

**SENATE CS FOR CS FOR HOUSE BILL NO. 58(STA)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 2/23/96

Referred: Rules

Sponsor(s): REPRESENTATIVES BUNDE, Rokeberg, Toohey

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act establishing the Chickaloon Flats Critical Habitat Area; and providing  
2 for an effective date."

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

4 \* **Section 1.** AS 16.20 is amended by adding a new section to read:

5 Sec. 16.20.630. CHICKALOON FLATS CRITICAL HABITAT AREA. (a)

6 The following described area is established as the Chickaloon Flats Critical Habitat  
7 Area:

8 The land and water encompassed by a boundary beginning at the point  
9 on the shore of Chickaloon Bay at longitude W149 degrees, 53 minutes;  
10 thence westerly along the mean high water line of Chickaloon Bay to  
11 longitude W150 degrees, 18 minutes; thence easterly to the point of the  
12 beginning.

13 (b) The Chickaloon Flats Critical Habitat Area is established to

14 (1) ensure the protection and enhancement of habitat;

1 (2) ensure the conservation of fish and game; and  
2 (3) guarantee the continuation of hunting, fishing, trapping, and other  
3 uses by the public compatible with the protection and enhancement of habitat and the  
4 conservation of fish and game.

5 (c) The state may not acquire by eminent domain privately owned land within  
6 the Chickaloon Flats Critical Habitat Area, but may acquire privately owned land by  
7 purchase, exchange, or otherwise for inclusion in the Chickaloon Flats Critical Habitat  
8 Area.

9 (d) Management decisions under this section made by the commissioner of  
10 natural resources and the commissioner of fish and game are applicable only to land  
11 and water described in (a) of this section.

12 (e) Public access to the Chickaloon Flats Critical Habitat Area by means of  
13 horse, boat, aircraft, dog team, snowmachine, all-terrain vehicle, or other means  
14 consistent with (b) of this section may not be prohibited.

15 (f) Access to and from private property within the Chickaloon Flats Critical  
16 Habitat Area shall be guaranteed through access corridors established through  
17 agreement between the Department of Natural Resources, the Department of Fish and  
18 Game, and the private property owners involved.

19 (g) The Department of Fish and Game and the Department of Natural  
20 Resources shall exercise their respective authorities over the Chickaloon Flats Critical  
21 Habitat Area consistent with a management plan prepared by the Department of Fish  
22 and Game in consultation with the Department of Natural Resources.

23 (h) The department shall permit entry within the Chickaloon Flats Critical  
24 Habitat Area for the exploration and development of oil and gas resources when it is  
25 compatible with the purposes for which the critical habitat area is established.

26 \* **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).