

Introduced: 2/9/82
Referred: Resources

1 IN THE SENATE

BY MULCAHY

2 SENATE BILL NO. 731

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Shuyak Island State Park; and
7 providing for an effective date."

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

9 * Section 1. AS 41.20 is amended by adding new sections to read:

10 ARTICLE 16. SHUYAK ISLAND STATE PARK.

11 Sec. 41.20.506. DECLARATION OF PURPOSE. (a) The purpose of
12 AS 41.20.506 - 41.20.515 is to establish, subject to valid existing
13 rights, the state-owned or acquired uplands and freshwater bodies
14 described in AS 41.20.507 as the Shuyak Island State Park. The primary
15 purposes of establishing the Shuyak Island State Park are to protect the
16 area's recreational and scenic resources, to protect the area's fish and
17 wildlife habitat, and to preserve and enhance the continued use of the
18 area for hunting, fishing, and trapping purposes and compatible recrea-
19 tional activities.

20 (b) Under the provisions of AS 38.05.300, state land, water, or
21 land and water containing more than 640 acres may be closed to multiple-
22 purpose use only by Act of the legislature. Because the area described
23 in AS 41.20.507 exceeds 640 acres, AS 41.20.506 - 41.20.515 are intended
24 to close the described land and water to multiple-purpose use in confor-
25 mity with AS 38.05.300 and to dedicate them as a special purpose site in
26 accordance with art. VIII, sec. 7, Constitution of the State of Alaska.

27 Sec. 41.20.507. DESIGNATED STATE LAND AND WATER. (a) The state-
28 owned uplands and freshwater bodies and those uplands acquired by the
29 state in the future lying within the following parcel are designated as

1 the Shuyak Island State Park: all uplands, including Dark Island and
2 other islands, islets, pinnacles, and rocks within the Shuyak Island
3 complex lying easterly of Shelikof Strait, south of Stevenson Entrance,
4 north of Shuyak Strait, and lying westerly and northerly of the follow-
5 ing described boundary line (all sections of unsurveyed land are
6 protracted): Beginning at a point on the east shore of Shuyak Harbor
7 that is common to the section line for Sections 20 and 29, T19S, R20W,
8 S.M., and the mean high tide line; then east along the section line
9 between Sections 20 and 29 to the 1/4 corner common to Sections 20 and
10 29, T19S, R20W, S.M.; then northeasterly approximately 2.5 miles to the
11 corner common to Sections 9, 10, 15, and 16, T19S, R20W, S.M.; then
12 north between Sections 9 and 10, T19S, R20W, S.M., approximately 0.25
13 miles to the point of mean high tide on the south shore of Big Bay; then
14 meandering easterly and northerly in a counter-clockwise direction along
15 the mean high tide line of Shuyak Island to a point common to the W
16 1/16th line in the north half of the north half of Section 10, T19S,
17 R20W, S.M.; then north along the W 1/16th line approximately 150 feet to
18 the section line common to Sections 3 and 10, T19S, R20W, S.M.; then
19 east 0.5 miles between Sections 3 and 10 to the E 1/16th corner of
20 Sections 3 and 10, T19S, R20W, S.M.; then north 0.5 miles along the E
21 1/16th line of Section 3 to the C-E 1/16th corner of Section 3, T19S,
22 R20W, S.M.; then west 0.25 miles along the E-W 1/4 line of Section 3 to
23 the C 1/4 corner of Section 3, T19S, R20W, S.M.; then north 0.25 miles
24 along the NS 1/4 line of Section 3 to the C-N 1/16th corner of Section
25 3, T19S, R20W, S.M.; then north-northeasterly approximately 1.65 miles
26 to the C-E-W-SW 1/125th corner of Section 26, T18S, R20W, S.M.; then
27 east 0.80 miles along the S 1/16th line of Section 26 to the S 1/16th
28 corner of Sections 25 and 26, T18S, R20W, S.M.; then south 0.25 miles
29 between Sections 25 and 26 to the corner common to Sections 25, 26, 35,

1 and 36, T18S, R20W, S.M.; then east between Sections 25 and 36, T18S,
2 R20W, S.M. and Sections 30 and 31, T18S, R19W, S.M. approximately 1.75
3 miles to the intersection with the mean high tide line on the west shore
4 of the unnamed bay that connects to Shangin Bay; then meandering
5 southerly and easterly along the mean high tide line of that unnamed bay
6 to Shangin Bay and then continuing southerly, easterly, and northerly
7 along the mean high tide line of Shangin Bay to a point common to the N
8 1/16th line of Section 32, T18S, R19W, S.M.; then east along the N
9 1/16th line of Sections 32 and 33 approximately 0.3 miles to the NW
10 1/16th corner of Section 33, T18S, R19W, S.M.; then northeasterly
11 approximately 1.5 miles to the section corner common to Sections 22, 27,
12 28, and 21, T18S, R19W, S.M.; then north along the west boundary of
13 Sections 22 and 15, T18S, R19W, S.M., to the point of mean high tide in
14 Shangin Bay.

15 (b) If the Kodiak Island Borough relinquishes to the state its
16 selection, selection approval, or patent to any of the following de-
17 scribed land, that land may be added to the Shuyak Island State Park by
18 proclamation of the governor:

19 (1) T18S, R19W, S.M.

20 Section 29: All uplands not included in (a) of this
21 section

22 Section 31: All uplands not included in (a) of this
23 section

24 Section 32: All uplands not included in (a) of this
25 section

26 (2) T18S, R20W, S.M.

27 Section 26: All uplands not included in (a) of this
28 section

29 Section 34: All uplands not included in (a) of this

1 section

2 Section 35: All uplands not included in (a) of this
3 section

4 Section 36: All uplands

5 (3) T19S, R19W, S.M.

6 Section 5: All uplands

7 Section 6: All uplands

8 (4) T19S, R20W, S.M.

9 Section 1: N1/2

10 Section 2: N1/2

11 Section 3: All uplands not included in (a) of this
12 section

13 Section 10: All uplands within N1/2 and SW1/4 not in-
14 cluded in (a) of this section.

15 Sec. 41.20.510. DESIGNATION OF MANAGEMENT RESPONSIBILITY. (a) The
16 state uplands and freshwater bodies described in AS 41.20.507 are
17 assigned to the Department of Natural Resources for control, maintenance,
18 and development consistent with the purposes and provisions of AS 41.20.-
19 506 - 41.20.515.

20 (b) The Department of Fish and Game is responsible for the manage-
21 ment of fish and game resources in the Shuyak Island State Park, con-
22 sistent with the purposes and provisions of this chapter. The Board of
23 Fisheries, the Board of Game and the commissioner of fish and game are
24 responsible for adopting regulations governing uses of fish and game in
25 accordance with AS 16. The fish and game habitat and breeding areas
26 shall be managed to sustain the fish and game resources of the park in
27 perpetuity.

28 (c) The Department of Natural Resources shall consult with the
29 Department of Fish and Game before adoption of regulations governing

1 public use of the Shuyak Island State Park.

2 (d) The Department of Fish and Game shall consult with the Depart-
3 ment of Natural Resources before adoption of regulations governing fish
4 and game management in Shuyak Island State Park.

5 (e) The regulations established under this section shall be adopted
6 in accordance with the Administrative Procedure Act (AS 44.62).

7 Sec. 41.20.511. COMPATIBILITY OF USES. (a) The commissioner of
8 natural resources shall designate by regulation incompatible uses within
9 the park uplands and freshwater bodies.

10 (b) Discharge of a firearm in the Shuyak Island State Park is
11 expressly allowed, except in those areas closed by regulation by the
12 commissioner of natural resources for purposes of public safety.

13 (c) Nothing in AS 41.20.506 - 41.20.515 prohibits the Department
14 of Fish and Game from engaging in stream rehabilitation enhancement and
15 development under AS 16.05.092 on land within the Shuyak Island State
16 Park.

17 (d) The regulations governing public use of the Shuyak Island
18 State Park shall provide reasonable access for legal hunting, fishing,
19 and trapping uses.

20 (e) The Department of Public Safety and the Department of Fish and
21 Game shall be allowed reasonable access for fish and game management,
22 research, and enforcement purposes.

23 Sec. 41.20.515. PURCHASE AUTHORIZED. The commissioner of natural
24 resources may acquire, by purchase in the name of the state, title to or
25 interest in real property lying within the boundaries of the Shuyak
26 Island State Park. The state may not acquire land by eminent domain for
27 inclusion in the Shuyak Island State Park.

28 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-

29 070(c).

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