

Original sponsors: Reed and Huber

Offered: 4/26/72
Referred: State Affairs

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 614 *am*

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the classification of lands."

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

8 * Section 1. INTENT. The purpose of this Act is to maintain and per-
9 petuate bald eagles by classifying areas of the Chilkat River, the Takhin
10 River, and Lutak Inlet as critical habitat areas for the spawning of salmon
11 and the fall and winter feeding and resting of bald eagles.

12 * Sec. 2. AS 16.20 is amended by adding new sections to read:

13 ARTICLE 5. FISH AND GAME CRITICAL HABITAT AREAS.

14 Sec. 16.20.240. PURPOSE. The purpose of secs. 240 - 290 of this
15 chapter is to protect and preserve habitat areas especially crucial to
16 the perpetuation of fish and wildlife, and to restrict all other uses
17 not compatible with that primary purpose.

18 Sec. 16.20.250. CRITICAL HABITAT AREAS ESTABLISHED. The following
19 described areas are established as fish and game critical habitat areas:

20 (1) Chilkat River: The area encompassed by a boundary
21 beginning at a point identical with the north corners common to Sec-
22 tions 1 and 2, Township 29 South, Range 56 East, Copper River Meridian,
23 Alaska; thence west a distance of 500 feet along the north boundary of
24 Section 2; thence south along a line parallel to the west boundary of
25 Section 2, Township 29 south, Range 56 East, Copper River Meridian, a
26 distance of approximately one mile to the south boundary of Section 2:
27 thence east a distance of approximately 500 feet to the southeast
28 corner of Section 2; thence south along the east boundary of Section 11,
29 Township 29 south, Range 56 west, Copper River Meridian crossing the

1 Tsirku River, to the first point of intersection with a meander line
2 500 feet upland from the line of mean high water on the south bank of
3 the Tsirku River; thence easterly along said meander line to its first
4 point of intersection with a western boundary or the northerly extension
5 of the western boundary of United States Survey 786; thence to the
6 northwest corner of United States Survey 786; thence east 2,640 feet
7 to the northeast corner of U.S. Survey 786; thence south along the
8 east boundary to U.S. Survey 786 to its intersection with the section
9 line common to Section 17 and 20 of Township 29 South, Range 57 East,
10 Copper River Meridian; thence east along said section line to its first
11 point of intersection with a meander line running 500 feet upland from
12 the mean high water mark on the west bank of the Chilkat River; thence
13 meandering in a southeasterly direction along a line 500 feet upland
14 from the mean high water mark on the southeast bank of the Chilkat
15 River to its first point of intersection with the section line common to
16 Sections 21 and 28 of Township 29 South, Range 57 East, Copper River
17 Meridian; thence east along said section line to the corner common to
18 Sections 21, 22, 27, and 28, Township 29 South, Range 57 East, Copper
19 River Meridian; thence north along section lines to the point of inter-
20 section with the Haines Highway right-of-way; thence northwesterly
21 along the southwest boundary of said highway right-of-way to the point
22 of intersection with the north boundary of Section 6, Township 29 South,
23 Range 57 East, Copper River Meridian; thence west along section lines
24 to the point of beginning, comprising 4,800 acres, more or less;

25 (2) Lutak Inlet:

- 26 (A) Township 29 South, Range 58 East, Copper River
27 Meridian
28 Section 25 (that portion below 500 feet elevation)
29 (B) Township 29 South, Range 59 East, Copper River

1 Meridian

2 Section 30 (that portion below 500 feet elevation);

3 (3) Takhin River:

4 (A) Township 30 South, Range 57 East, Copper River

5 Meridian

6 Section 24 (that portion below 500 feet elevation)

7 (B) Township 30 South, Range 58 East, Copper River

8 Meridian

9 Sections 17 - 20 (those portions below 500 feet
10 elevation).

11 Sec. 16.20.260. REGULATIONS. The board shall, under ch. 5 of
12 this title, establish regulations it considers advisable for conserva-
13 tion and protection purposes governing the taking of fish and game in
14 state fish and game critical habitat areas.

15 Sec. 16.20.270. MULTIPLE LAND USE. Before the use, lease or
16 other disposal of land under private ownership or state jurisdiction
17 and control, within state fish and game critical habitat areas created
18 by secs. 240 - 290 of this chapter, the person or responsible state
19 department or agency shall notify the commissioner of fish and game.
20 The commissioner shall acknowledge receipt of notice by return mail.

21 Sec. 16.20.280. SUBMISSION OF PLANS AND SPECIFICATIONS. If the
22 commissioner so determines, he shall, in the letter of acknowledgment,
23 require the person or governmental agency to submit full plans for the
24 anticipated use, full plans and specifications of proposed construction
25 work, complete plans and specifications for the proper protection of
26 fish and game, and the approximate date when the construction or work
27 is to commence, and shall require the person or governmental agency to
28 obtain the written approval of the commissioner as to the sufficiency
29 of the plans or specifications before construction is commenced.

1 Sec. 16.20.290. ADDITIONAL CRITICAL HABITAT AREAS. The commis-
2 sioner shall submit a list of additional critical habitat areas to the
3 legislature annually.
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