

Introduced: 2/20/69
Referred: Resources

1 IN THE SENATE

BY BEGICH

2 SENATE BILL NO. 180

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to protection of fish and game
7 habitat."

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

9 * Section 1. AS 16 is amended by adding a new chapter to read:

10 CHAPTER 21. PROTECTION OF CERTAIN FISH AND GAME HABITAT.

11 Sec. 16.21.010. LEGISLATIVE FINDINGS. The legislature recognizes
12 that

13 (1) there are land areas in the state which are essential
14 to the continued existence of our essential fish and game resources and
15 that many of these areas are also essential in the exploration and
16 development of oil and other mineral resources;

17 (2) unequal emphasis placed on the right to explore and
18 develop oil and other mineral resources has resulted in the alteration
19 or threat of alteration of much of our essential fish and game habitat
20 with far-reaching economic loss to state revenues;

21 (3) cooperation and coordination of efforts can result in a
22 balanced use of both resources without adversely affecting either;

23 (4) the Bachatna, McArthur and Susitna Flats are essential
24 for the nesting, resting and feeding of migratory waterfowl, the calv-
25 ing and wintering of moose and the migration, propogation and rearing
26 of resident and anadromous fish.

27 Sec. 16.21.020. PURPOSE. The purpose of secs. 10 - 60 of this
28 chapter is to preserve essential fish and game habitat and give
29 authority to the Department of Fish and Game to carry out this purpose.

1 Sec. 16.21.030. ESSENTIAL FISH AND GAME HABITAT ESTABLISHED. The
2 following described areas are established as essential habitat for
3 fish and game and are to be known as the West Cook Inlet Fish and Game
4 Compatible Use Unit: All state lands, not currently under industrial
5 classification, contained in the following townships in the Seward
6 Meridian:

7 T5N R17W; T6N R17W; T6N R16W; T7N R17W; T7N R16W; T7N R15W;
8 T8N R17W; T8N R16W; T8N R15W; SW 1/4 T9N R16W; T9N R15W; N 1/2
9 T9N R14W; T10N R15W; T10N R14W; T10N R13W; T11N R16W; T11N R15W;
10 T11N R14W; T11N R13W; SW 1/4 T11N R12W; T12N R15W; T12N R14W;
11 SW 1/4 T12N R13W; S 1/2 T13N NR15W; SW 1/4 T13N R14W; E 1/2 T13N
12 R10W; T13N R9W; T13N R8W; T13N 7W; T13N 6W; NW 1/4 T13N R4W;
13 SE 1/4 T14N R10W; T14N R9W; T14N R8W; T14N R7W; T14N R6W; T14N
14 R5W; SW 1/4 T14N R4W; SE 1/4 T15N R9W; T15N R8W; T15N R7W; T15N
15 R6W; T15N R5W; S 1/2 T16N R6W; SW 1/4 T16N R5W

16 Sec. 16.21.040. MULTIPLE USE. Oil and other mineral exploration
17 and development is permitted in the area described in sec. 30 of this
18 chapter, subject to state laws and regulations and additional limitations
19 determined by the commissioner of fish and game and the commissioner of
20 natural resources jointly and compatible with sound fish and game con-
21 servation and oil and other mineral exploration and development practices.

22 Sec. 16.21.050. MINERAL LEASES. Language shall be incorporated
23 into mineral leases granted or existing after the effective date of
24 this chapter within the area described in sec. 30 of this chapter
25 reflecting the multiple purpose to which the land surface and water-
26 ways are to be subjected.

27 Sec. 16.21.060. AUTHORITY. Nothing in this chapter may be con-
28 sidered as a transfer of the existing authority of the Department of
29 Natural Resources in letting mineral leases and regulating mineral

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exploration and development to the Department of Fish and Game. The Department of Fish and Game shall have the authority to review all proposed construction and actual land status changes in the area including but not limited to access and egress roads, drilling sites, mud pits, pipelines, airstrips and helicopter pads, water divergence, or stripping operation in order to determine their conformity to sound fish and game conservation practices. The Department of Fish and Game and the Department of Natural Resources shall promulgate joint regulations consistent with sound fish and game conservation and oil and other mineral exploration and development practices to carry out the purposes of this chapter.