

Introduced: 4/21/80
Referred: Resources

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 HOUSE BILL NO. 1014

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Gustavus 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. 16.20.035. GUSTAVUS STATE GAME REFUGE. (a) The following
11 state-owned land, including tide and submerged land, is established as
12 the Gustavus State Game Refuge: Beginning at the Bureau of Land Manage-
13 ment monumented northwest corner of Section 3, Township 40 South, Range
14 58 East, Copper River Meridian; then easterly along the township boun-
15 dary to the Bureau of Land Management monumented northeast corner of
16 Section 3; then southerly to the 1/4 corner common to Sections 2 and 3;
17 then easterly to the center of Section 2; then southerly to the 1/4
18 corner common to Sections 2 and 11; then easterly to the Bureau of Land
19 Management monumented southeast corner of Section 2; then southerly to
20 the 1/4 corner common to Sections 11 and 12; then easterly to a 3"
21 diameter aluminum monument located at the C-W-W 1/64 corner of Section
22 12, which is the northwest corner of tract F-1 as depicted on the plat
23 of survey of Alaska state land survey 79-179; then southerly, along the
24 west boundary of Alaska state land survey 79-179 to a 3" diameter alumi-
25 num monument at the C-W-SW 1/64 corner of Section 12, which is also the
26 southwest corner of tract F-3 as depicted on the plat of survey of
27 Alaska state land survey 79-179; then west to the section line common to
28 Sections 11 and 12; then westerly 20 chains more or less parallel to the
29 southern boundary of Section 11 to the 1/16 corner; then northerly 20

1 chains more or less parallel to the eastern boundary of Section 11 to
2 the 1/16 corner; then westerly parallel to the southern boundary of
3 Section 11 to the center of Section 11; then southerly parallel to the
4 eastern boundary of Section 11 to the 1/4 corner common to Sections 11
5 and 14; then easterly on the section line to the corner common to
6 Sections 11, 12, 13 and 14, which is also the northeast corner of lot 3,
7 as depicted on the plat of survey of Alaska state land survey 79-150;
8 then westerly along the boundary of section 11 to the W-E 1/64 corner of
9 Section 14, which is the northwest corner of lot 1 of Alaska state land
10 survey 79-150; then southerly to the C-W-NE corner of Section 14, which
11 is also the southwest corner of lot 1 of Alaska state land survey 79-150;
12 then easterly to the N-E 1/16 corner of Section 14, which is also the
13 southeast corner of lot 1 of Alaska state land survey 79-150; then
14 southerly to the C-S-NE 1/64 corner of Section 14, which is also the
15 southwest corner of lot 6 of Alaska state land survey 79-150; then
16 easterly to the S-N 1/64 corner of Section 14, which is also the south-
17 east corner of lot 7 of Alaska state land survey 79-150; then southerly
18 along the boundary line common to Sections 13 and 14 to the northwest
19 corner of lot 8 as depicted on the Bureau of Land Management cadastral
20 plat of Township 40 South, Range 58 East, Copper River Meridian, ap-
21 proved July 22, 1921; then easterly within Section 13 to the northeast
22 corner of lot 8, which is also the northwest corner of lot 7; then
23 easterly to the northeast corner of lot 7; then easterly to the north-
24 west corner of lot 6; then easterly to the northeast corner of lot 6,
25 which is also the northwest corner of lot 5; then easterly to the north-
26 east corner of lot 5, which is a point on the east line of Section 13,
27 which is also the northwest corner of lot 7 located within Section 18,
28 Township 40 South, Range 59 East, Copper River Meridian, as depicted on
29 the Bureau of Land Management cadastral plat for that township approved

1 September 19, 1921; then, within Section 18, easterly to the northeast
2 corner of lot 7; then southwesterly along the meander line of mean high
3 water of record for the eastern boundary of lot 7 to its southeast
4 corner; then southeasterly to the southwest corner of lot 8; then,
5 following the Bureau of Land Management record meander line of mean high
6 water along the east shore of Salmon River and along the north shore of
7 Icy Strait to the intersection of the Bureau of Land Management record
8 line of mean high water for Icy Strait with the west boundary of lot 3,
9 located within Section 17, as depicted on the Bureau of Land Management
10 cadastral plat of Township 40 South, Range 59 East, Copper River Meri-
11 dian; then northerly to the northwest corner of lot 3; then easterly to
12 the northeast corner of lot 3, which is also the northwest corner of lot
13 4; then easterly to the northeast corner of lot 4, which is also the
14 west boundary of lot 1; then east across lot 1 to the Bureau of Land
15 Management record line of mean high water on the shore of Icy Strait;
16 then, following the Bureau of Land Management record meander line of
17 mean high water easterly along the shore of Icy Strait to the inter-
18 section of the Bureau of Land Management record line of mean high water
19 with the west line of Section 10; then northerly along the line common
20 to Section 9 and 10 to the northwest corner of lot 5, as depicted on the
21 Bureau of Land Management cadastral plat of Township 40 South, Range 59
22 East, Copper River Meridian, approved September 19, 1921; then easterly
23 within Section 10 to the northeast corner of lot 5; being common to the
24 northwest corner of lot 6; then easterly to the northeast corner of lot
25 6, which is a point on the west line of lot 4; then northerly to the
26 northwest corner of lot 4; then easterly to the southeast corner of lot
27 3; then northerly to the northeast corner of lot 3, which is a point on
28 the section line between Sections 3 and 10; then easterly along this
29 section line to the Bureau of Land Management monumented northeast

1 corner of Section 10, which is also the westerly boundary of Glacier Bay
2 National Monument; then southerly along the westerly boundary of Glacier
3 Bay National Monument to the line of mean lower low water; then south-
4 westerly along the line of mean lower low water to the intersection of
5 the line of mean lower low water with the southerly extension of the
6 Bureau of Land Management monumented west line of Section 21, Township
7 40 South, Range 58 East, Copper River Meridian; then northerly to the
8 Bureau of Land Management monumented northwest corner of Section 21;
9 then along the line common to Sections 16 and 17, and 8 and 9 to the
10 Bureau of Land Management monumented northwest corner of Section 9; then
11 easterly along the line common to Sections 4 and 9 to the Bureau of Land
12 Management monumented southwest corner of Section 3; then northerly,
13 along the line common to Sections 3 and 4 to the Bureau of Land Manage-
14 ment monumented northwest corner of Section 3 and the point of beginning.

15 (b) The state may not acquire by eminent domain privately owned
16 land within or abutting state-owned land described in (a) of this sec-
17 tion for inclusion in the Gustavus State Game Refuge but may acquire
18 privately owned land by purchase, exchange or donation for inclusion in
19 the Gustavus State Game Refuge.

20 (c) Egress and ingress across state land to and from private
21 property within or abutting the land described in (a) of this section
22 shall be allowed through access corridors established by agreement
23 between the Department of Fish and Game and the private property owners
24 affected. The use of a portion of the land described in (a) of this
25 section for the loading and unloading of barges and other vessels shall
26 be allowed by the Department of Fish and Game if the land was used for
27 that purpose before the effective date of this section.

28 (d) The taking of game is permitted on the land described in (a)
29 of this section if consistent with the management plan adopted by the

1 department and conducted under regulations adopted by the board.

2 (e) Recreational activity is permitted on the land described in
3 (a) of this section if consistent with the management plan adopted by
4 the department and if conducted under regulations adopted by the board.

5 (f) The Department of Natural Resources shall manage the surface
6 and subsurface estate of the land described in (a) of this section. An
7 action of the Department of Natural Resources which affects the habitat
8 of game shall be in conformity with a plan proposed and adopted by the
9 Department of Fish and Game after public hearing. The plan shall be
10 revised annually, if necessary and appropriate, under the same pro-
11 cedures followed for its adoption.

12 (g) The following state land is excluded from the Gustavus State
13 Game Refuge if money is appropriated or committed for the expansion,
14 improvement or construction of harbor and docking facilities adjacent to
15 the parcel: Beginning at the southeast corner of lot 7, Section 18,
16 Township 40 South, Range 59 East, Copper River Meridian, proceed in a
17 southerly direction parallel to the western boundary of Section 18 to
18 the line of mean lower low water; then easterly along that line to its
19 intersection with a line running southerly, and parallel to the western
20 boundary of Section 18, from the southeast corner of record for lot 8,
21 Section 18; then proceed westerly along the line of mean high water of
22 record for Icy Strait (southern boundary of lot 8) to the southwest
23 corner of record for lot 8; then northwest to the southeast corner of
24 lot 7, the point of beginning.

25 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
26 070(c).