

Introduced: 2/16/82  
Referred: Resources and  
Finance

1 IN THE SENATE

BY FISCHER

2 SENATE BILL NO. 794

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 certain areas as units of the  
7 state marine park system; and providing for an effective  
8 date."

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

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

11 ARTICLE 16. STATE MARINE PARK SYSTEM.

12 Sec. 41.20.506. DECLARATION OF PURPOSE. (a) The purpose of  
13 AS 41.20.506 - 41.20.520 is to restrict, subject to valid existing  
14 rights, the state-owned or acquired lands and waters described in AS 41.-  
15 20.520 to use as units of the state marine park system. The primary  
16 purpose of establishing the land and water areas described in AS 41.20.-  
17 520 as units of the state marine park system is to protect and provide  
18 for the public use of the recreational, natural, cultural, scenic,  
19 wilderness, and wildlife resources and to protect the natural and wilder-  
20 ness character of the coastline of these areas.

21 (b) Under provisions of AS 38.05.300, state land, water, or land  
22 and water containing more than 640 acres may be closed to multiple-  
23 purpose use only by Act of the legislature. Because some of the areas  
24 described in AS 41.20.520 exceed 640 acres, AS 41.20.506 - 41.20.520 are  
25 intended to close the described lands and waters to multiple-purpose use  
26 in conformity with AS 38.05.300 and to dedicate them as special purpose  
27 sites in accordance with art. VIII, sec. 7, of the Constitution of the  
28 State of Alaska.

29 Sec. 41.20.515. DESIGNATION OF MANAGEMENT RESPONSIBILITY. (a)

1 The state land and water described in AS 41.20.520 is assigned to the  
2 Department of Natural Resources for control, maintenance, and develop-  
3 ment consistent with the purposes and provisions of AS 41.20.506 -  
4 41.20.520. The Department of Natural Resources shall develop a manage-  
5 ment plan for these areas.

6 (b) The Department of Fish and Game is responsible for the manage-  
7 ment of fish and game resources in these areas consistent with the  
8 purposes of AS 41.20.506 - 41.20.520.

9 (c) The Department of Natural Resources shall consult with the  
10 Department of Fish and Game, local governments, the United State Forest  
11 Service, and others during the preparation of a management plan for the  
12 marine park system.

13 (d) The Department of Fish and Game shall consult with the Depart-  
14 ment of Natural Resources before adoption of regulations governing fish  
15 and game management in the marine park system.

16 (e) The commissioner of natural resources shall designate by  
17 regulation incompatible uses within the areas described in AS 41.20.520  
18 and designated incompatible uses are prohibited or restricted as pro-  
19 vided by regulation.

20 (f) The commissioner of natural resources may not restrict the  
21 exercise of valid fishing rights or privileges obtained under law.

22 (g) The commissioner of natural resources is authorized to allow  
23 for the development of aquaculture facilities within the marine park  
24 system.

25 Sec. 41.20.520. DESIGNATED LAND AND WATER. The state-owned land  
26 and water and that land and water acquired by the state in the future  
27 lying within the following described parcels are designated as units of  
28 the state marine park system:

29 (1) Anderson Bay State Marine Park

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Township 9 South, Range 8 West, Seward Meridian

- Section 13: S1/2
- Section 14: S1/2
- Section 15: S1/2
- Section 22: N1/2N1/2
- Section 23: N1/2N1/2
- Section 24: N1/2

Township 9 South, Range 7 West, Seward Meridian

- Section 18: SW1/4, W1/2SE1/4
- Section 19: NW1/4, W1/2NE1/4
- (2) Bettles Bay State Marine Park

Township 10 North, Range 6 East, Seward Meridian

- Section 12: S1/2SW1/4, SW1/4SE1/4
- Section 13: NW1/4, W1/2NE1/4, N1/2SW1/4, NW1/4SE1/4
- Section 14: N1/2SE1/4, S1/2NE1/4, NE1/4NE1/4
- (3) Boswell Bay State Marine Park

Township 17 South, Range 5 West, Copper River Meridian

- Section 10: All
- Section 15: All
- (4) Canoe Passage State Marine Park

Township 15 South, Range 5 West, Copper River Meridian

- Section 27: W1/2SW1/4
- Section 28: All
- Section 31: E1/2E1/2
- Section 32: All
- Section 33: All
- Section 34: W1/2W1/2, S1/2SE1/4, SE1/4SW1/4
- Section 35: S1/2
- Section 36: S1/2

1 Township 16 South, Range 5 West, Copper River Meridian

2 Section 1: All

3 Section 2: All

4 Section 3: N1/2, N1/2S1/2, S1/2SE1/4, SE1/4SW1/4

5 Section 4: N1/2

6 Section 5: N1/2N1/2, SE1/4NE1/4

7 Section 10: N1/2NE1/4

8 Section 11: N1/2N1/2

9 Section 12: N1/2N1/2

10 Township 16 South, Range 4 West, Copper River Meridian

11 Section 6: S1/2, S1/2N1/2

12 (5) Cascade Creek State Marine Park

13 Township 10 North, Range 9 East, Seward Meridian

14 Section 26: S1/2S1/2

15 Section 34: E1/2NE1/4

16 Section 35: N1/2

17 Section 36: W1/2NW1/4

18 (6) Constantine Harbor State Marine Park

19 Township 17 South, Range 8 West, Copper River Meridian

20 Section 22: SE1/4, S1/2SW1/4, NE1/4SW1/4

21 Section 27: All

22 Section 28: E1/2, SW1/4

23 Section 29: SE1/4SE1/4

24 Section 31: SE1/4

25 Section 32: E1/2, SW1/4, S1/2NW1/4, NE1/4NW1/4

26 Section 33: All

27 Section 34: All

28 Township 18 South, Range 8 West, Copper River Meridian

29 Section 4: All

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Section 5: All  
Section 6: All  
Section 8: N1/2  
Section 9: N1/2

(7) Decision Point State Marine Park  
Township 8 North, Range 5 East, Seward Meridian

Section 1: All  
Section 11: NE1/4, N1/2SE1/4  
Section 12: N1/2, N1/2S1/2

Township 8 North, Range 6 East, Seward Meridian

Section 5: SW1/4  
Section 6: All  
Section 7: N1/2, N1/2S1/2  
Section 8: N1/2, N1/2S1/2

(8) Disk Island State Marine Park  
Township 5 North, Range 10 East, Seward Meridian

Section 23: S1/2SW1/4  
Section 26: S1/2, NW1/4, S1/2NE1/4, NW1/4NE1/4  
Section 27: E1/2  
Section 34: NE1/4NE1/4  
Section 35: N1/2N1/2

(9) Drier Bay State Marine Park  
Township 3 North, Range 9 East, Seward Meridian

Section 34: S1/2  
Section 35: S1/2

Township 2 North, Range 9 East, Seward Meridian

Section 2: W1/2, W1/2E1/2, NE1/4NE1/4  
Section 3: N1/2, N1/2S1/2, SW1/4SW1/4, SE1/4SE1/4  
Section 4: All

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Section 5: All

Section 6: All

Section 7: All

Section 8: N1/2, N1/2S1/2

Section 9: W1/2NW1/4, NW1/4SW1/4

Section 10: NE1/4NE1/4

Section 11: N1/2NW1/4, NW1/4NE1/4

(10) Driftwood Bay State Marine Park

Township 3 South, Range 1 East, Seward Meridian

Section 14: S1/2SW1/4

Section 15: S1/2S1/2

Section 22: N1/2, N1/2S1/2

Section 23: NW1/4, N1/2SW1/4

(11) Eagle Bay State Marine Park

Township 11 South, Range 11 West, Copper River Meridian

Section 14: S1/2

Section 15: S1/2

Section 16: E1/2SE1/4

Section 21: E1/2, E1/2W1/2, SW1/4SW1/4

Section 22: N1/2, SW1/4, N1/2SE1/4

Section 23: N1/2, SW1/4, N1/2SE1/4

Section 27: NW1/4

Section 28: N1/2N1/2, SE1/4NE1/4

(12) Entry Cove State Marine Park

Township 8 North, Range 6 East, Seward Meridian

Section 2: S1/2

Section 3: SE1/4, S1/2SW1/4

Section 10: N1/2

Section 11: N1/2

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(13) Falls Bay State Marine Park

Township 5 North, Range 8 East, Seward Meridian

Section 14: SW1/4SW1/4

Section 15: S1/2SE1/4

Section 22: NE1/4, N1/2SE1/4

Section 23: NW1/4NW1/4

(14) Garden Cove State Marine Park

Township 18 South, Range 7 West, Copper River Meridian

Section 6: W1/2, W1/2NE1/4, NW1/4SE1/4

Township 18 South, Range 8 West, Copper River Meridian

Section 1: S1/2

Section 2: S1/2

Section 11: All

Section 12: W1/2W1/2

Section 14: N1/2N1/2

(15) Goat Harbor State Marine Park

Township 25 South, Range 6 East, Seward Meridian

Section 18: SW1/4, SE1/4NW1/4, S1/2NE1/4, N1/2SE1/4,  
SW1/4SE1/4

Section 19: N1/2NW1/4, NW1/4NE1/2

(16) Golden Creek State Marine Park

Township 10 North, Range 8 East, Seward Meridian

Section 2: SE1/4SW1/4, SW1/4SE1/4

Section 10: All

Section 11: W1/2, W1/2E1/2

(17) Granite Cove State Marine Park

Township 10 South, Range 11 West, Copper River Meridian

Section 21: E1/2E1/2

Section 22: W1/2

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Section 27: All

Section 28: E1/2NE1/4

Section 34: NE1/4NW1/4, N1/2NE1/4, SE1/4NE1/4

Section 35: W1/2NW1/4

(18) Gravina Point State Marine Park

Township 14 South, Range 6 West, Copper River Meridian

Section 25: All

(19) Horseshoe Bay State Marine Park

Township 1 South, Range 9 East, Seward Meridian

Section 32: SE1/4

Township 2 South, Range 9 East, Seward Meridian

Section 4: S1/2SW1/4 excluding amended Iron Mountain  
Lode No. 2 and Iron Mountain Lode

Section 5: All

Section 8: N1/2 excluding Iron Mountain Lode No. 11 and  
Iron Mountain Lode No. 10

Section 9: NW1/4NW1/4 excluding amended Iron Mountain  
Lode No. 2 and Iron Mountain Lode

(20) Jack Bay State Marine Park

Township 9 South, Range 7 West, Seward Meridian

Section 31: S1/2SW1/4

Township 9 South, Range 8 West, Seward Meridian

Section 35: SE1/4SE1/4

Section 36: S1/2S1/2

Township 10 South, Range 7 West, Seward Meridian

Section 6: N1/2NW1/4

Township 10 South, Range 8 West, Seward Meridian

Section 1: All

Section 2: N1/2, N1/2S1/2

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Section 12: N1/2NE1/4, SE1/4NE1/4

(21) Long Bay State Marine Park

Township 7 North, Range 7 East, Seward Meridian

Section 17: E1/2, SW1/4, SE1/4NW1/4

Section 18: SE1/4SE1/4

Section 19: E1/2, E1/2SW1/4

Section 20: N1/2NW1/4, SW1/4NW1/4

Section 30: NW1/4, NW1/4NE1/4, W1/2SW1/4, NE1/4SW1/4

Section 31: W1/2NW1/4

Township 7 North, Range 6 East, Seward Meridian

Section 25: E1/2SE1/4

Section 35: W1/2, SE1/4, W1/2NE1/4, SE1/4NE1/4

Section 36: All

Township 6 North, Range 6 East, Seward Meridian

Section 2: NW1/4NW1/4

(22) Main Bay State Marine Park

Township 5 North, Range 8 East, Seward Meridian

Section 17: SW1/4

Section 19: N1/2NE1/4

Section 20: N1/2NW1/4

(23) Marsha Bay State Marine Park

Township 3 North, Range 10 East, Seward Meridian

Section 15: SE1/4, E1/2SW1/4, S1/2NE1/4, SE1/4NW1/4

Section 22: N1/2, N1/2S1/2

(24) Outside Bay State Marine Park

Township 7 North, Range 11 East, Seward Meridian

Section 35: E1/2

Section 36: All

Township 6 North, Range 11 East, Seward Meridian

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Section 1: W1/2, W1/2NE1/4, NW1/4SE1/4

Section 2: E1/2

Section 11: N1/2NE1/4

(25) Perry Island State Marine Park

Township 7 North, Range 9 East, Seward Meridian

Section 7: NE1/4SE1/4, SE1/4NE1/4

Section 8: SW1/4, S1/2NW1/4, SW1/4SE1/4

Section 17: W1/2, W1/2E1/2

Section 20: E1/2NW1/4, NW1/4NE1/4

(26) Port Chalmers State Marine Park

Township 2 North, Range 13 East, Seward Meridian

Section 15: S1/2S1/2

Section 16: S1/2S1/2

Section 17: S1/2S1/2

Section 19: All

Section 20: All

Section 21: All

Section 22: N1/2

Section 28: N1/2NW1/4, SW1/4NW1/4, NW1/4NE1/4

Section 29: N1/2, N1/2S1/2, S1/2SW1/4

Section 30: All

Township 2 North, Range 12 East, Seward Meridian

Section 25: All

(27) Port Fidalgo State Marine Park

Township 12 South, Range 5 West, Copper River Meridian

Section 7: E1/2NE1/4

Section 8: N1/2, N1/2S1/2

Section 9: All

Section 10: S1/2, SW1/4NW1/4

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Section 13: W1/2SW1/4

Section 14: S1/2, NW1/4, S1/2NE1/4, NW1/4NE1/4

Section 15: NE1/4, N1/2NW1/4, NE1/4SE1/4

Section 16: NE1/4NE1/4

(28) Port Nellie Juan State Marine Park

Township 5 North, Range 7 East, Copper River Meridian

Section 1: SW1/4

Section 2: SE1/4

Section 11: N1/2NE1/4

Section 12: N1/2NW1/4

(29) Princeton Creek State Marine Park

Township 2 North, Range 7 East, Seward Meridian

Section 7: S1/2

Section 8: SW1/4SW1/4

Section 17: NW1/4NW1/4

Section 18: All

Township 2 North, Range 6 East, Seward Meridian

Section 13: SE1/4, S1/2NE1/4

Section 24: N1/2NE1/4

(30) Safety Cove State Marine Park

Township 2 South, Range 1 East, Seward Meridian

Section 23: SE1/4, E1/2SW1/4

Section 24: SW1/4

Section 25: NW1/4

Section 26: NE1/4, E1/2NW1/4

(31) Salmon Creek State Marine Park

Township 9 South, Range 7 West, Seward Meridian

Section 14: S1/2

Section 15: SE1/4

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Section 22: NE1/4

Section 23: N1/2N1/2

(32) Sawmill Bay State Marine Park

Township 9 South, Range 9 West, Copper River Meridian

Section 22: E1/2SE1/4, SW1/4SE1/4

Section 23: SW1/4, S1/2NW1/4, NE1/4NW1/4, W1/2NE1/4

Section 26: W1/2

Section 27: E1/2, S1/2SW1/4

Section 28: E1/2SE1/4

Section 33: NE1/4NE1/4

Section 34: N1/2, SE1/4, N1/2SW1/4, SE1/4SW1/4

Section 35: W1/2

Township 10 South, Range 9 West, Copper River Meridian

Section 3: N1/2NE1/4

(33) Shoestring Cove State Marine Park

Township 9 North, Range 8 East, Seward Meridian

Section 11: W1/2

Section 14: NW1/4, N1/2SW1/4, SE1/4SW1/4, S1/2SE1/4,  
NW1/4SE1/4

Section 23: NE1/4, NE1/4NW1/4

Section 24: SE1/4, N1/2SW1/4, SE1/4SW1/4, S1/2N1/2,  
NW1/4NW1/4

Section 25: NE1/4, NE1/4NW1/4

Township 9 North, Range 9 East, Seward Meridian

Section 30: W1/2NW1/4

(34) Shoup Bay State Marine Park

Township 8 South, Range 7 West, Seward Meridian

Section 30: W1/2W1/2

Section 31: W1/2W1/2

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Township 8 South, Range 8 West, Seward Meridian

Section 25: All

Section 26: All

Section 27: E1/2

Section 34: E1/2

Section 35: All

Section 36: All

Township 9 South, Range 8 West, Seward Meridian

Section 1: N1/2

Section 2: N1/2

Section 3: All

(35) Siwash Bay State Marine Park

Township 10 North, Range 10 East, Seward Meridian

Section 11: SE1/4, SE1/4SW1/4

Section 13: All

Section 14: All

Section 15: S1/2, S1/2N1/2, NE1/4NE1/4

Section 16: S1/2, S1/2N1/2

Section 19: E1/2SE1/4

Section 20: S1/2, S1/2SE1/4

Section 21: SW1/4, NE1/4, S1/2NW1/4, NE1/4NW1/4,  
E1/2SE1/4

Section 22: N1/2N1/2, SW1/4NW1/4

Section 23: NE1/4NE1/4

Section 24: N1/2, N1/2S1/2

Section 28: NW1/4NW1/4

Section 29: NW1/4, W1/2NE1/4, NE1/4NE1/4

Township 10 North, Range 11 East, Seward Meridian

Section 19: W1/2NW1/4, NW1/4SW1/4

1 (36) South Elrington Island State Marine Park  
2 Township 2 South, Range 7 East, Seward Meridian

3 Section 23: S1/2S1/2

4 Section 25: All

5 Section 26: All

6 Section 27: E1/2

7 Section 34: N1/2NE1/4

8 Section 35: N1/2N1/2

9 Section 36: NE1/4, N1/2NW1/4, N1/2SE1/4

10 Township 2 South, Range 8 East, Seward Meridian

11 Section 30: W1/2, W1/2E1/2

12 Section 31: NW1/4, NW1/4SW1/4, NW1/4NE1/4

13 (37) South Esther Island State Marine Park

14 Township 8 North, Range 8 East, Seward Meridian

15 Section 3: W1/2, W1/2SE1/4, SW1/4NE1/4

16 Section 4: E1/2E1/2, SW1/4SE1/4

17 Section 5: E1/2SW1/4, SW1/4SW1/4, SE1/4NW1/4

18 Section 6: E1/2SW1/4, S1/2SE1/4, NW1/4SE1/4

19 Section 7: N1/2NE1/4, SE1/4NE1/4

20 Section 8: E1/2, NW1/4, N1/2SW1/4, SE1/4SW1/4

21 Section 9: All

22 Section 10: N1/2NW1/4, SW1/4NW1/4

23 (38) Nuchek Island State Marine Park:

24 Township 17 South, Range 8 West, Seward Meridian

25 Sections 32 - 34

26 Township 18 South, Range 8 West, Seward Meridian

27 Sections 4 - 5

28 Section 8

29 (39) a large unnamed island lying within:

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Township 9 North, Range 11 West, Copper River Meridian  
Section 23

Township 10 North, Range 11 West, Copper River Meridian  
Section 14: SE1/4

\* Sec. 2. The commissioner of natural resources may relinquish the state's selection of the parcels described in AS 41.20.520(38) - (39) as enacted in sec. 1 of this Act to resolve Chugach Native, Inc., land claims under the Alaska Native Claims Settlement Act (P.L. 92-203, 85 Stat. 688, 43 U.S.C. secs. 1601 et. seq.) if the commissioner of natural resources determines in his discretion that it is in the best interest of the state to relinquish the selection.

\* Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-070(c).