

Original sponsor: Miller

Offered: 2/12/76
Referred: Rules

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 521

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act creating the Mendenhall Flats State Game Refuge
7 and providing for an effective date."

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

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

10 Sec. 16.20.034. MENDENHALL FLATS STATE GAME REFUGE. (a) The
11 following state-owned land, including tide and submerged land, and
12 excluding privately owned land, is established as the Mendenhall Flats
13 State Game Refuge: Beginning at U.S.C.G.S. Triangulation Station
14 "Salmon" located on the northeastern shore of Douglas Island, lying
15 within the City and Borough of Juneau, first Judicial District, State of
16 Alaska; thence northeasterly across Gastineau Channel approximately
17 .5 miles to U.S.C.G.S. Triangulation Station "Creek", said station
18 being on the shore of Gastineau Channel, 200 feet south of Salmon Creek;
19 thence trend northerly to the intersection of Egan Drive and Salmon
20 Creek; thence trend northwesterly immediately adjacent to but not upon
21 or within the designated right-of-way of Egan Drive approximately 2.7
22 miles to the intersection with the easterly boundary of Sunny Point Park
23 Subdivision, recorded as Plat No. 333; thence southerly along said
24 boundary; thence along said right-of-way line to the intersection with
25 the 22.7 foot extreme high tide line; thence southerly and westerly on
26 said 22.7 foot extreme high tide line, abutting said Sunny Point Park
27 Subdivision, U.S. Survey 2475, Sunny Point Subdivision (Plat No. 307),
28 and Egan Drive approximately one mile to the easterly line of the
29 accreted property to the U.S. Survey No. 1568; thence southerly and

1 westerly, along the boundary of said accreted property approximately .4
2 miles to Corner No. 14 of Alaska Tidelands Survey No. 716; thence
3 southerly and westerly along the west meander line of U.S. Survey No.
4 716, approximately 2.6 miles to Corner No. 4 of said Tidelands Survey;
5 thence northerly along the west meander line of U.S. Survey No. 1742,
6 approximately 790 feet to the northwesterly corner of Juneau Airport
7 property (Corner No. AP-4 of survey dated 6-69); thence northwesterly
8 approximately 440 feet to the southerly meander line of U.S. Survey No.
9 1919; thence southerly and westerly, along the southerly meanders of
10 U.S. Surveys No. 1919 and No. 1042 (as accreted), approximately .5 miles
11 to the intersection with the south line of U.S. Survey No. 2136; thence
12 westerly, along said south line, approximately .6 miles to the inter-
13 section with the 22.7 foot extreme high tide line; thence southerly,
14 along said line approximately 1.4 miles to U.S.C.G.S. Triangulation
15 Station "Glacier" on the southerly tip of Mendenhall Peninsula; thence
16 in a southerly direction across Gastineau Channel approximately 1.3
17 miles to the mouth of Cove Creek; thence in a general easterly direction
18 along the 22.7 foot extreme high tide line of Douglas Island approxi-
19 mately 9 miles to U.S.C.G.S. Triangulation Station "Salmon", the true
20 point of beginning.

21 (b) The state may not acquire by eminent domain privately owned
22 land within state-owned land described in (a) of this section for inclu-
23 sion in the Mendenhall Flats State Game Refuge but may acquire privately
24 owned land by purchase, exchange or otherwise for inclusion in the
25 Mendenhall Flats State Game Refuge.

26 (c) Egress and ingress across state land to and from private
27 property within the land described in (a) of this section shall be
28 allowed through access corridors established through agreement between
29 the Department of Fish and Game and the private property owners affected.

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(d) Taking of game is expressly permitted within the land described in (a) of this section under regulations adopted by the board.

(e) Nothing in this section prohibits the Department of Fish and Game from agreeing to the acquisition of land, by sale, exchange, or otherwise, by the City and Borough of Juneau for purposes of expanding the Juneau municipal airport, establishing additional transportation corridors, including water corridors, establishing a docking facility off the Mendenhall Peninsula, and engaging in gravel extraction, and these uses are considered preferential under art. VIII of the state constitution but subject to the requirements for plan specification and approval under sec. 60 of this chapter. A deed, contract of sale, lease, or other instrument evidencing disposition by the Department of Natural Resources of land under this subsection shall include, among other terms, the condition that the land is restricted to use for airport expansion, establishing additional transportation corridors, including water corridors, establishing a docking facility off the Mendenhall Peninsula, and engaging in gravel extraction.

* Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-070(c).

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