

**SENATE BILL NO. 67**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY SENATORS STEVENS, Ellis

Introduced: 1/26/07

Referred: Resources

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act establishing the Jay Hammond State Game Refuge; and providing for an  
2 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. 16.20.045. Jay Hammond State Game Refuge.** (a) All state-owned  
6 surface and subsurface land and water, and all land acquired in the future by the state,  
7 within the hydrographic boundaries of the Kvichak and Nushagak-Mulchatna River  
8 drainages, excluding Wood-Tikchik State Park, is designated as the Jay Hammond  
9 State Game Refuge and shall be managed as a state refuge for the protection of  
10 salmon, trout, caribou, brown bear, and other fish and wildlife species and their habitat  
11 and for the use and enjoyment of the people of the state.

12 (b) The Jay Hammond State Game Refuge is established to protect the

13 (1) fish and wildlife habitat and populations, including the salmon and  
14 trout spawning and rearing habitat, and critical caribou, moose, and brown bear

1 habitat;

2 (2) public use of fish and wildlife and their habitat, particularly  
3 subsistence, commercial, and recreational fishing, hunting, trapping, viewing, and  
4 general public recreation in a high quality environment; and

5 (3) use and disposition of other resources when the activities are not  
6 incompatible with (1) and (2) of this subsection.

7 (c) The land and water of the Jay Hammond State Game Refuge are closed to  
8 mineral entry under AS 38.05.185 - 38.05.275. State land and water within the refuge  
9 may not be sold or exchanged without legislative approval.

10 (d) The storage and disposal of industrial waste and the discharge of water that  
11 does not meet water quality standards for the growth and propagation of fish is  
12 prohibited within the boundaries of the Jay Hammond State Game Refuge.

13 (e) Except as provided in (a) - (d) of this section, the Department of Fish and  
14 Game and the Department of Natural Resources shall exercise their respective  
15 authorities over the Jay Hammond State Game Refuge consistent with a management  
16 plan prepared by the Department of Fish and Game in consultation with the  
17 Department of Natural Resources.

18 (f) The state may not acquire private land that is located within the boundaries  
19 of the Jay Hammond State Game Refuge by eminent domain. The state may acquire  
20 private and other public land within the refuge by purchase, exchange, or otherwise  
21 from willing owners for inclusion in the refuge.

22 (g) The establishment of the Jay Hammond State Game Refuge under this  
23 section does not impair or alter valid allotment applications filed before the effective  
24 date of this Act or access to and from private real property located within the refuge.  
25 Access to and from private property shall be permitted through access corridors  
26 established by agreement between the landowner and the Department of Fish and  
27 Game and the Department of Natural Resources.

28 (h) The Department of Fish and Game shall allow subsistence, recreational,  
29 and commercial fishing, hunting, and trapping within the Jay Hammond State Game  
30 Refuge under state and federal regulations. The Department of Fish and Game shall  
31 also permit support activities associated with hunting, fishing, and trapping when

1 necessary and consistent with (a) - (d) of this section, including aircraft support, off-  
2 road vehicle use, and landing strips.

3 (i) Municipally owned land located within the boundaries of the Jay  
4 Hammond State Game Refuge may be included in the refuge by mutual agreement of  
5 the landowner and the Department of Fish and Game.

6 (j) The Department of Fish and Game shall establish a citizens' advisory  
7 committee to work with the department regarding the management of the refuge.  
8 Appointments to the citizens' advisory committee shall be recommended by the  
9 department and the Lake and Peninsula Borough and include subsistence users and  
10 state designees from state, municipal, and tribal entities and representatives from the  
11 following interests:

12 (1) tourism and recreation;

13 (2) mining and industry; and

14 (3) sport and commercial fishing.

15 \* **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to  
16 read:

17 INITIAL MANAGEMENT PLAN. The Department of Fish and Game shall complete  
18 the initial management plan for the Jay Hammond State Game Refuge to be prepared under  
19 AS 16.20.045(e) within two years after the effective date of this Act.

20 \* **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).