

From: [Chuck Burnham](#)
To: [Julia OConnor](#)
Subject: RE: Research Request from: julia.oconnor@akleg.gov
Date: Monday, January 29, 2024 4:17:15 PM
Attachments: [CH 95 SLA 1982.pdf](#)
[SB0796A.pdf](#)

Good afternoon, Julia – You asked for information on the timing and purpose of the creation of the Chilkat Bald Eagle Preserve and the legislative history of its advisory council.

The Chilkat Bald Eagle Preserve (CBEP) and its advisory council were created by the Alaska Legislature through the enactment of Sec. 1, Ch. 95 SLA 1982 (SB 796, attached). The CBEP and council are currently codified in statute at [AS 41.21.610-630](#), and associated regulations are promulgated at [11 AAC 21](#). The legislative purpose of the CBEP was codified at the time of enactment at [AS 41.21.610](#), which has not been subsequently amended. That section is included, in its entirety, in the attached session law, so we do not reprint it here. It is worth noting, however, that the CBEP and Haines State Forest Management Area were created simultaneously, through the same legislation. The legislature's intent behind the joint creation is detailed in AS 41.21.610(c), which reads:

It is the intent of the legislature in enacting [AS 41.21.610](#) — 41.21.630 to provide sufficient protection for the purposes for which the Alaska Chilkat Bald Eagle Preserve is established. Accordingly, the establishment of the Alaska Chilkat Bald Eagle Preserve and the Haines State Forest Resource Management Area under [AS 41.15.305](#) is determined to represent a proper balance between the reservation of state public domain land and water for bald eagle preserve purposes and state public domain land and water more appropriate for multiple use. Therefore, the legislature determines that there is no need for legislation expanding or contracting the boundary of the Alaska Chilkat Bald Eagle Preserve in the future; the legislature further determines that study by a state agency of the expansion or contracting of the boundary of the preserve shall be conducted under [AS 41.21.621](#).

Our review of the somewhat limited legislative history of SB 796 shows the legislature received testimony on competition among user groups and, importantly, the traditional uses of the land on which the sits by Alaska Native residents of the area, including the community of Klukwan (see [AS 41.21.618](#) identifying "traditional uses"). Further testimony indicates that a preserve had been considered for the area since at least the mid-1960s. In short, the creation of the CBEP and the Haines Forest were the result of years of negotiation between the state and user groups, which occurred concurrently to land claims pursuant to the federal Alaskan Native Claims Settlement Act (see [AS 41.21.614](#) for treatment of Native allotments within the preserve). Like many land-use designation processes in Alaska, this did not occur without significant controversy.

An excerpt of minutes for a Senate Finance Committee hearing on SB 796 providing insight into the historical effort and context of creating the CBEP, the many user groups with interests in the legislation, and some of the considerations that were vetted and addressed, including the potential that the federal government may take step in to assume management in the absence of state action, is included at the end of this message.

You may also be interested in additional history provided in pages 1-8 of the [Chilkat Bald Eagle Preserve Management Plan](#) adopted by the Alaska Department of Natural Resources in September 2002, which includes the following excerpt:

Although the large fall and winter concentration of bald eagles has long been recognized as a natural phenomenon in the area, the first official recognition of the concentration took place in 1973 with the legislative establishment of a 4,800-acre Critical Habitat Area, managed by the Department of Fish and Game. The continued demand to use the many resources of the area led to the adoption of the Haines/Skagway Land Use Plan in 1979. This was followed by the initiation of a three-year research study in 1980 to provide the basis for more detailed management plans, and finally by the establishment of the Alaska Bald Eagle Preserve and the Haines State Forest Resource Management Area in 1982.

When it established the Preserve, the legislature created a new type of unit unlike any other in the state park system. It required the protection of Preserve resources, especially those related to the Chilkat bald eagles, their associated habitat, and the spawning and rearing areas of anadromous streams in the Chilkat and Chilkoot Rivers. The provisions distinguishing the Preserve from other units of the state park system include giving strong guarantees that traditional uses may continue; excluding from the Preserve private land, University lands, highway corridors, pipeline corridors, and municipal lands; treating Native allotments and pending Native allotments as private lands; giving strong guarantees of access across the Preserve; requiring the favorable consideration of utility corridors across the Preserve if they are compatible with the purposes of the Preserve; and, allowing municipal selections of land in the Preserve.

Purposes of the Preserve

As described in Alaska statute, the purpose of the Preserve is to protect and perpetuate the Chilkat bald eagles and their essential habitats within the Preserve.

It was also established to:

- Protect and sustain the natural salmon spawning and rearing areas of the Chilkat River and Chilkoot River systems in perpetuity,
- provide continued opportunities for research, study and enjoyment of bald eagles and other wildlife,
- maintain water quality and necessary water quantity,
- provide for the continued traditional and natural resource based lifestyle of the people living in the area, and
- provide for other public uses consistent with the primary purpose of the Preserve.

The statute also recognized that the creation of the Preserve and the State Forest together provided a proper balance between the protection provided by the Preserve and the multiple uses allowed in the Haines State Forest.

The CBEP Advisory Council

Unfortunately, legislative records from 1982 are not as robust as those we are accustomed to in more recent years. Although committee minutes for SB 796 mention discussions on the CBEP Advisory Council, many are summaries, at times bordering on shorthand, and lack details of the reasoning behind the council's composition. Further, it is important to note that much of the negotiation leading to the legislation occurred outside of official proceedings or in meetings not under the purview of the legislature.

With those points noted, the original version of SB 796 (attached) envisioned a seven-member council with two ex officio members—the mayor of Haines and the chair of the Council of the Chilkat Indian Village. The bill had five subsequent committee substitutes, with the enacted version (HCS CSSSB 796 [Res]) establishing a twelve-member council, the composition of which is substantively the same as appears in current statute. Therefore, although the legislative record is somewhat incomplete, it is clear the intention was to create an inclusive council, with the broadest representation of user groups practicable, to “assist the Department of Natural Resources in the development and monitoring of a management plan for the Alaska Chilkat Bald Eagle Preserve.” Arguably, garnering support for passage of the legislation may have been more challenging had these various user groups not been represented in the council.

I hope this is helpful. Let me know if you have any questions. The previously mentioned committee minutes, cataloged on [Infobases](#), follow.

Senate Finance Committee—April 22, 1982

Jon Hallwill, Mayor of the City of Haines first appeared before committee, advising that CSSSB 796 (ACT PROVIDING FOR THE

MANAGEMENT OF STATE-OWNED LAND IN THE HAINES AREA; ESTABLISHING THE ALASKA CHILKAT BALD EAGLE PRESERVE AND THE HAINES STATE FOREST RESOURCE MANAGEMENT AREA) has been many years in development. In 1977 the Haines Land Use Planning Report identified eagle habitats and possible uses for the subject land.

In 1979 the City of Haines was threatened with federal legislation which would have put the Chilkat Valley into a national preserve. Representatives from the City sent to Washington D.C. were successful in stopping the federal effort.

As a requirement for cessation of work at the federal level, the Governor of Alaska placed in moratorium 53 thousand acres of valley land. Within these acres there could be no development until the eagle phenomenon was investigated, understood, and Audubon studies were completed.

Critical habitat areas and resource areas have now been identified. The Audubon Society would like to set aside habitat areas. The residents of Haines do not want to give up traditional uses of the valley because these traditional uses do not adversely affect the eagles. The Audubon Society, the City of Haines, and residents of Klukwan have thus worked together to produce the subject legislation. The effort has received a claim throughout the state and on a national level since it represents a bringing together of environmental groups, the logging and mining industry, as well as local government--all of which support the bill.

Since development of the proposed committee substitute, issues have been raised by residents of Klukwan. These issues have been reviewed, and it was found that areas and issues of concern are already covered by state and federal law.

Mr. Hallwill stressed that fact that the legislation before committee represents more than just an "item of local concern." The fact that this year is the 200 anniversary of selection of the bald eagle as the national symbol has focused attention on the Chilkat Valley. The state must move to take care of its land resources or the federal government will do so. Mr. Hallwill concluded his remarks advising that when interests as diverse as the Sierra Club, Schnaible Lumber Company, and local residents all testify in support of the same legislation, "it is a good bill."

Senator Stimson asked if all factions involved in the legislation are in agreement with the provisions of the Finance Committee Substitute for SB 796. Mr. Hallwill responded that as far as he knew they were. Senator Sturgulewski advised that she personally wished to see the legislation "move." It represents good hard work by a number of different interests.

Merrill Palmer, Chairman, Haines Branch of the Alaska Miners Association, next appeared before committee to testify in support of the Finance Committee Substitute. He advised that the current land freeze in the Chilkat Valley jeopardizes mining, timber sales, and native allotments. The present legislation was negotiated by interested parties to provide effective use of the land. The legislation provides for state rather than federal management and control of state land resources. The local

land-use plan has been five years in the making but cannot be implemented because of the current land freeze.

Charles Paddock and Walter Clayton next appeared before committee and read into the committee record a letter supporting the proposed legislation and denouncing misrepresentations made by lobbyist Mike Deman on behalf of the Tlingit Haida Central Council (a copy of their testimony--letter dated April 22, 1982, is attached to these minutes).

Joe Hotch, Vice President of the Chilkoot Indian Village, next appeared before committee, advising that only a few of his people believe the bill is a good one. Reports that Klukwan residents were involved in formation of the legislation require clarification. Although residents wished to be included when the bill was drafted, they were not. Mr. Hotch read testimony offered on behalf of Fred J. Donnelly, setting forth nine points of opposition to the bill (copy of testimony attached to these minutes). In closing remarks Mr. Hotch advised, "We really can't see people who do not live in the area making the decision." If their land was in the habitat area, the decision might be different. The foregoing represents the basis upon which Chilkoot Indian Village residents oppose the bill.

In response to Mr. Hotch's testimony, Senator Sackett advised that in preparing the draft Finance Committee Substitute he had reviewed proposed amendments from Klukwan residents with the Division of Lands. He advised of need for further research into a possible amendment relating to the use of eagles for religious purposes which he might offer on the floor of the Senate.

Senator Sackett moved for adoption of the CS for SSSB 796 (Finance). Senator Sturgulewski objected for purposes of further questions regarding native allotments. At this time Mr. Hotch again appeared at the committee table testifying that the Audubon Society had failed to make its yearly report to each group involved in negotiations regarding the habitat. After three years of study, the Audubon Society did not know that the University land was within the proposed eagle preserve. He concluded his remarks by advising that he and his people could not support anything which isn't done "in full complete order."

Co-chairman Bennett announced that at this point in the meeting public testimony would no longer be taken and that members of the committee would proceed to act upon the bill.

Reed Stoops advised that University lands would be treated as private land, and excluded from the boundaries of the preserve.

Discussion with University personnel indicates that the University is satisfied that its interests are adequately protected under the bill.

Senator Sackett moved for adoption of CS for SB 796 (Finance). Senator Sturgulewski objected, raising questions concerning native allotments. Speaking to the hold harmless provision contained on Page 3, Section (c), Reed Stoops advised that approved or pending native allotments would be treated as private land until disposition of the allotments.

Senator Sturgulewski removed her objection to adoption of the proposed committee substitute. Upon a show of hands CS for SS for SB 796 (Finance) was adopted. Senator Sackett moved that the Finance Committee Substitute pass from committee with individual recommendations. Senator Eliason raised questions concerning amendments offered by residents of Klukwan and rejected by the subcommittee preparing the Finance Committee Substitute. Senator Sackett stated that a majority of the amendments were unnecessary because they are provided for in other law. Senator Eliason asked Senator Sackett if he (Sackett) was "personally satisfied that the rights of the people of Klukwan have been addressed," and Senator Sackett responded, "Yes--yes, I am."

Co-chairman Bennett restated Senator Sackett's motion for passage of CS for SS for SB 796 (Finance) from committee with individual recommendations. No objection having been raised, CS for SS for SB 796 (Finance) passed from committee--all members present signing do pass.

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From: Research Request Form <no.reply@akleg.gov>
Sent: Friday, January 26, 2024 11:06 AM
To: Legislative Research <Legislative.Research@akleg.gov>
Cc: Julia OConnor <Julia.OConnor@akleg.gov>; Chuck Burnham <Chuck.Burnham@akleg.gov>
Subject: Research Request from: julia.oconnor@akleg.gov

Completion Date: 02-02-2024

Legislator: Giessel , Cathy

Staff Contact: julia.oconnor@akleg.gov

Phone: (907) 465-5078

Report Topic: Alaska Chilkat Bald Eagle Preserve Advisory Council

Bill number (if applicable): EO 132

Question(s):

A general and legislative history on the Alaska Chilkat Bald Eagle Preserve Advisory Council.
When/why was it created? Was this vetted prior?

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Introduced: 2/16/82
Referred: Resources

1 IN THE SENATE

BY RAY

2 SENATE BILL NO. 796

3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska Chilkat Bald Eagle
7 Preserve; and providing for an effective date."

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

9 * Section 1. AS 41.20 is amended by adding new sections to read:
10 ARTICLE 16. ALASKA CHILKAT BALD EAGLE PRESERVE.

11 Section 41.20.506. DECLARATION OF PURPOSE. The purpose of AS 41.-
12 20.506 - 41.20.515 is to establish the state-owned land and water
13 described in AS 41.20.507 as the Alaska Chilkat Bald Eagle Preserve as
14 part of the state park system. The primary purpose of establishing the
15 Alaska Chilkat Bald Eagle Preserve is to protect and perpetuate the
16 Chilkat bald eagles and their essential habitats. The Alaska Chilkat
17 Bald Eagle Preserve is also established to protect the natural salmon
18 spawning and rearing areas of the Chilkat River and Chilkoot River
19 systems within the preserve. The Alaska Chilkat Bald Eagle Preserve is
20 also established to provide continued opportunities for research, study
21 and enjoyment of bald eagles and other wildlife, and to provide for
22 other public uses consistent with the primary purpose for which the
23 Alaska Chilkat Bald Eagle Preserve is established. Inasmuch as the area
24 described in AS 41.20.507 exceeds 640 acres, AS 41.20.506 - 41.20.515
25 are intended to except the area described from the provisions of AS 38.-
26 05.300.

27 Sec. 41.20.507. ESTABLISHMENT AND MANAGEMENT. (a) Subject to
28 valid existing rights, the land and water presently owned by the state
29 and all land and water acquired in the future by the state lying within

1 the boundaries depicted on a map entitled "Alaska Chilkat Bald Eagle
2 Preserve", dated February 1982 and on file in the office of the commis-
3 sioner of natural resources, are designated the Alaska Chilkat Bald Eagle
4 Preserve and assigned to the Department of Natural Resources for control,
5 development, and maintenance.

6 (b) Private land, land selections made by the Haines Borough under
7 state law on the effective date of this Act, and existing transportation
8 and utility corridors lying within the parcels described in (a) of this
9 section are excluded from the Alaska Chilkat Bald Eagle Preserve and the
10 state may not acquire private land within the Alaska Chilkat Bald Eagle
11 Preserve by eminent domain.

12 (c) Approved and pending Native allotments located partially or
13 completely within the Alaska Chilkat Bald Eagle Preserve are not affected
14 by the establishment of the Alaska Chilkat Bald Eagle Preserve and all
15 allotments shall be treated as private land under AS 41.20.506 - 41.20.-
16 515.

17 (d) The Department of Fish and Game is responsible for the manage-
18 ment of fish and game resources in the Alaska Chilkat Bald Eagle Pre-
19 serve, consistent with the purposes of AS 41.20.506 - 41.20.515.

20 (e) The Department of Natural Resources shall consult with the
21 Department of Fish and Game, the United States Fish and Wildlife Ser-
22 vices, and the Alaska Chilkat Bald Eagle Preserve Advisory Council
23 established by AS 41.20.515 before adoption of regulations governing
24 public use of the Alaska Chilkat Bald Eagle Preserve. The Department of
25 Fish and Game shall cooperate with the Department of Natural Resources
26 and the Alaska Chilkat Bald Eagle Preserve Advisory Council in proposing
27 regulations governing fish and game management in the Alaska Chilkat
28 Bald Eagle Preserve for adoption by the Board of Fisheries or the Board
29 of Game. The Department of Fish and Game and the Department of Natural

1 Resources shall cooperate with the United States Fish and Wildlife
2 Service in its administration of the Bald Eagle Protection Act of 1940
3 and other appropriate laws that govern the conservation of bald eagles
4 or implement international treaty obligations of the United States.

5 (f) The natural habitat of the Alaska Chilkat Bald Eagle Preserve
6 shall be managed by the Department of Natural Resources to sustain the
7 eagle population and other fish and wildlife resources in perpetuity.

8 (g) The state land and water described in (a) of this section are
9 closed to mineral entry under AS 38.05.135 - 38.05.280, to commercial
10 harvest of timber, to sale under state land disposal laws, and to borough
11 selections made after the effective date of this Act.

12 (h) Continued opportunities for the traditional use of the Alaska
13 Chilkat Bald Eagle Preserve at levels and by methods and means that are
14 compatible with protection of the bald eagle population are guaranteed.
15 The traditional uses include hunting, trapping, fishing, berry picking,
16 subsistence and recreational uses, operation of motorized vehicles, and
17 the gathering of wood for personal use; these traditional uses shall be
18 permitted to continue subject to regulation unless the director of the
19 division of parks determines, after consultation with the Alaska Chilkat
20 Bald Eagle Preserve Advisory Council, that the level of use is causing
21 significant resource damage that is inconsistent with the primary pur-
22 poses of AS 41.20.506 - 41.20.515. The director of the division of
23 parks shall hold a local public hearing before restricting a traditional
24 use permitted under this section.

25 (i) If privately owned land, valid mining rights, existing mineral
26 leases, subsurface rights on private land, or other valid occupancy is
27 surrounded by state land of the Alaska Chilkat Bald Eagle Preserve or if
28 private or state-owned land, valid mining claims, subsurface rights, or
29 other valid occupancy, not designated as a part of the Alaska Chilkat

1 Bald Eagle Preserve does not have reasonable, timely, and economically
2 feasible access and egress by means other than crossing land designated
3 as Alaska Chilkat Bald Eagle Preserve land in (a) of this section, the
4 director of the division of parks shall grant the private landowner, a
5 holder of a valid mining claim, mineral lease, subsurface rights, or a
6 state agency or federal agency rights necessary to assure reasonable and
7 economically feasible access and egress. The rights of access and
8 egress are subject to reasonable regulation and stipulations established
9 by the director of the division of parks to protect the values of the
10 Alaska Chilkat Bald Eagle Preserve and to minimize adverse impacts in
11 the preserve. The director of the division of parks shall give favorable
12 consideration to applications for utility rights-of-way that are compat-
13 ible with the primary purpose of the Alaska Chilkat Bald Eagle Preserve.

14 (j) The director of the division of parks and the Alaska Chilkat
15 Bald Eagle Advisory Council established under AS 41.20.515, in consulta-
16 tion with the United States Fish and Wildlife Service, the Department of
17 Fish and Game, and other pertinent sources, shall use information gained
18 through the Haines-Klukwan Cooperative resource studies in the develop-
19 ment of the management plan for the Alaska Chilkat Bald Eagle Preserve
20 and in decisions affecting the management and administration of the
21 preserve. The director of the division of parks and the advisory council
22 shall investigate the need for additional research to increase knowledge
23 and understanding of the natural resources of the area and to enhance
24 the effective management of the Alaska Chilkat Bald Eagle Preserve.

25 Sec. 41.20.515. ALASKA CHILKAT BALD EAGLE PRESERVE ADVISORY COUN-
26 CIL. (a) A 10-member Alaska Chilkat Bald Eagle Preserve Advisory
27 Council is established. The members of the advisory council shall be
28 appointed by the governor. Members of the advisory council are entitled
29 to the per diem and travel expenses authorized for members of state

1 boards under AS 39.20.180.

2 (b) The governor may appoint individuals to the Alaska Chilkat
3 Bald Eagle Preserve Advisory Council representing the following inter-
4 ests:

5 (1) a resident of the Chilkat Valley representing a conserva-
6 tion organization;

7 (2) a resident of the Chilkat Valley representing commercial
8 or industrial interests;

9 (3) a representative of Klukwan, Inc.;

10 (4) a representative of the Department of Natural Resources,
11 division of parks;

12 (5) a representative of the Department of Natural Resources,
13 division of forestry;

14 (6) a representative of the Department of Fish and Game; and
15 (7) a representative of the United States Fish and Wildlife
16 Service.

17 (c) The mayor of the City of Haines, the mayor of the Haines
18 Borough, and the chairman of the Council of the Chilkat Indian Village
19 are ex officio members of the Alaska Chilkat Bald Eagle Preserve Advisory
20 Council.

21 (d) The Alaska Chilkat Bald Eagle Preserve Advisory Council shall
22 assist the Department of Natural Resources in the development and moni-
23 toring of a management plan for the Alaska Chilkat Bald Eagle Preserve.
24 The management plan shall be presented at public hearings in Haines and
25 Klukwan before approval and implementation by the department.

26 * Sec. 2. This Act takes effect July 1, 1982.



LAWS OF ALASKA

1982

Source

HCS CSSSSB 796(Res)

Chapter No.

95

AN ACT

Providing for the management of state-owned land in the Haines area; establishing the Alaska Chilkat Bald Eagle Preserve and the Haines State Forest Resource Management Area; and providing for an effective date.

— — — — —

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

THE ACT FOLLOWS ON PAGE 1, LINE 11

Approved by the Governor: June 15, 1982
Actual Effective Date: July 1, 1982

AN ACT

Providing for the management of state-owned land in the Haines area; establishing the Alaska Chilkat Bald Eagle Preserve and the Haines State Forest Resource Management Area; and providing for an effective date.

* Section 1. AS 41.20 is amended by adding new sections to read:

ARTICLE 16. ALASKA CHILKAT BALD EAGLE PRESERVE.

Sec. 41.20.506. DECLARATION OF PURPOSE. (a) The purpose of AS 41.20.506 - 41.20.525 is to establish the state-owned land and water described in AS 41.20.507(k) as the Alaska Chilkat Bald Eagle Preserve as part of the state park system. The primary purpose for establishing the Alaska Chilkat Bald Eagle Preserve is to protect and perpetuate the Chilkat bald eagles and their essential habitats within the Alaska Chilkat Bald Eagle Preserve in recognition of their statewide, nationally, and internationally significant values in perpetuity.

(b) The Alaska Chilkat Bald Eagle Preserve is also established to

(1) protect and sustain the natural salmon spawning and rearing areas of the Chilkat River and Chilkoot River systems within the preserve in perpetuity;

(2) provide continued opportunities for research, study and enjoyment of bald eagles and other wildlife;

(3) ensure to the maximum extent practicable water quality and necessary water quantity under applicable laws;

(4) provide for other public uses consistent with the primary

Chapter 95

1 purpose for which the Alaska Chilkat Bald Eagle Preserve is established;
2 and

3 (5) provide an opportunity for the continued traditional and
4 natural resource based lifestyle of the people living in the general
5 areas described in AS 41.20.507(k), consistent with the other purposes
6 of AS 41.20.506(a) and this subsection.

7 (c) It is the intent of the legislature in enacting AS 41.20.506 -
8 41.20.525 to provide sufficient protection for the purposes for which
9 the Alaska Chilkat Bald Eagle Preserve is established. Accordingly, the
10 establishment of the Alaska Chilkat Bald Eagle Preserve and the Haines
11 State Forest Resource Management Area (AS 41.15.500 - 41.15.520) is
12 determined to represent a proper balance between the reservation of
13 state public domain land and water for bald eagle preserve purposes and
14 state public domain land and water more appropriate for multiple use.
15 Therefore, the legislature determines that there is no need for legisla-
16 tion expanding or contracting the boundary of the Alaska Chilkat Bald
17 Eagle Preserve in the future; the legislature further determines that
18 study by a state agency of the expansion or contracting of the boundary
19 of the preserve shall be conducted under AS 41.20.507(j).

20 (d) Inasmuch as the area described in AS 41.20.507(k) exceeds 640
21 acres, AS 41.20.506 - 41.20.525 are intended to close the area to mul-
22 tiple use in conformity with AS 38.05.300 and the land is dedicated as a
23 special purpose site under art. VIII, sec. 7 of the state constitution.

24 Sec. 41.20.507. ESTABLISHMENT AND MANAGEMENT. (a) Subject to
25 valid existing rights, the land and water presently owned by the state
26 and all land and water acquired in the future by the state lying within
27 the boundaries described in (k) of this section are designated the
28 Alaska Chilkat Bald Eagle Preserve and assigned to the Department of
29 Natural Resources for control, development, and maintenance.

Chapter 95

(b) Private land, approved or pending Native allotments, pending and approved land selections made by the Haines Borough under state law on the effective date of this Act, University of Alaska grant land not located within the Chilkat River Critical Habitat Area established by AS 16.20.230(8), and existing transportation and utility corridors located partially or completely within the Alaska Chilkat Bald Eagle Preserve are excluded from the Alaska Chilkat Bald Eagle Preserve. The commissioner of natural resources may not acquire private land or University of Alaska grant land located partially or completely within the Alaska Chilkat Bald Eagle Preserve by eminent domain for any purpose.

(c) Approved or pending Native allotments located partially or completely within the Alaska Chilkat Bald Eagle Preserve are not adversely affected by the establishment of the Alaska Chilkat Bald Eagle Preserve and all approved allotments and all pending allotments located partially or completely within the preserve shall be treated as private land.

(d) The Department of Fish and Game is responsible for the management of fish and game resources in the Alaska Chilkat Bald Eagle Preserve.

(1) under applicable law and consistent with the purposes of AS 41.20.506 - 41.20.525;

(2) subject to the authority of the Secretary of the Interior to permit the taking of bald eagles for the religious purposes of an Indian tribe under sec. 2 of the Bald Eagle Protection Act, 16 U.S.C. sec. 668a.

(e) The Department of Natural Resources shall consult with the Department of Fish and Game, the United States Fish and Wildlife Service, a local governing body of a municipality, any local fish and game advisory committees, and the Alaska Chilkat Bald Eagle Preserve Advisory

Chapter 95

1 Council established by AS 41.20.515 before adoption of reasonable regulations
2 governing public use and protection of the Alaska Chilkat Bald
3 Eagle Preserve. The Department of Fish and Game shall consult with the
4 Department of Natural Resources and the Alaska Chilkat Bald Eagle
5 Preserve Advisory Council in proposing regulations governing fish and
6 game management in the Alaska Chilkat Bald Eagle Preserve for adoption
7 by the Board of Fisheries or the Board of Game. The Department of Fish
8 and Game and the Department of Natural Resources shall cooperate with
9 the United States Fish and Wildlife Service in its administration of
10 federal law governing the conservation of bald eagles.

11 (f) The state land and water described in (k) of this section are
12 closed to mineral entry under AS 38.05.135 - 38.05.280, to commercial
13 harvest of timber, and to sale under state land disposal laws. The
14 commissioner of natural resources may lease the land described in (k) of
15 this section under AS 38.05.070 - 38.05.105 for a purpose consistent
16 with AS 41.20.506(a) and (b); a municipality may select land within the
17 Alaska Chilkat Bald Eagle Preserve under law.

18 (g) Continued opportunities for traditional uses of the Alaska
19 Chilkat Bald Eagle Preserve at levels and by methods and means that are
20 compatible with the protection of the bald eagle population are guaranteed.
21 These historically compatible uses include but are not limited to
22 hunting, trapping, fishing, berry picking, other subsistence and recrea-
23 tional uses, operation of motorized vehicles, and the harvesting of
24 personal-use firewood. The level and method or means of traditional use
25 may continue subject to reasonable regulation unless the director of the
26 division of parks, Department of Natural Resources, after consultation
27 with the Alaska Chilkat Bald Eagle Preserve Advisory Council, makes a
28 finding that the level or method and means of use is causing significant
29 resource damage that is inconsistent with AS 41.20.506(a) and (b). The

Chapter 95

1 director of the division of parks shall hold a public hearing in Haines
2 and Klukwan before restricting a traditional use permitted under this
3 section.

4 (h) If privately owned land, University of Alaska grant land, a
5 valid mining right, an existing mineral lease, a subsurface right on
6 private land, or other valid occupancy is surrounded by state land of
7 the Alaska Chilkat Bald Eagle Preserve or if privately owned land,
8 University of Alaska grant land, federal land, municipal land, or state
9 land not described in (k) of this section, a valid mining claim, subsur-
10 face right, or other valid occupancy on land not described in (k) of
11 this section does not have reasonable, timely, and economically feasible
12 access and egress by means other than crossing land designated as Alaska
13 Chilkat Bald Eagle Preserve land in (k) of this section, the director of
14 the division of parks shall grant a private landowner, the University of
15 Alaska, a holder of a valid existing right to land, or a state agency,
16 municipality, or federal agency the rights necessary to assure reason-
17 able, timely, and economically feasible access and egress. A permittee
18 or licensee of an owner of land or the holder of a valid existing right
19 to land may use access and egress granted under this subsection. The
20 rights of access and egress granted under this subsection are subject to
21 reasonable regulation and stipulations established by the director of the
22 division of parks after consulting with the Alaska Chilkat Bald Eagle
23 Preserve Advisory Council to protect the purposes and values of the
24 Alaska Chilkat Bald Eagle Preserve and to minimize adverse environmental
25 impacts in the preserve. As used in this subsection, "valid existing
26 right" includes but is not limited to a valid mining right, an existing
27 mineral right, and a subsurface right. The director of the division of
28 parks shall give favorable consideration to applications for utility
29 rights-of-way that are compatible with AS 41.20.506(a) and (b).

Chapter 95

(i) The director of the division of parks and the Alaska Chilkat Bald Eagle Advisory Council established under AS 41.20.515, in written consultation with the United States Fish and Wildlife Service, the Department of Fish and Game, the Chilkat Indian Village, the Chilkoot Indian Association, and other appropriate groups, may use information gained through cooperative resource studies in the development of the management plan for the Alaska Chilkat Bald Eagle Preserve and in decisions affecting the management and administration of the preserve. The director of the division of parks and the advisory council shall investigate the need for additional research to increase knowledge and understanding of the natural and cultural resources of the area and to enhance the effective management of the Alaska Chilkat Bald Eagle Preserve.

(j) An agency of the state may not participate or cooperate with a federal or private study considering additions to or deletions from the area of the Alaska Chilkat Bald Eagle Preserve without giving 90 days prior notice to the Alaska Chilkat Bald Eagle Preserve Advisory Council. The director of the division of parks may waive the notice required by this subsection on his determination in writing to the advisory council that an emergency necessitates immediate study or a shorter period of notice to the advisory council.

(k) Except for University of Alaska grant land, the land and water owned by the state and all land and water acquired by the state in the future lying within the following described parcels are designated as the Alaska Chilkat Bald Eagle Preserve:

(1) Township 26 South, Range 55 East, Copper River Meridian
Section 12: that portion within USS 3708
Section 13
Section 23: SE1/4NE1/4, NE1/4SE1/4, E1/2NW1/4SE1/4,
S1/2SE1/4

Chapter 95

1 Sections 24 and 25

2 Section 26: E1/2

3 Section 33: SE1/4SE1/4SE1/4

4 Section 34: E1/2NE1/4, E1/2SW1/4NE1/4, SE1/4NE1/4SW1/4,
5 E1/2SW1/4SW1/4, SW1/4SW1/4SW1/4, SE1/4SW1/4, SE1/4

6 Section 35

7 Section 36: NE1/4NW1/4NE1/4, W1/2W1/2NE1/4, NW1/4,
8 N1/2SW1/4, N1/2SW1/4SW1/4, SW1/4SW1/4SW1/4, NW1/4SE1/4-
9 SW1/4, NW1/4SE1/4

10 (2) Township 26 South, Range 56 East, Copper River Meridian

11 Section 7: SW1/4NE1/4, S1/2NW1/4, S1/2

12 Section 8: SE1/4SW1/4NW1/4, SE1/4NW1/4, SW1/4, that
13 portion of the S1/2NE1/4 within USS 3708

14 Section 17: W1/2NW1/4

15 Section 18

16 Section 19: W1/2, SW1/4SE1/4

17 Section 30: NE1/4NW1/4NE1/4, W1/2NW1/4NE1/4, NW1/4,
18 W1/2SW1/4

19 (3) Township 27 South, Range 55 East, Copper River Meridian

20 Section 2: NW1/4, W1/2NE1/4SW1/4, NW1/4SW1/4, N1/2SW1/4-
21 SW1/4, SW1/4SW1/4SW1/4, NW1/4SE1/4SW1/4, except USS 3744

22 Section 3

23 Section 4: NE1/4NE1/4NE1/4, S1/2NE1/4NE1/4, E1/2SW1/4-
24 NE1/4, SE1/4NE1/4, E1/2SE1/4SW1/4, SE1/4

25 Section 8: SE1/4SE1/4SW1/4, S1/2S1/2SE1/4, N1/2SE1/4-
26 SE1/4

27 Section 9: E1/2, E1/2NW1/4, N1/2NE1/4SW1/4, SE1/4NE1/4-
28 SW1/4, NW1/4SW1/4SW1/4, S1/2S1/2SW1/4

29 Section 10: W1/2W1/2NE1/4, W1/2

Chapter 95

1 Section 15: NW1/4NW1/4NE1/4, S1/2NW1/4NE1/4, SW1/4NE1/4,
2 W1/2, W1/2SE1/4

3 Section 16: E1/2, NW1/4, N1/2SW1/4, NW1/4SE1/4SW1/4,
4 E1/2SE1/4SW1/4

5 Section 17: N1/2NE1/4, NE1/4SW1/4NE1/4, SE1/4NE1/4,
6 E1/2NE1/4NW1/4, N1/2NE1/4SE1/4, SE1/4NE1/4SE1/4

7 Section 21: E1/2, E1/2E1/2NW1/4, SW1/4SE1/4NW1/4, E1/2-
8 SW1/4, SE1/4SW1/4SW1/4

9 Section 22: SW1/4NE1/4NE1/4, W1/2E1/2, W1/2SE1/4NE1/4,
10 W1/2, W1/2E1/2SE1/4

11 Section 26: NW1/4NW1/4NW1/4, S1/2NW1/4NW1/4, SW1/4NW1/4,
12 W1/2E1/2SW1/4, W1/2SW1/4

13 Section 27

14 Section 28: E1/2, E1/2W1/2, E1/2W1/2W1/2

15 Section 33: N1/2NE1/4, E1/2SW1/4NE1/4, NW1/4SW1/4NE1/4,
16 SE1/4NE1/4, E1/2NE1/4NW1/4, NE1/4SE1/4, E1/2NW1/4SE1/4,
17 N1/2SE1/4SE1/4, SE1/4SE1/4SE1/4

18 Section 34

19 Section 35: NW1/4NW1/4NE1/4, S1/2NW1/4NE1/4, SW1/4NE1/4,
20 NW1/4SE1/4NE1/4, S1/2SE1/4NE1/4, W1/2, SE1/4

21 Section 36: W1/2SW1/4SW1/4

22 (4) Township 28 South, Range 55 East, Copper River Meridian

23 Section 1: S1/2SW1/4NW1/4, SW1/4

24 Section 2

25 Section 3: NE1/4, N1/2NW1/4, N1/2SW1/4NW1/4, SE1/4NW1/4,
26 NE1/4NE1/4SW1/4, N1/2SE1/4, SE1/4SE1/4

27 Section 4: E1/2NE1/4NE1/4

28 Section 10: that portion of Mosquito Lake

29 Section 11: N1/2, N1/2SE1/4, NE1/4SW1/4SE1/4, SE1/4SE1/4,

except USS 3431

Section 12

Section 13: E1/2, NE1/4NW1/4, E1/2NW1/4NW1/4, NW1/4NW1/4-
NW1/4, NW1/4SE1/4NW1/4, E1/2SE1/4NW1/4

Section 15: that portion of Mosquito Lake

Section 19: Lot 13

Section 24: E1/2E1/2, NE1/4NW1/4NE1/4

Section 25: Lots 9 - 11 and 16

Section 26: that portion of Lot 5 and NE1/4NW1/4 south
of the Haines Highway and Lots 1, 12, and 17

Section 27: Lots 5 - 8, 10, 13, 18, 19, and 22

Section 28, except S1/2S1/2, the south 660 feet of

Lots 5 - 7, and that portion north of the Haines Highway Section 29, except S1/2S1/2S1/2, NE1/4SE1/4SE1/4, and Lots 9, 14, 15, and 18.

Section 30, Lot 11, and Lot 6, except the south 660 feet.

Section 33: S1/2SE1//SE1//

Section 34 - S1/2S1/2S1/2

Section 35. Lot 1

Section 36, except SW1/4NW1/4, S1/2, and the south 660 feet of Lots 3 - 4.

(5) Township 28 South Range 56 East Copper River Meridian

Section 7: SW1/4NW1/4NW1/4, SW1/4NW1/4, SW1/4SE1/4NW1/4,
W1/2NE1/4SW1/4, SE1/4NE1/4SW1/4, NW1/4SW1/4, S1/2SW1/4,
SW1/4SW1/4SE1/4

Section 17: W1/2SW1/4SW1/4, SE1/4SW1/4SW1/4

Section 18: W1/2W1/2NE1/4, E1/2SW1/4NE1/4, SW1/4SE1/4-
NE1/4, W1/2, SE1/4

Section 19

Chapter 95

1 Section 20: W1/2W1/2

2 Section 29: Lots 8 - 11

3 Section 30, except Lots 1, 4, 5, 8, 15 - 17, and the
4 NE1/4SW1/4

5 Section 31

6 Section 32, except USS 991, USS 2455, and Lots 1, 2,
7 and 24

8 Section 33: S1/2 except USS 2455 and Lots 18 - 21

9 Section 34: Lots 1, 2, S1/2NE1/4SW1/4, W1/2SW1/4SE1/4
10 SE1/4SW1/4SE1/4

11 (6) Township 28 South, Range 57 East, Copper River Meridian
12 Section 22: NE1/4SW1/4, E1/2SE1/4SW1/4, W1/2NW1/4SE1/4,
13 SW1/4SE1/4, NW1/4SE1/4SE1/4, S1/2SE1/4SE1/4

14 Section 26: W1/2SW1/4NW1/4, W1/2W1/2SW1/4

15 Section 27: E1/2E1/2, N1/2NW1/4NE1/4, SE1/4NW1/4NE1/4

16 Section 34: NE1/4NE1/4, NE1/4SE1/4NE1/4

17 Section 35: SW1/4SW1/4NE1/4, NW1/4NW1/4NW1/4, S1/2NW1/4-
18 NW1/4, S1/2NW1/4, E1/2SW1/4, NW1/4NW1/4SE1/4, S1/2NW1/4-
19 SE1/4, S1/2SE1/4, SW1/4NE1/4SE1/4

20 (7) Township 29 South, Range 55 East, Copper River Meridian
21 Section 1: S1/2NE1/4NE1/4, E1/2SW1/4NE1/4, N1/2SE1/4-
22 NE1/4, SW1/4SE1/4NE1/4, NW1/4NE1/4SE1/4, NE1/4NW1/4SE1/4

23 (8) Township 29 South, Range 56 East, Copper River Meridian
24 Section 1

25 Section 2: N1/2NE1/4, E1/2SE1/4NE1/4, NE1/4NW1/4, E1/2-
26 NE1/4SE1/4, NE1/4SE1/4SE1/4

27 Section 4: W1/2NW1/4, W1/2SE1/4NW1/4, SE1/4SE1/4NW1/4,
28 SW1/4, W1/2NW1/4SE1/4, SE1/4NW1/4SE1/4, SW1/4SE1/4,
29 W1/2SE1/4SE1/4, SE1/4SE1/4SE1/4

Chapter 95

1 Section 5: E1/2, N1/2NW1/4, SE1/4NE1/4SW1/4, E1/2SE1/4-
2 SW1/4

3 Section 6: N1/2N1/2NE1/4, NE1/4NE1/4NW1/4, S1/2NE1/4-
4 NW1/4, S1/2NW1/4NW1/4, N1/2SW1/4NW1/4, NW1/4SE1/4NW1/4

5 Section 8, except SW1/4SW1/4 and S1/2SE1/4SW1/4

6 Section 9

7 Section 10: S1/2S1/2NE1/4, SW1/4NE1/4NW1/4, NW1/4NW1/4,
8 S1/2NW1/4, S1/2

9 Section 11: S1/2NE1/4, S1/2S1/2NW1/4, NE1/4SW1/4NW1/4,
10 N1/2SE1/4NW1/4, S1/2

11 Sections 12 - 14

12 Section 15: N1/2, N1/2N1/2SW1/4, E1/2SE1/4, NW1/4SE1/4,
13 E1/2SW1/4SE1/4

14 Section 16: E1/2NE1/4, E1/2W1/2NE1/4, W1/2NW1/4NE1/4,
15 NW1/4SW1/4NE1/4, N1/2N1/2NW1/4, SE1/4NE1/4NW1/4, NE1/4-
16 SE1/4NW1/4

17 Section 17: N1/2NE1/4NE1/4

18 Section 22: N1/2NE1/4NE1/4, NE1/4NW1/4NE1/4

19 Section 23: that portion of the N1/2NW1/4 lying west of
20 Chilkat Lake

21 (9) Township 29 South, Range 57 East, Copper River Meridian

22 Section 4: NW1/4NW1/4SW1/4, S1/2NW1/4SW1/4, SW1/4SW1/4,
23 NW1/4SE1/4SW1/4, S1/2SE1/4SW1/4

24 Section 5, except N1/2NE1/4, NE1/4SE1/4NE1/4, and the
25 north 660 feet and the east 660 feet of Lot 2

26 Sections 6 - 8

27 USS 907

28 Section 9: W1/2W1/2NE1/4, SE1/4SW1/4NE1/4, SW1/4SE1/4-
29 NE1/4, NW1/4, S1/2

Chapter 95

1 Section 10: Lots 1 - 4, W1/2NE1/4SW1/4, NW1/4SE1/4-
2 SW1/4, E1/2SW1/4SE1/4SW1/4

3 Section 14: that portion west of the Haines Highway

4 Section 15, except NE1/4NE1/4 and Lots 7 - 10, 13 - 14

5 Sections 16 - 18

6 USS 786

7 Section 19: NE1/4NE1/4NE1/4

8 Section 20: NE1/4, E1/2NW1/4, NW1/4NW1/4, E1/2SW1/4NW1/4,
9 NE1/4SE1/4, N1/2NW1/4SE1/4, SE1/4NW1/4SE1/4, NE1/4SE1/4-
10 SE1/4

11 Sections 21 and 22

12 Section 23: that portion west of the Haines Highway

13 Section 25: that portion west of the Haines Highway

14 Section 26: that portion west of the Haines Highway

15 Section 27

16 Section 28: NE1/4, NE1/4NW1/4, N1/2NW1/4NW1/4, N1/2SE1/4-
17 NW1/4, NE1/4SE1/4, N1/2NW1/4SE1/4, SE1/4NW1/4SE1/4,
18 NE1/4SE1/4SE1/4

19 Section 34: NE1/4, NE1/4NW1/4, NE1/4SE1/4NW1/4, NE1/4-
20 SE1/4, NE1/4NW1/4SE1/4, E1/2SE1/4SE1/4

21 Section 35

22 Section 36: that portion west of the Haines Highway

23 (10) Township 29 South, Range 58 East, Copper River Meridian

24 Section 3: S1/2SW1/4NW1/4, SW1/4NE1/4SW1/4, W1/2SW1/4,
25 SE1/4SW1/4, S1/2SW1/4SE1/4

26 Section 4: SW1/4NE1/4NE1/4, W1/2NE1/4, SE1/4NE1/4, NW1/4,
27 NE1/4SW1/4, SE1/4

28 Section 9: NE1/4NE1/4

29 Section 10: N1/2, E1/2SW1/4, E1/2W1/2SW1/4, NW1/4NW1/4-

Chapter 95

SW1/4, SE1/4

(11) Township 30 South, Range 57 East, Copper River Meridian
Section 1

Section 2: NE1/4, NE1/4NW1/4, N1/2NW1/4NW1/4, SE1/4NW1/4-
NW1/4, N1/2SE1/4NW1/4, SE1/4SE1/4NW1/4, N1/2SE1/4,
N1/2SE1/4SE1/4

Section 3: NE1/4NE1/4NE1/4

Section 12: NE1/4, NE1/4NW1/4, NE1/4NW1/4NW1/4, NE1/4-
SE1/4NW1/4, W1/2NE1/4SE1/4, NE1/4NW1/4SE1/4, E1/2E1/2-
SE1/4 NW1/4SE1/4SE1/4

Section 13: NE1/4NE1/4NE1/4

(12) Township 30 South, Range 58 East, Copper River Meridian

Section 6: that portion west of the Haines Highway

Section 7: that portion west of the Haines Highway

Section 8: that portion west of the Haines Highway

Section 16: that portion west of the Haines Highway

Section 17: that portion west of the Haines Highway

Section 18: Lots 1 - 5 and 9, SW1/4NE1/4, NW1/2SE1/4, NW1/4SW1/4

SE1/4SE1/4NW1/4, SE1/4

Chilkat Bald Eagle Preserve management plan are not available for surface disposal under AS 41.20.507(f) and shall be managed by the director of the division of parks to prevent vandalism, destruction, and desecration.

(m) The director of the division of parks and the director of the division of forestry shall consult in the preparation of the management plan prepared under AS 41.20.507(i) to promote effective, efficient, and coordinated administration of the Haines State Forest Resource Management Area and the Alaska Chilkat Bald Eagle Preserve for the purposes and values for which each is established.

Chapter 95

(n) University of Alaska grant land located within the boundary of the Chilkat River Critical Habitat Area established under AS 16.20.230(8) is excluded from the Alaska Chilkat Bald Eagle Preserve.

Sec. 41.20.515. ALASKA CHILKAT BALD EAGLE PRESERVE ADVISORY COUNCIL. (a) A 12-member Alaska Chilkat Bald Eagle Preserve Advisory Council is established. The members of the advisory council shall be selected under this section.

(b) The governor shall appoint individuals to the Alaska Chilkat Bald Eagle Preserve Advisory Council representing the following interests for a two-year term:

(1) a resident of the Haines Borough representing a conservation organization;

(2) a representative of the United States Fish and Wildlife Service; and

(3) a member of the Upper Lynn Canal fish and game advisory committee.

(c) The mayor of the City of Haines, the mayor of the Haines Borough, the president of Klukwan, Inc., the chairman of the Council of the Chilkat Indian Village, and the chairman of the Chilkoot Indian Association are ex officio members of the Alaska Chilkat Bald Eagle Preserve Advisory Council. The mayor of the Haines Borough may recommend to the governor for appointment to the advisory council the name of a resident of the Haines Borough for the representation of commercial or industrial interests.

(d) The commissioner of fish and game, the director of the division of parks, and the director of the division of forestry, or their designees, serve ex officio as members of the Alaska Chilkat Bald Eagle Preserve Advisory Council.

(e) The Alaska Chilkat Bald Eagle Preserve Advisory Council shall

Chapter 95

1 assist the Department of Natural Resources in the development and monitoring of a management plan for the Alaska Chilkat Bald Eagle Preserve.
2 The management plan shall be presented at public hearings in Haines and
3 Klukwan before approval and implementation by the department.
4

5 (f) Members of the Alaska Chilkat Bald Eagle Preserve Advisory
6 Council selected under (b) - (d) of this section may select alternates
7 to act as members of the advisory council in their absence.
8

9 Sec. 41.20.525. EXISTING RIGHTS. The establishment of the Alaska
10 Chilkat Bald Eagle Preserve under AS 41.20.506 - 41.20.525 does not
11 enlarge, diminish, add to, or waive a requirement of law otherwise
12 applicable to the management or use of the state land of the Haines
13 State Forest Resource Management Area (AS 41.15.500 - 41.15.520) or
14 private land. An activity allowed under law on land not described in
15 AS 41.20.507(k), including but not limited to an activity described in
16 AS 41.20.507(g), timber harvest, mining, resource development, and
17 recreation, is permitted so long as the activity is conducted in compliance
18 with law.

19 * Sec. 2. AS 41.15 is amended by adding new sections to read:
20

21 ARTICLE 3A. HAINES STATE FOREST RESOURCE MANAGEMENT AREA.
22

23 Sec. 41.15.500. HAINES STATE FOREST RESOURCE MANAGEMENT AREA. (a)
24 The purpose of AS 41.15.500 - 41.15.520 is to establish the land and
25 water presently owned by the state and all land and water acquired in
26 the future by the state lying within the boundaries described in AS 41-
27 15.510(a) as the Haines State Forest Resource Management Area. The
28 primary purposes for the establishment of the Haines State Forest Re-
29 source Management Area are the utilization, perpetuation, conservation,
and production of the land and water including but not limited to the
use of renewable and nonrenewable resources through multiple-use manage-
ment and the continuation of other beneficial uses including traditional

Chapter 95

1 uses and other recreational activities.

2 (b) The responsibility for the management, control, development,
3 and maintenance of the Haines State Forest Resource Management Area
4 established under AS 41.15.500 - 41.15.520 is assigned to the Department
5 of Natural Resources.

6 Sec. 41.15.510. BOUNDARIES AND MANAGEMENT OF HAINES STATE FOREST
7 RESOURCE MANAGEMENT AREA. (a) Subject to valid existing rights, the
8 land and water presently owned by the state and all land and water
9 acquired in the future by the state lying within the following described
10 parcels are designated as the Haines State Forest Resource Management
11 Area:

12 (1) All lands encompassed by U.S. Survey 3708, Tracts A, B
13 and C but excluding U.S.M.S. 2206.

14 (2) Those mental health lands (MH-153) approved in the state
15 selection letter from the United States Bureau of Land Management dated
16 August 26, 1974, described as follows: Beginning at corner No. 1 of
17 this tract which is common to angle point No. 5 of U.S. Survey 3708,
18 then north 02°13'51" west 52.639 chains along the survey line to corner
19 No. 2 of this tract which is common to angle point No. 6 of U.S. Survey
20 3708, then north 12°01'18" west 13.346 chains to corner No. 3 of this
21 tract which is common to angle point No. 7 of U.S. Survey 3708, then
22 north 53°57'42" west 537.070 chains to corner No. 4 of this tract which
23 is common to angle point No. 7-A of U.S. Survey 3708, then south 0°0'30"
24 east 63.06 chains to corner No. 5 of this tract, then south 53°57'42"
25 east 542.00 chains to corner No. 1 of this tract and angle point No. 5,
U.S. Survey 3708, the point of beginning.

26 (3) Township 28 South, Range 56 East, Copper River Meridian
27 Section 29: that portion of the N1/2 lying east of
28 U.S.S. 3708

Chapter 95

Section 34: NW1/4, SE1/4

(4) Township 28 South, Range 57 East, Copper River Meridian

(5) Township 28 South, Range 58 East, Copper River Meridian

(6) Township 29 South, Range 57 East, Copper River Meridian

Section 36: that portion of Lots 1, 5, 6, and 10 lying east of U.S.S. 3708

(7) Township 29 South, Range 58 East, Copper River Meridian

(8) Township 29 South, Range 59 East, Copper River Meridian

(9) Township 29 South, Range 60 East, Copper River Meridian

Sections 19 - 36

(10) Township 29 South, Range 61 East, Copper River Meridian

Sections 19 - 36

(11) Township 29 South, Range 62 East, Copper River Meridian

Sections 19 and 20

Sections 29 - 32

(12) Township 30 South, Range 57 East, Copper River Meridian

Section 1: that portion of Lot 1 lying east of U.S.S. 3708

(13) Township 30 South, Range 58 East, Copper River Meridian

That portion lying east and south of U.S.S. 3708

(14) Township 30 South, Range 59 East, Copper River Meridian

Sections 1 - 10

Section 12

Sections 14 - 23

Section 27: that portion lying west of the Haines Corporation boundary

Sections 28 - 31

Section 33

(15) Township 30 South, Range 60 East, Copper River Meridian

Chapter 95

- 1 (16) Township 30 South, Range 61 East, Copper River Meridian
- 2 (17) Township 30 South, Range 62 East, Copper River Meridian
3 Sections 5 - 8
4 Sections 17 - 20
5 Sections 29 - 32
- 6 (18) Township 31 South, Range 58 East, Copper River Meridian
- 7 (19) Township 31 South, Range 59 East, Copper River Meridian
8 Sections 6 - 8
9 Sections 16 - 22
10 Sections 27 - 34
- 11 (20) Township 31 South, Range 60 East, Copper River Meridian
12 Sections 1 - 4
13 Sections 9 - 15
14 Sections 22 - 24
15 Sections 35 and 36
- 16 (21) Township 31 South, Range 61 East, Copper River Meridian
17 Sections 1 - 30
- 18 (22) Township 31 South, Range 62 East, Copper River Meridian
19 Sections 5 - 8
20 Sections 17 - 20
21 Sections 31 and 32
- 22 (23) Township 32 South, Range 59 East, Copper River Meridian
23 Sections 3 - 33
24 Sections 34 - 36: that portion lying north of the Tongass
25 National Forest boundary

26 (b) Private land, University of Alaska grant land, existing trans-
27 portation corridors, and borough selections within the Haines State
28 Forest Resource Management Area are excluded from the Haines State
29 Forest Resource Management Area. The commissioner of natural resources

Chapter 95

1 may not acquire private land or University of Alaska grant land located
2 within the Haines State Forest Resource Management Area by eminent
3 domain for any purpose.

4 (c) Approved or pending Native allotment applications located
5 partially or completely within the Haines State Forest Resource Management
6 Area are not adversely affected by the establishment of the Haines
7 State Forest Resource Management Area and all approved allotments and
8 all pending allotments shall be treated as private land.

9 (d) The division of forestry shall consult with the division of
10 parks, the Department of Fish and Game, including each local fish and
11 game advisory committee with jurisdiction in the area, and the Alaska
12 Chilkat Bald Eagle Preserve Advisory Council to promote effective,
13 efficient, and coordinated administration of the Haines State Forest
14 Resource Management Area and the Alaska Chilkat Bald Eagle Preserve for
15 the values for which each is established.

16 (e) Resource studies undertaken by the Department of Natural
17 Resources shall be designed to benefit the management and administration
18 of the Haines State Forest Resource Management Area and the Alaska
19 Chilkat Bald Eagle Preserve.

20 (f) The establishment of the Haines State Forest Resource Management
21 Area has no effect on the terms and conditions of an existing
22 permit or contract involving use of the land, water, or other resources
23 of the Haines State Forest Resource Management Area.

24 Sec. 41.15.520. MULTIPLE-USE MANAGEMENT. (a) The Haines State
25 Forest Resource Management Area shall be managed under the principles of
26 multiple use and sustained yield, under AS 41.17, and under a management
27 plan prepared by the Department of Natural Resources. The plan may not
28 be adopted or revised without prior review by the Board of Forestry or
29 without a public hearing held in Haines and Klukwan.

Chapter 95

(b) The Department of Natural Resources shall periodically review and revise the management plan adopted for the Haines State Forest Resource Management Area under (a) of this section. The management plan should be based on a current operational level inventory completed within the last 10 years and revised as future inventory information becomes available to the department.

(c) A copy of a management plan and any revision to it prepared by the Department of Natural Resources, reviewed by the Board of Forestry and adopted by the department after public hearings required under (a) of this section shall be provided to the legislature within 30 days of its adoption or revision or within the first 10 days of the first session of the legislature to convene after its adoption or revision.

(d) The Department of Fish and Game is responsible for the management of fish and game resources in the Haines State Forest Resource Management Area under applicable law and in a manner consistent with AS 41.15.500 - 41.15.520 except that an opportunity for continued traditional use of the Haines State Forest Resource Management Area at levels and by traditional methods and means is guaranteed. The traditionally compatible uses include but are not limited to fishing, hunting, trapping, berry picking, subsistence, and recreational uses, operation of motorized vehicles, and the harvest of personal-use firewood.

(e) The control of highway access within the Haines State Forest Resource Management Area is the responsibility of the Department of Natural Resources except that the Department of Transportation and Public Facilities is responsible for the repair and maintenance of public roads in the Haines State Forest Resource Management Area.

(f) The state land and water described in AS 41.15.510(a) are closed to sale under state land disposal laws. The commissioner of natural resources may lease the land described in AS 41.15.510(a) under

Chapter 95

1 AS 38.05.070 - 38.05.105 for a purpose consistent with AS 41.15.500(a)
2 and a municipality may select land in the Haines State Forest Resource
3 Management Area under law.

4 (g) The Department of Natural Resources shall consult with the
5 Department of Fish and Game and the governing bodies of each municipi-
6 pality in the general area during preparation of a management plan under
7 (a) and (b) of this section and during formulation of regulations govern-
8 ing the use of the Haines State Forest Resource Management Area. The
9 Department of Fish and Game shall consult with the Department of Natural
10 Resources and local fish and game advisory committees before adopting
11 regulations governing fish and wildlife management in the Haines State
12 Forest Resource Management Area. Regulations may not be adopted by
13 either department without prior review at a public hearing in Haines and
14 Klukwan.

15 (h) The Department of Natural Resources may enter into cooperative
16 management agreements with a person who holds title to or has a valid
17 entry on land within or adjoining the boundaries of the Haines State
18 Forest Resource Management Area.

19 * Sec. 3. The management plan for the Alaska Chilkat Bald Eagle Preserve
20 prepared by the Department of Natural Resources under AS 41.20.507(i) as
21 enacted in sec. 1 of this Act shall be adopted and implemented within two
22 years after the effective date of this Act.

23 * Sec. 4. The management plan for the Haines State Forest Resource Manage-
24 ment Area prepared by the Department of Natural Resources under AS 41.15.520
25 enacted in sec. 2 of this Act shall be adopted and implemented within two
26 years after the effective date of this Act. The Haines-Skagway Area Land Use
27 Plan adopted by the Department of Natural Resources in 1979 shall be used as
28 the basis for preparation of the initial management plan for the Haines State
29 Forest Resource Management Area. Before approval of the management plan

Chapter 95

1 prepared under AS 41.15.520, management of the Haines State Forest Resource
2 Management Area shall be conducted under the land use allocations and the
3 appropriate management provisions of the Haines-Skagway Area Land Use Plan.

4 * Sec. 5. This Act takes effect July 1, 1982.

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