



LAWS OF ALASKA

1970

Source

Chapter No.

HB 647 am S

115

AN ACT

Creating the Kachemak Bay State Park; and providing for an effective date.

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

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

ARTICLE 7. KACHEMAK BAY STATE PARK.

Sec. 41.20.250. DECLARATION OF PURPOSE. The purpose of secs. 250 - 290 of this chapter is to restrict state-owned lands and waters described in sec. 260 of this chapter to use as a state park. Under the provisions of AS 38.05.-300, state land, water or land and water containing more than 640 acres may be closed to multiple purpose use only by act of the legislature. Because the area described in sec. 260 of this chapter exceeds 640 acres, secs. 250 - 290 of this chapter are intended to provide for the closing of the described lands and waters to multiple purpose use in conformity with AS 38.05.300 and their subsequent designation as a special purpose site in accordance with art. VIII, sec. 7, of the Constitution of the State of Alaska.

Sec. 41.20.260. DESIGNATED STATE LAND AND WATER RESTRICTED TO USE AS A STATE PARK FOR SCENIC PURPOSES. (a) The presently state-owned lands and waters, and all those acquired in the future by the state, lying within the parcels described in this section are designated as the Kachemak Bay State Park. In order to protect and preserve these lands and waters for their unique and exceptional scenic value, the park is established and shall be managed as a scenic park. The lands and waters lying within the following described parcels are reserved from all uses incompatible with their primary function as a scenic park and are assigned to the Department of Natural Resources for control, development and maintenance:

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

Section 35: E1/2

Section 36

Meridian (9) Township 9 South, Range 12 West, Seward

Sections 1 - 6

Section 8: NE1/4

Sections 9 - 12

Section 13: N1/2

Section 14: N1/2

Meridian (10) Township 9 South, Range 13 West, Seward

Sections 1 and 2

(b) The following public domain lands shall be selected by the state, and classified as scenic park lands and designated as part of Kachemak Bay State Park immediately upon receipt of management authority by the state:

Meridian (1) Township 6 South, Range 10 West, Seward
W1/2

Meridian (2) Township 7 South, Range 10 West, Seward
W1/2

Meridian (3) Township 8 South, Range 10 West, Seward

Section 6

Section 7: N1/2

(c) Lands lying within the parcels described in (a) and (b) of this section, upon which there are valid entries or upon which there are valid applications for leases filed under AS 38.05, before the effective date of this Act, are excepted from (a) and (b) of this section; however, if any lands excepted under this subsection are subsequently relinquished to the state, they shall be included as part of Kachemak Bay State Park.

Sec. 41.20.270. INCOMPATIBLE USES PROHIBITED. The commissioner of natural resources shall designate by regulation incompatible uses within the boundaries of the Kachemak Bay State Park in accordance with the requirements of secs. 250 - 290 of this chapter, and those incompatible uses designated shall be prohibited or restricted, as provided by regulation.

Sec. 41.20.280. HUNTING EXCEPTED FROM PROVISIONS OF AS 11.55.050. Hunting with a firearm in Kachemak Bay State Park, when authorized by the Board of Fish and Game under AS 16.05, is not subject to the provisions of AS 11.55.050 which prohibit the discharge of a firearm in a public park.

Sec. 41.20.290. PURCHASE AUTHORIZED. The commissioner of natural resources may acquire, by purchase in the name of the state, title to or interest in real property lying within the boundaries of the Kachemak Bay State Park. The state may not acquire by eminent domain privately owned land for inclusion in the Kachemak Bay State Park.

* Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without approval.