3 as follows:
- 4 (A) Township 58 South, Range 91 West, Seward Meridian
- 5 Sections 1 - 4
- 6 Sections **9 - 13** [9 - 12]
- 7 (B) Township 58 South, Range 90 West, Seward Meridian
- 8 Sections **1 - 12**
- 9 **Sections 16 - 17** [1 - 9
- 10 SECTION 16]
- 11 (C) Township 57 South, Range 91 West, Seward Meridian
- 12 Section 13
- 13 Sections 24 - 26
- 14 Sections **34 - 36** [35 - 36]
- 15 (D) Township 57 South, Range 90 West, Seward Meridian
- 16 Sections 1 - 36
- 17 (E) Township 57 South, Range 89 West, Seward Meridian
- 18 Sections **5 - 7**
- 19 **Sections 18 - 19**
- 20 **Section 30** [5 - 6]
- 21 (F) Township 56 South, Range 87 West, Seward Meridian
- 22 Sections 1 - 6
- 23 Sections 10 - 11
- 24 (G) Township 56 South, Range 88 West, Seward Meridian
- 25 Sections 1 - 23
- 26 Sections **27 - 33** [27 - 32]
- 27 (H) Township 55 South, Range 87 West, Seward Meridian
- 28 Sections 1 - 36
- 29 (I) Township 56 South, Range 89 West, Seward Meridian
- 30 Sections 1 - 36
- 31 (J) Township 55 South, Range 89 West, Seward Meridian

- 1 Sections 1 - 36
- 2 (K) Township 55 South, Range 88 West, Seward Meridian
- 3 Sections 1 - 36
- 4 (L) Township 55 South, Range 86 West, Seward Meridian
- 5 Sections 6 - 7
- 6 Sections 18 - 19
- 7 Sections 30 - 31
- 8 (M) Township 56 South, Range 90 West, Seward Meridian
- 9 **Sections 1 - 36**
- 10 **(N) Township 54 South, Range 87 West, Seward Meridian**
- 11 **Sections 35 - 36**
- 12 **(O) Township 54 South, Range 86 West, Seward Meridian**
- 13 **Section 31** [(ENTIRE TOWNSHIP)];
- 14 (15) Cape Newenham National Wildlife Range, including tide and
- 15 submerged land in Chagvan Bay described as follows:
- 16 (A) Township 16 South, Range 75 West, Seward Meridian
- 17 **Sections 1 - 2** [SECTION 1]
- 18 Sections 11 - 15
- 19 Sections 22 - 27
- 20 Sections 34 - 36
- 21 (B) Township 16 South, Range 74 West, Seward Meridian
- 22 Sections **5 - 9** [7 - 9]
- 23 Sections 17 - 19
- 24 Section 30;
- 25 (16) Clarence Rhodes National Wildlife Range;
- 26 (17) Arctic National Wildlife Range.
- 27 * **Sec. 2.** AS 16.20.030(a)(14), as amended by sec. 2, ch. 119, SLA 2010, is amended to
- 28 read:
- 29 (14) Izembek Refuge, including the tide and submerged land described
- 30 as follows:
- 31 (A) Township 58 South, Range 91 West, Seward Meridian

- 1 Sections 1 - 4
- 2 Sections **9 - 13** [9 - 12]
- 3 (B) Township 58 South, Range 90 West, Seward Meridian
- 4 Sections **1 - 12**
- 5 **Sections 16 - 17** [1 - 9
- 6 SECTION 16]
- 7 (C) Township 57 South, Range 91 West, Seward Meridian
- 8 Section 13
- 9 Sections 24 - 26
- 10 Sections **34 - 36** [35 - 36]
- 11 (D) Township 57 South, Range 90 West, Seward Meridian
- 12 Sections 1 - 36
- 13 (E) Township 57 South, Range 89 West, Seward Meridian
- 14 Sections **5 - 7** [5 - 6]
- 15 Section 12, N1/2, N1/2N1/2S1/2
- 16 **Sections 18 - 19**
- 17 **Section 30**
- 18 (F) Township 56 South, Range 87 West, Seward Meridian
- 19 Sections 1 - 6
- 20 Sections 10 - 11
- 21 Sections 26 - 35
- 22 (G) Township 56 South, Range 88 West, Seward Meridian
- 23 Sections 1 - 23
- 24 Section 25
- 25 Sections **27 - 33** [27 - 32]
- 26 Section 36
- 27 (H) Township 55 South, Range 87 West, Seward Meridian
- 28 Sections 1 - 36
- 29 (I) Township 56 South, Range 89 West, Seward Meridian
- 30 Sections 1 - 36
- 31 (J) Township 55 South, Range 89 West, Seward Meridian

- 1 Sections 1 - 36
- 2 (K) Township 55 South, Range 88 West, Seward Meridian
- 3 Sections 1 - 36
- 4 (L) Township 55 South, Range 86 West, Seward Meridian
- 5 Sections 6 - 7
- 6 Sections 18 - 19
- 7 Sections 30 - 31
- 8 (M) Township 56 South, Range 90 West, Seward Meridian
- 9 **Sections 1 - 36** [(ENTIRE TOWNSHIP)]
- 10 (N) Township 57 South, Range 88 West, Seward Meridian
- 11 Sections 1 - 6
- 12 **(O) Township 54 South, Range 87 West, Seward Meridian**
- 13 **Sections 35 - 36**
- 14 **(P) Township 54 South, Range 86 West, Seward Meridian**
- 15 **Section 31;**
- 16 * **Sec. 3.** AS 16.20.030(a)(14), as amended by sec. 3, ch. 119, SLA 2010, is amended to
- 17 read:
- 18 (14) Izembek Refuge, including the tide and submerged land described
- 19 as follows:
- 20 (A) Township 58 South, Range 91 West, Seward Meridian
- 21 Sections 1 - 4
- 22 Sections **9 - 13** [9 - 12]
- 23 (B) Township 58 South, Range 90 West, Seward Meridian
- 24 Sections **1 - 12**
- 25 **Sections 16 - 17** [1 - 9
- 26 SECTION 16]
- 27 (C) Township 57 South, Range 91 West, Seward Meridian
- 28 Section 13
- 29 Sections 24 - 26
- 30 Sections **34 - 36** [35 - 36]
- 31 (D) Township 57 South, Range 90 West, Seward Meridian

- 1 Sections 1 - 36
- 2 (E) Township 57 South, Range 89 West, Seward Meridian
- 3 Sections 5 - 7
- 4 **Sections 18 - 19**
- 5 **Section 30** [5 - 6]
- 6 (F) Township 56 South, Range 87 West, Seward Meridian
- 7 Sections 1 - 6
- 8 Sections 10 - 11
- 9 (G) Township 56 South, Range 88 West, Seward Meridian
- 10 Sections 1 - 23
- 11 Sections 27 - 33 [27 - 32]
- 12 (H) Township 55 South, Range 87 West, Seward Meridian
- 13 Sections 1 - 36
- 14 (I) Township 56 South, Range 89 West, Seward Meridian
- 15 Sections 1 - 36
- 16 (J) Township 55 South, Range 89 West, Seward Meridian
- 17 Sections 1 - 36
- 18 (K) Township 55 South, Range 88 West, Seward Meridian
- 19 Sections 1 - 36
- 20 (L) Township 55 South, Range 86 West, Seward Meridian
- 21 Sections 6 - 7
- 22 Sections 18 - 19
- 23 Sections 30 - 31
- 24 (M) Township 56 South, Range 90 West, Seward Meridian
- 25 **Sections 1 - 36**
- 26 **(N) Township 54 South, Range 87 West, Seward Meridian**
- 27 **Sections 35 - 36**
- 28 **(O) Township 54 South, Range 86 West, Seward Meridian**
- 29 **Section 31** [(ENTIRE TOWNSHIP)];

30 * **Sec. 4.** AS 16.20.031(a) is amended to read:

31 (a) The following described state-owned land and water is established as the

1 Anchorage Coastal Wildlife Refuge and shall be managed as a state game refuge for
 2 the protection of waterfowl, shorebirds, salmon, and other fish and wildlife species [,]
 3 and their habitat and for the use and enjoyment of the people of the state:

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

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

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

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

8 SW1/4 seaward of the 20 foot elevation contour

9 Section 30: SE1/4SE1/4

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

11 NW1/4NW1/4

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

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

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

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

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

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

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

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

20 SW1/4

21 Section 16: Seaward of the 20 foot elevation contour

22 Sections 17 - 22

23 Section 23: Government Lot 1 and the remainder of the SW1/4,

24 all seaward of the 20 foot elevation contour

25 Government Lot 2 and the remainder of the S1/2NW1/4, all

26 seaward of the 20 foot elevation contour

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

28 all seaward of the 20 foot elevation contour

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

31 Section 25: Government Lots 1 and 2, and the remainder of the

1 W1/2, all
2 Tract A, Johns Park Estates, and the remainder of the NE1/4,
3 excluding Skyway Park Estates, Addition No. 1 all seaward
4 of the 20 foot elevation contour
5 Government Lots 3 and 4, and the remainder of the SE1/4,
6 all
7 Sections 26 - 36;
8 (4) Township 12 North, Range 5 West, Seward Meridian
9 Sections 1 - 2
10 Sections 11 - 14
11 Sections 23 - 26
12 Sections 35 - 36;
13 (5) Township 12 North, Range 3 West, Seward Meridian
14 Section 29: That portion of the SW1/4 southwesterly of the
15 Alaska Railroad right-of-way and southerly of Oceanview
16 Subdivision, Addition No. 6
17 Section 30: That portion of Tract A, Johns Park Estates,
18 seaward of the 20 foot elevation contour
19 Government Lot 2 and that portion of the SE1/4NW1/4
20 southwesterly of Oceanview West Subdivision, Addition
21 No. 1
22 Government Lots 3 and 4 and the remainder of the SW1/4,
23 all
24 That portion of the SW1/4NE1/4 and the SE1/4
25 southwesterly of Oceanview Subdivision, Addition No. 4
26 and Addition No. 6
27 Section 31
28 Section 32: All land southwesterly of the Alaska Railroad right-
29 of-way
30 Section 33: All land westerly of the Alaska Railroad right-of-
31 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. 5.** AS 16.20.031 is amended by adding a new subsection to read:

(g) Notwithstanding the provisions of (a) of this section, land in Township 11 North, Range 3 West, Seward Meridian, Section 10, Lots 26 and 27, as described in (a)(6) of this section, may be used by the Department of Transportation and Public Facilities for departmental purposes if the commissioner of transportation and public facilities determines in writing that

(1) the use of the land by the Department of Transportation and Public Facilities addresses significant public needs;

(2) other land that could serve as a feasible alternative is not available;

1 and

2 (3) the use of the land by the Department of Transportation and Public
3 Facilities will not significantly affect resources in the refuge or the public's use and
4 enjoyment of the refuge.

5 * **Sec. 6.** AS 16.20.032(a) is amended to read:

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

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

9 Sections 1 - 12

10 Section 13: N1/2

11 Sections 14 - 18

12 **Section 20: NE1/4**

13 **Section 21: N1/2;**

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

15 Section 25

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

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

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

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

21 Sections 33 - 36;

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

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

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

25 Section 22:

26 excluding NW1/4 NW1/4

27 excluding N1/2 NE1/4 NW1/4

28 excluding NE1/4 NE1/4 NE1/4

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

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

- 1 Section 26:
 2 SE1/4 NE1/4[,]
 3 S1/2, excluding all portions of U.S. Survey No. 9024
 4 **Matanuska TWNST (USS 1169) Block 31, Lots 1 and 2**
 5 Section 27: Lot 1, N1/2, N1/2 S1/2, SE1/4 SW1/4, S1/2 SE1/4
 6 Section 28: Lots 1 - 2, N1/2, SW1/4, N1/2 SE1/4, SW1/4 SE1/4
 7 Section 29: N1/2, N1/2 SW1/4, SE1/4
 8 Section 30: Lots 1 - 4, E1/2, E1/2 W1/2
 9 Section 31 [: LOTS 1 - 10, NE1/4 NW1/4, SW1/4 NE1/4, N1/2
 10 NE1/4]
 11 Section 32: Lots 3 - 7, NE1/4, SW1/4 SW1/4, NE1/4 SE1/4,
 12 **including all state tide and submerged land**
 13 Section 33: Lots 5 - 9, S1/2 SE1/4, SW1/4 NW1/4, including all
 14 state tide and submerged land
 15 Section 34: Lots 1 - 3, E1/2 NW1/4, SW1/4, E1/2, excluding all
 16 portions of U.S. Survey No. 9024
 17 Section 35: [LOTS 1 - 5, NW1/4, N1/2 SW1/4, SW1/4 SW1/4,
 18 N1/2 NE1/4, SW1/4 NE1/4, NW1/4 SE1/4,] excluding all
 19 portions of U.S. Survey No. 9024
 20 Section 36 [: LOTS 1 - 10, SE1/4 SW1/4, S1/2 SE1/4, NE1/4
 21 SE1/4];
 22 (4) Township 17 North, Range 1 East, Seward Meridian
 23 Sections 19 - 21: Tracts B and D, according to Plat No. 2012-
 24 110, Palmer Recording District;
 25 (5) Township 17 North, Range 1 East, Seward Meridian
 26 U.S. Survey No. 1169: Lots 1 and 2, Block 31, within Section
 27 26;
 28 (6) Township 16 North, Range 1 East, Seward Meridian
 29 Sections 4 - 9
 30 Section 17: N1/2
 31 Section 18: N1/2;

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

2 Section 2: That portion lying westerly of Lot 7 and Parcel F of
3 U.S. Survey No. 9023

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

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

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

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

13 (8) Township 16 North, Range 2 West, Seward Meridian

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

15 Section 2: Lot 5

16 Section 11: Lots 1 and 3 - 6, N1/2 NE1/4

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

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

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

21 * **Sec. 7.** AS 16.20.034(a) is amended to read:

22 (a) The following state-owned land, including tide and submerged land, and
23 excluding privately owned land, is established as the Mendenhall Wetlands State
24 Game Refuge: Beginning at U.S.C.G.S. Triangulation Station "Salmon" located on the
25 northeastern shore of Douglas Island, lying within the City and Borough of Juneau,
26 First Judicial District, State of Alaska; thence northeasterly across Gastineau Channel
27 approximately .5 miles to U.S.C.G.S. Triangulation Station "Creek," [,] said station
28 being on the shore of Gastineau Channel, 200 feet south of Salmon Creek; thence
29 trend northerly to the intersection of Egan Drive and Salmon Creek; thence trend
30 northwesterly immediately adjacent to but not on [UPON] or within the designated
31 right-of-way of Egan Drive approximately 2.7 miles to the intersection with the

1 easterly boundary of Sunny Point Park Subdivision, recorded as Plat No. 333; thence
 2 southerly along said boundary; thence along said right-of-way line to the intersection
 3 with the 22.7 foot extreme high tide line; thence southerly and westerly on said 22.7
 4 foot extreme high tide line, abutting said Sunny Point Park Subdivision, U.S. Survey
 5 2475, Sunny Point Subdivision (Plat No. 307), and Egan Drive approximately one
 6 mile to the easterly line of the accreted property to the U.S. Survey No. 1568; thence
 7 southerly and westerly, along the boundary of said accreted property approximately .4
 8 miles to Corner No. 14 of Alaska Tidelands Survey No. 716; thence southerly and
 9 westerly along the west meander line of U.S. Survey No. 716, approximately 2.6 miles
 10 to Corner No. 4 of said Tidelands Survey; thence northerly along the west meander
 11 line of U.S. Survey No. 1742, approximately 790 feet to the northwesterly corner of
 12 Juneau Airport property (Corner No. AP-4 of survey dated 6-69); thence northwesterly
 13 approximately 440 feet to the southerly meander line of U.S. Survey No. 1919; thence
 14 southerly and westerly, along the southerly meanders of U.S. Surveys No. 1919 and
 15 No. 1042 (as accreted), approximately .5 miles to the intersection with the south line
 16 of U.S. Survey No. 2136; thence westerly, along said south line, approximately .6
 17 miles to the intersection with the 22.7 foot extreme high tide line; thence southerly,
 18 along said line approximately 1.4 miles to U.S.C.G.S. Triangulation Station "Glacier"
 19 on the southerly tip of Mendenhall Peninsula; thence in a southerly direction across
 20 Gastineau Channel approximately 1.3 miles to the mouth of Cove Creek; thence in a
 21 general easterly direction along the 22.7 foot extreme high tide line of Douglas Island
 22 approximately 9 miles to U.S.C.G.S. Triangulation Station "Salmon," [,] the true point
 23 of beginning; **and including Lot 2, Widgeon Ponds Subdivision (a subdivision of**
 24 **Lot 2E1 within U.S. Survey 2901), according to Plat 2010-7, Juneau Recording**
 25 **District, First Judicial District, State of Alaska.**

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

27 (a) The following state-owned land and water is established as the Creamer's
 28 Field Migratory Waterfowl Refuge:

29 (1) commencing at the Section Corner on the Fairbanks Base Line
 30 common to Sections 33 and 34, Township 1 North, Range 1 West, Fairbanks
 31 Meridian, Point of Beginning, thence East along the Fairbanks Base Line 4703.30 feet,

1 thence South 0 degrees 00 minutes 16 seconds West 235.67 feet to the south bank of a
2 tributary of Isabella Creek, thence along the south bank of the tributary to Isabella
3 Creek North 70 degrees 59 minutes 51 seconds West 525.44 feet, continuing North 88
4 degrees 22 minutes 22 seconds West 85.48 feet to the confluence with the south bank
5 of Isabella Creek, thence along the south bank of Isabella Creek South 85 degrees 27
6 minutes 47 seconds West 209.43 feet, continuing South 68 degrees 10 minutes 59
7 seconds West 220.04 feet, continuing South 65 degrees 19 minutes 35 seconds West
8 434.66 feet to the northwestern boundary to Tract No. 5 of instrument number 60-
9 4556 (Plat, recorded June 21, 1960) in the Fairbanks Recorder's Office, thence South
10 53 degrees 52 minutes 05 seconds West 1228.34 feet along the westerly boundary of
11 the Subdivision of Tract No. 5 from the Charles Creamer Property, thence South 35
12 degrees 00 minutes 05 seconds West 300.08 feet to the northerly boundary of Lemeta
13 Subdivision, thence along the north boundary of the Lemeta Subdivision North 89
14 degrees 52 minutes 58 seconds West 646.40 feet to the northern College Road right-
15 of-way, thence along the north edge of the College Road right-of-way North 71
16 degrees 53 minutes 31 seconds West 688.05 feet, thence North 18 degrees 21 minutes
17 30 seconds East 12 feet, continuing on a 2 degree 17 minute 26 second curve to the
18 right 415.49 feet, continuing North 62 degrees 07 minutes 30 seconds West 275.16
19 feet, thence North 27 degrees 52 minutes 30 seconds East 10.00 feet, continuing on a 2
20 degree 26 minute 29 second curve to the left 473.08 feet, thence leaving the College
21 Road right-of-way North 0 degrees 03 minutes East 611.23 feet to the Fairbanks Base
22 Line, thence North 89 degrees 56 minutes 34 seconds East along the Fairbanks Base
23 Line 200.03 feet to the Section Corner common to Sections 33 and 34 on the
24 Fairbanks Base Line and the Point of Beginning, containing 83.7 acres, more or less;

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

30 (3) Tract B-2 and Tract C of Alaska State Land Survey No. 83-62 in
31 Section 33, Township 1 North, Range 1 West, Fairbanks Meridian, according to Plat

1 No. 83-272 as filed in the Fairbanks Recording District on December 20, 1983, and as
 2 modified by the public utility easement vacation plat filed in the Fairbanks Recording
 3 District on February 22, 1985, as Plat No. 85-27;

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

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

8 (A) all that portion lying within Air Park Subdivision according
 9 to the plat filed November 20, 1978, as Plat No. 78-206 Fairbanks Recording
 10 District; Replat Lot 7 Block 1 Air Park Subdivision and Air Park Subdivision
 11 First Addition according to the plat filed April 2, 1979, as Plat No. 79-56
 12 Fairbanks Recording District; Air Park Second Addition, according to the plat
 13 filed November 26, 1979, as Plat No. 79-264 and amended plat filed May 15,
 14 1980, as Plat No. 80-86 Fairbanks Recording District; Air Park Subdivision
 15 Third Addition according to the plat filed June 14, 1993, as Plat No. 93-160
 16 Fairbanks Recording District; and

17 (B) the West 240 feet as conveyed to Sherman Field Airstrip
 18 Owner's Association, Inc., by Bargain and Sale Deed recorded January 19,
 19 1989, in Book 606, Page 586, Fairbanks Recording District;

20 (6) the portions of the E1/2SW1/4SE1/4NW1/4,
 21 W1/2SE1/4SE1/4NW1/4, E1/2NW1/4SE1/4NW1/4, and W1/2NE1/4SE1/4NW1/4
 22 lying southerly of Farmers Loop Road right-of-way, according to the Department of
 23 Transportation and Public Facilities Project RS-0644(13)/60384, as Plat No. 2008-89,
 24 Fairbanks Recording District, all lying within Section 28 in Township 1 North, Range
 25 1 West, Fairbanks Meridian;

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

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

31 **(9) NE1/4 of the NW1/4 of Fairbanks Golf and Country Club, First**

1 Addition, according to the plat filed July 15, 1993, as Plat No. 93-169; records of
2 the Fairbanks Recording District, Fourth Judicial District, State of Alaska;

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

6 (11) Section 33: N1/2S1/2, excluding Tract B of Alaska State Land
7 Survey No. 80-67; according to the General Land Office survey plat of Township
8 1 North, Range 1 West, Fairbanks Meridian, Alaska, approved by the U.S.
9 Surveyor General's Office in Juneau, Alaska, on October 9, 1913; according to
10 the Division of Technical Services survey plat of Alaska State Land Survey No.
11 80-67, within surveyed Section 33, Township 1 North, Range 1 West, Fairbanks
12 Meridian, Alaska, filed in the Fairbanks Recording District on March 11, 1983,
13 as Plat No. 83-43;

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

17 (13) SE1/4 SE1/4 of Section 32 in Township 1 North, Range 1
18 West, Fairbanks Meridian and Tract B of North College Road Subdivision,
19 according to the plat filed July 2, 2020, as Plat No. 2020-46, Fairbanks Recording
20 District;

21 (14) Section 5 in Township 1 South, Range 1 West, Fairbanks
22 Meridian, Government Lots 3 and 4, Tract A of Raspberry Subdivision,
23 according to the plat filed October 12, 2021, as Plat No. 2021-94, Fairbanks
24 Recording District;

25 (15) Section 28 in Township 1 North, Range 1 West, Fairbanks
26 Meridian, Block 2 of Shuros Subdivision, according to the replat filed
27 February 13, 1974, as Plat No. 74-10, Fairbanks Recording District, excepting the
28 portion conveyed to the state, by declaration of taking, recorded July 6, 1990,
29 Fairbanks Recording District, in book 669, page 466.

30 * Sec. 9. AS 16.20.550 is amended to read:

31 Sec. 16.20.550. Port Moller Critical Habitat Area established. The

1 following described area is established as the Port Moller Critical Habitat Area:

- 2 (1) Township 50 South, Range 71 West, Seward Meridian
3 Sections 7 - 8
4 Section 14 [(NOT TIDE OR SUBMERGED LAND)]
5 Sections 15 - 17
6 Sections 21 - 23
7 Section 32;
- 8 (2) Township 51 South, Range 71 West, Seward Meridian
9 Section 3 [(NOT TIDE OR SUBMERGED LAND)]
10 Sections 4 - 5
11 Section 7
12 Sections 9 - 10
13 Sections 15 - 17;
- 14 (3) Township 49 South, Range 73 West, Seward Meridian
15 Sections 10 - 11
16 Section 12 [(NOT TIDE OR SUBMERGED LAND)]
17 Sections 13 - 16
18 Section 21
19 Section 24
20 Section 28;
- 21 (4) Township 51 South, Range 72 West, Seward Meridian
22 Sections 5 - 8
23 Sections 11 - 12;
- 24 (5) Township 50 South, Range 72 West, Seward Meridian
25 Sections 18 - 19
26 Sections 30 - 32;
- 27 (6) Township 50 South, Range 73 West, Seward Meridian
28 Sections 7 - 13
29 Sections 14 - 17 [(NOT TIDE OR SUBMERGED LAND)]
30 Section 18;
- 31 (7) Township 50 South, Range 74 West, Seward Meridian

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

- 1 Section 3
- 2 Section 4 [(NOT TIDE OR SUBMERGED LAND)]
- 3 Section 9 [(NOT TIDE OR SUBMERGED LAND)]
- 4 Sections 10 - 13
- 5 Sections 14 - 16 [(NOT TIDE OR SUBMERGED LAND)]
- 6 Sections 21 - 23 [(NOT TIDE OR SUBMERGED LAND)]
- 7 Sections 24 - 25
- 8 Sections 26 - 28 [(NOT TIDE OR SUBMERGED LAND)];
- 9 (13) Township 49 South, Range 76 West, Seward Meridian
- 10 Sections 1 - 4
- 11 Sections 7 - 9
- 12 Sections 10 - 11 [(NOT TIDE OR SUBMERGED LAND)]
- 13 Sections 12 - 14
- 14 Sections 15 - 16 [(NOT TIDE OR SUBMERGED LAND)]
- 15 Sections 17 - 18
- 16 Section 21 [(NOT TIDE OR SUBMERGED LAND)]
- 17 Section 22
- 18 Sections 28 - 29
- 19 Sections 33 - 34;
- 20 (14) Township 49 South, Range 77 West, Seward Meridian
- 21 Sections 1 - 2
- 22 Sections 4 - 5
- 23 Sections 7 - 12
- 24 Sections 13 - 18 [(NOT TIDE OR SUBMERGED LAND)];
- 25 (15) Township 48 South, Range 76 [77] West, Seward Meridian
- 26 Sections 20 - 23
- 27 Sections 26 - 28;
- 28 (16) Township 48 South, Range 77 [78] West, Seward Meridian
- 29 Sections 26 - 27
- 30 Sections 31 - 34;
- 31 (17) Township 49 South, Range 78 West, Seward Meridian

1 Sections 2 - 5
 2 Sections 8 - 12
 3 Sections 13 - 16 [(NOT TIDE OR SUBMERGED LAND)]
 4 Section 17.

5 * **Sec. 10.** AS 16.20.560 is amended to read:

6 **Sec. 16.20.560. Cinder River Critical Habitat Area established.** The
 7 following described area is established as the Cinder River Critical Habitat Area:

8 (1) Township 32 South, Range 54 West, Seward Meridian

9 Section 29

10 Sections **31 - 33** [31 - 32];

11 (2) Township 33 South, Range 55 West, Seward Meridian

12 Sections 1 - 4

13 Sections 7 - 13

14 Sections 14 - 17

15 **Sections 18 - 23**

16 **Sections 27 - 32** [(NOT TIDE OR SUBMERGED LAND)

17 SECTION 18];

18 (3) Township 33 South, Range 56 West, Seward Meridian

19 Sections 13 - 14

20 Sections 22 - 23

21 Sections 24 - 26 [(NOT TIDE OR SUBMERGED LAND)]

22 Sections 27 - 29

23 Sections 31 - 32

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

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

26 Sections **3 - 10**

27 **Sections 15 - 16** [5 - 7

28 SECTION 4 N 1/2];

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

30 Section 1

31 Section 12.

1 * **Sec. 11.** AS 16.20.565 is amended to read:

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

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

5 Sections 1 - 2

6 Section 11 N [S] 1/2

7 Section 12 N 1/2;

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

9 Section 13

10 Sections 24 - 25

11 Sections 35 - 36;

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

13 Section 7

14 Sections 18 - 19

15 Section 30

16 Section 31 (not tide or submerged land).

17 * **Sec. 12.** AS 16.20.570 is amended to read:

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

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

21 Sections 1 - 3

22 Section 12;

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

24 Sections 5 - 8

25 Section 17;

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

27 Sections 5 - 8

28 Sections 13 - 15

29 Sections 17 - 27;

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

31 Sections 27 - 29

- 1 Sections 31 - 34;
- 2 (5) Township 31 South, Range 52 West, Seward Meridian (protracted)
- 3 Sections 1 - 3
- 4 Sections 5 - 6
- 5 Sections 11 - 14
- 6 Sections 23 - 24;
- 7 (6) Township 30 South, Range 53 West, Seward Meridian (protracted)
- 8 Section 36;
- 9 (7) Township 31 South, Range 53 West, Seward Meridian (protracted)
- 10 Sections 1 - 2
- 11 Sections 10 - 11
- 12 Sections 12 - 14 [(NOT TIDE OR SUBMERGED LAND)]
- 13 Sections 15 - 16
- 14 Sections 20 - 21
- 15 Sections 22 - 28 [(NOT TIDE OR SUBMERGED LAND)]
- 16 Sections 29 - 31
- 17 Sections 32 - 36 [(NOT TIDE OR SUBMERGED LAND)];
- 18 (8) Township 31 [32] South, Range 54 West, Seward Meridian
- 19 (protracted)
- 20 Section 36.

21 * **Sec. 13.** AS 16.20.580 is amended to read:

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

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

- 24 (1) Township 4 South, Range 10 West, Seward Meridian
- 25 Section 20: SE 1/4 [(NOT TIDE OR SUBMERGED LAND)]
- 26 Section 21: S 1/2 [(NOT TIDE OR SUBMERGED LAND)]
- 27 Section 22: S 1/2
- 28 Section 23: S 1/2 [(NOT TIDE OR SUBMERGED LAND)]
- 29 Sections 25 - 29
- 30 Sections 33 - 36;
- 31 (2) Township 4 South, Range 9 West, Seward Meridian

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

2 * **Sec. 14.** AS 16.20.590(a) is amended to read:

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

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

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

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

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

13 (5) [(4)] Township 5 South, Range 12 West, Seward Meridian (only
14 tide and submerged land and waters);

15 (6) [(5)] Township 6 South, Range 11 West, Seward Meridian (only
16 tide and submerged land and waters);

17 (7) [(6)] Township 6 South, Range 12 West, Seward Meridian (only
18 tide and submerged land and waters);

19 (8) [(7)] Township 6 South, Range 13 West, Seward Meridian (only
20 tide and submerged land and waters);

21 (9) [(8)] Township 6 South, Range 14 West, Seward Meridian (only
22 tide and submerged land and waters);

23 (10) [(9)] Township 7 South, Range 11 West, Seward Meridian (only
24 tide and submerged land and waters);

25 (11) [(10)] Township 7 South, Range 12 West, Seward Meridian (only
26 tide and submerged land and waters);

27 (12) [(11)] Township 7 South, Range 13 West, Seward Meridian (only
28 tide and submerged land and waters);

29 (13) [(12)] Township 7 South, Range 14 West, Seward Meridian (only
30 tide and submerged land and waters);

31 (14) [(13)] Township 8 South, Range 12 West, Seward Meridian (only

1 tide and submerged land and waters);

2 **(15)** [(14)] Township 8 South, Range 13 West, Seward Meridian (only
3 tide and submerged land and waters);

4 **(16)** [(15)] Township 8 South, Range 14 West, Seward Meridian (only
5 tide and submerged land and waters);

6 **(17)** [(16)] Township 9 South, Range 14 West, Seward Meridian (only
7 tide and submerged land and waters);

8 **(18)** [(17)] Township 9 South, Range 15 West, Seward Meridian (only
9 tide and submerged land and waters east of a line from Anchor Point to Point
10 Pogibshi);

11 **(19)** [(18)] Township 5 South, Range 15 West, Seward Meridian
12 (including all tide and submerged land and waters east of a line from Anchor Point to
13 Point Pogibshi);

14 **(20)** [(19)] Township 6 South, Range 15 West, Seward Meridian
15 (including all tide and submerged land and waters east of a line from Anchor Point to
16 Point Pogibshi);

17 **(21)** [(20)] Township 7 South, Range 15 West, Seward Meridian
18 (including all tide and submerged land and waters east of a line from Anchor Point to
19 Point Pogibshi);

20 **(22)** [(21)] Township 8 South, Range 15 West, Seward Meridian
21 (including all tide and submerged land and waters east of a line from Anchor Point to
22 Point Pogibshi);

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

25 * **Sec. 15.** AS 16.20.605(a) is amended to read:

26 (a) All state land and water contained in the following described areas is
27 established as the Anchor River and Fritz Creek Critical Habitat Area:

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

29 Section 25

30 Section 35

31 Section 36;

- 1 (2) Township 5 South, Range 12 West, Seward Meridian
 2 Sections 17 - 20;
- 3 (3) Township 5 South, Range 13 West, Seward Meridian
 4 Section 2
 5 Section 3
 6 Section 4: E1/2
 7 Section 8: S1/2
 8 Sections 9 - 11
 9 Sections 13 - 20
 10 Section 21: W1/2
 11 Section 24;
- 12 (4) Township 5 South, Range 14 West, Seward Meridian
 13 Section 13
 14 Section 20: NE1/4
 15 Sections 21 - 24
 16 Section 26: N1/2
 17 Section 27: N1/2
 18 Section 28: N1/2, NW1/4 SW1/4 (exclusive of the North Fork
 19 Road corridor and right-of-way)
 20 Section 29: Lots 1 - 15, Lots 17 - 23, inclusive, Angler's
 21 Haven Estates, according to the official plat filed under
 22 Plat No. 2000-63, records of the Homer Recording District,
 23 Third Judicial District, State of Alaska; Lot A-2, Hughes
 24 Tool Co. Sayer Addition, according to the survey plat
 25 recorded in the Homer Recording District on December 4,
 26 2002, as Plat No. 2002-70
 27 Section 32: Lot 36-A and Tract A, Hughes Tool Co. Sayer
 28 Addition No. 6, according to the official plat filed under
 29 Plat No. 2007-110, records of the Homer Recording
 30 District, Third Judicial District, State of Alaska.

31 * Sec. 16. AS 16.20.610(b) is amended to read:

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

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

4 Section 2: W1/2

5 Section 3

6 Sections 9 - 10

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

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

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

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

11 **Creek**

12 Section 15

13 Section 16: N1/2, SE1/4

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

15 **(2) Tracts A and B of Gustavus Flats, Trust Land Survey No.**
16 **2004-01, located within Township 40 South, Range 58 East, Copper River**
17 **Meridian, containing 1,279.09 acres, more or less, according to the survey plat**
18 **filed in the Juneau Recording District on October 22, 2004, as Plat No. 2004-39.**

19 * **Sec. 17.** AS 16.20.615(a) is amended to read:

20 (a) The state land **and water that is** above the mean **lower low water** [HIGH
21 TIDE] line **and is** within the following described area is established as the Tugidak
22 Island Critical Habitat Area:

23 (1) Township 41 South, Ranges 33 - 34 West, Seward Meridian;

24 (2) Township 42 South, Range 33 West, Seward Meridian

25 Sections 1 - 11

26 Sections 14 - 23

27 Sections 25 - 36;

28 (3) Township 42 South, Ranges 34 - 35 West, Seward Meridian;

29 (4) Township 43 South, Ranges 34 - 35 West, Seward Meridian.

30 * **Sec. 18.** AS 16.20.630(a) is amended to read:

31 (a) The following described area is established as the Homer Airport Critical

1 Habitat Area:

2 (1) Tract A:

3 Township 6 South, Range 13 West, Seward Meridian

4 Section 21: that portion of the S1/2NE1/4NW1/4 upland of the
5 ordinary high water line of Beluga Lake, comprising 9.3 acres,
6 more or less, N1/2NE1/4NW1/4, N1/2NW1/4NE1/4;

7 (2) Tract B:

8 Township 6 South, Range 13 West, Seward Meridian

9 Section 21: that portion of the NE1/4 upland of the ordinary
10 high water line of Beluga Lake that is encompassed by a
11 boundary beginning at the section corner common to Sections
12 15, 16, 21, and 22, Township 6 South, Range 13 West, Seward
13 Meridian; thence proceeding South 00 degrees 01 minute 00
14 seconds East along the section line common to Sections 21
15 and 22, Township 6 South, Range 13 West, Seward Meridian,
16 to the point of intersection with a line located 1,520 feet South
17 of and parallel to the northern section line of Section 21,
18 Township 6 South, Range 13 West, Seward Meridian; thence
19 along the line located 1,520 feet South of and parallel to the
20 northern section line of Section 21, Township 6 South, Range
21 13 West, Seward Meridian, to the point of intersection with
22 the ordinary high water line of Beluga Lake; thence in a
23 northwesterly direction along the meanders of the ordinary
24 high water line of Beluga Lake to the point of intersection
25 with the West boundary line of NE1/4, Section 21, Township
26 6 South, Range 13 West, Seward Meridian, being common to
27 the center quarter line of Section 21, Township 6 South,
28 Range 13 West, Seward Meridian; thence North 00 degrees 01
29 minute 00 seconds West along the West boundary line of
30 NE1/4, Section 21, Township 6 South, Range 13 West,
31 Seward Meridian, to the point of intersection with the section

1 line common to Sections 16 and 21, Township 6 South, Range
 2 13 West, Seward Meridian; thence East along the section line
 3 common to Sections 16 and 21, Township 6 South, Range 13
 4 West, Seward Meridian, to the point of beginning; comprising
 5 70.4 acres, more or less;

6 (3) Tract C:

7 Township 6 South, Range 13 West, Seward Meridian

8 Section 15: S1/2SW1/4, comprising 80 acres, more or less;

9 (4) Tract D:

10 Township 6 South, Range 13 West, Seward Meridian

11 Section 22: that portion of the NW1/4 northwesterly of a line
 12 parallel to, northwesterly of, and 750 feet perpendicular from
 13 the monumented runway centerline of the Homer Airport,
 14 comprising 60 acres, more or less;

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

16 Township 6 South, Range 13 West, Seward Meridian

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

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

25 **(6) Tract F: 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 (7) Tract G: 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 (8) Tract H: 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. 19.** AS 16.20.630(b) is amended to read:

30 (b) Notwithstanding AS 16.20.500 - 16.20.530, the land in Township 6 South,
 31 Range 13 West, Section 21 described in (a)(1) and (2) [(a)] of this section is subject to

1 the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

30 (E) require

31 (i) approval of the Department of Transportation and

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

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

5 (F) install navigational aids on the land; and

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

8 * **Sec. 20.** AS 16.20.630(c) is amended to read:

9 (c) Notwithstanding AS 16.20.500 - 16.20.530, the land in Township 6 South,
10 Range 13 West, Sections 15 and 22 described in (a)(3) - (5) [(a)] of this section is
11 subject to the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

11 * **Sec. 21.** AS 16.20.630(f) is amended to read:

12 (f) The state land described in **(a)(1) - (5)** [(a)] of this section may not be
13 transferred to municipal or private ownership or to another state agency unless
14 covenants or easements in the land, containing provisions substantially similar to (b)
15 and (c) of this section, are reserved to the Department of Transportation and Public
16 Facilities for the benefit of the Homer Airport.

17 * **Sec. 22.** AS 16.20.630 is amended by adding a new subsection to read:

18 (h) Land owned by a municipality that lies within the boundary of the Homer
19 Airport Critical Habitat Area described in (a) of this section may be included in the
20 area. An agreement between the Department of Fish and Game and the respective
21 municipality for the management of the land within the area that is owned by the
22 municipality shall be approved by the municipality and by the Department of Fish and
23 Game."

24
25 Page 1, line 4:

26 Delete "**Section 1**"

27 Insert "**Sec. 23**"

28
29 Renumber the following bill sections accordingly.

30
31 Page 3, following line 1:

1 Insert new bill sections to read:

2 **"* Sec. 24.** The uncodified law of the State of Alaska is amended by adding a new section to
3 read:

4 CONDITIONAL EFFECT; NOTIFICATION. (a) AS 16.20.039(a)(13) - (15), added
5 by sec. 8 of this Act, take effect only if the state acquires the parcels of land described in
6 AS 16.20.039(a)(13) - (15) for the purpose of including the parcels in the Creamer's Field
7 Migratory Waterfowl Refuge.

8 (b) If the state acquires the parcels described in AS 16.20.039(a)(13) - (15), added by
9 sec. 8 of this Act, for the purpose of including the parcels in the Creamer's Field Migratory
10 Waterfowl Refuge, the commissioner of fish and game shall notify the revisor of statutes.

11 * **Sec. 25.** If AS 16.20.039(a)(13) - (15), added by sec. 8 of this Act, take effect, they take
12 effect the day after the date on which the state acquires the parcels of land described in
13 AS 16.20.039(a)(13) - (15) for the purpose of including the parcels in Creamer's Field
14 Migratory Waterfowl Refuge.

15 * **Sec. 26** Section 2 of this Act takes effect on the effective date of sec. 2, ch. 119, SLA
16 2010.

17 * **Sec. 27.** Section 3 of this Act takes effect on the effective date of sec. 3, ch. 119, SLA
18 2010."

19

20 Renumber the following bill section accordingly.

21

22 Page 3, line 2:

23 Delete "This"

24 Insert "Except as provided in secs. 25 - 27 of this Act, this"