

Original sponsor: Fischer

Offered: 4/19/82
Referred: Finance

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO: 794 (Resources)

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 Alaska 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. ALASKA MARINE PARK SYSTEM.

12 Sec. 41.20.506. DECLARATION OF PURPOSE. The purpose of
13 AS 41.20.506 - 41.20.520 is to establish, subject to valid existing
14 rights, the state-owned or acquired land and water described in AS 41.-
15 20.520 as units of the Alaska marine park system. The primary purposes
16 in establishing the land and water areas described in AS 41.20.520 as
17 units of the Alaska marine park system are to

- 18 (1) maintain natural, cultural, and scenic values;
19 (2) maintain fish and wildlife resources;
20 (3) develop recreational uses and recreational facilities;
21 (4) promote and support tourism in the state.

22 Sec. 41.20.515. DESIGNATION OF MANAGEMENT RESPONSIBILITY. (a)
23 The state land and water described in AS 41.20.520 is assigned to the
24 Department of Natural Resources for control, maintenance, and develop-
25 ment consistent with the purposes and provisions of AS 41.20.506 -
26 41.20.520.

27 (b) The Department of Fish and Game is responsible for the manage-
28 ment of fish and game resources in units of the Alaska marine park
29 system consistent with the purposes of AS 41.20.506 - 41.20.520. The

1 Department of Fish and Game shall consult with the Department of Natural
2 Resources before adoption of regulations governing fish and game manage-
3 ment in a unit of the Alaska marine park system.

4 (c) The Department of Natural Resources shall develop a management
5 plan for each unit of the Alaska marine park system to determine the
6 specific purposes and uses for the unit. The commissioner of natural
7 resources shall consult with the Department of Fish and Game, proxi-
8 mately located municipalities of the state, proximately located private
9 landowners, the United States Forest Service, and organizations con-
10 cerned with conservation, recreation, and tourism, and other interested
11 parties during the preparation of a management plan for a unit of the
12 Alaska marine park system.

13 (d) The commissioner of natural resources may not restrict the
14 exercise of fishing or hunting rights permitted under law or under a
15 regulation of the Board of Fisheries or of the Board of Game within a
16 unit of the Alaska marine park system.

17 (e) The commissioner of natural resources may allow the develop-
18 ment of aquaculture facilities within a unit of the Alaska marine park
19 system.

20 (f) The commissioner of natural resources may enter into a co-
21 operative agreement for the management of a unit of the Alaska marine
22 park system with a federal agency, a municipality of the state, or a
23 proximately located private landowner for a purpose stated under AS 41.-
24 20.020(7).

25 (g) In the management of a unit of the Alaska marine park system
26 the commissioner of natural resources shall consult and cooperate with a
27 Native corporation that owns an historical or cultural site granted under
28 sec. 14(h)(1) of the Alaska Native Claims Settlement Act (43 U.S.C.
29 sec. 1613(h)(1)) and that is proximately located to a unit of the Alaska

1 marine park system. In the management of a unit of the Alaska marine
2 park system the commissioner of natural resources shall address the
3 potential conflicts with the cultural and historical values of land
4 granted to a Native corporation under sec. 14(h)(1) of the Alaska Native
5 Claims Settlement Act and shall provide for appropriate protection to
6 these values.

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

11 (1) Bettles Bay Marine Park

12 Township 10 North, Range 6 East, Seward Meridian

13 Section 12: S1/2SW1/4, SW1/4SE1/4

14 Section 13: NW1/4, W1/2NE1/4, N1/2SW1/4, NW1/4SE1/4

15 Section 14: N1/2SE1/4, S1/2NE1/4, NE1/4NE1/4

16 (2) Decision Point Marine Park

17 Township 8 North, Range 5 East, Seward Meridian

18 Section 1: All

19 Section 11: NE1/4, N1/2SE1/4

20 Section 12: N1/2, N1/2S1/2

21 Township 8 North, Range 6 East, Seward Meridian

22 Section 5: SW1/4

23 Section 6: All

24 Section 7: N1/2, N1/2S1/2

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

26 (3) Entry Cove Marine Park

27 Township 8 North, Range 6 East, Seward Meridian

28 Section 2: S1/2

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

1 Section 10: N1/2

2 Section 11: N1/2

3 (4) Oliver Inlet Marine Park

4 Township 43 South, Range 68 East, Copper River Meridian

5 Section 28: SW1/4

6 Section 32: E1/2E1/2

7 Section 33: NW1/4, W1/2SW1/4

8 (5) Sawmill Bay Marine Park

9 Township 9 South, Range 9 West, Copper River Meridian

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

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

12 Section 26: W1/2

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

14 Section 28: E1/2SE1/4

15 Section 33: NE1/4NE1/4

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

17 Section 35: W1/2

18 Township 10 South, Range 9 West, Copper River Meridian

19 Section 3: N1/2NE1/4

20 (6) Shoup Bay Marine Park

21 Township 8 South, Range 7 West, Copper River Meridian

22 Section 30: W1/2W1/2

23 Section 31: W1/2W1/2

24 Township 8 South, Range 8 West, Copper River Meridian

25 Section 25: A11

26 Section 26: A11

27 Section 27: E1/2

28 Section 34: E1/2

29 Section 35: A11

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Section 36: All

Township 9 South, Range 8 West, Copper River Meridian

Section 1: N1/2NW1/4

Section 2: N1/2

Section 3: All

(7) South Esther Island Marine Park

Township 8 North, Range 8 East, Seward Meridian

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

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

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

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

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

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

Section 9: All

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

Section 16: N1/2

Section 17: NE1/4, E1/2NW1/4

Township 9 North, Range 8 East, Seward Meridian

Section 33: SW1/2NW1/4, SW1/4NE1/4, E1/2SW1/4, W1/2 SE1/4

(8) Surprise Cove Marine Park

Township 8 North, Range 6 East, Seward Meridian

Section 21: SE1/4, E1/2SW1/4

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

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

Section 26: W1/2W1/2

Section 27: All

Section 28: S1/2, NE1/4, E1/2NW1/4

Section 29: SE1/4SE1/4

Section 34: N1/2N1/2

1 Section 35: NW1/4NW1/4

2 (9) Swanson Harbor Marine Park

3 Township 42 South, Range 63 East, Copper River Meridian

4 Section 15: E1/2W1/2, E1/2

5 Section 21: A11

6 Section 22: A11

7 Section 23: W1/2

8 Section 26: A11

9 Section 27: A11

10 Section 28: A11

11 Section 35: N1/2

12 (10) Ziegler Cove Marine Park

13 Township 9 North, Range 6 East, Seward Meridian

14 Section 25: SW1/4, W1/2SE1/4

15 Section 26: E1/2

16 Section 36: N1/2N1/2

17 * Sec. 2. (a) The commissioner of natural resources shall conduct an
18 assessment of the state selected, tentatively approved, and patented land and
19 water in the areas described in (c) of this section for inclusion in the
20 Alaska marine park system. The assessment shall consider the values present
21 in each area, under the purposes set out in AS 41.20.506(a) and with regard
22 to private land ownership patterns in the vicinity, opportunities for commun-
23 ity expansion, and other potential uses.

24 (b) In state selection of land under section 6(a) of the Alaska State-
25 hood Act, P.L. 85-508, 72 Stat. 339, the commissioner of natural resources
26 shall consider recreational opportunities and the demand and the desirability
27 of selecting land for inclusion in the Alaska marine park system in selec-
28 tions made under sec. 6(a) of the Alaska Statehood Act.

29 (c) The commissioner of natural resources shall assess the following

1 areas under this section: (1) Chilkat Islands, (2) Sullivan Islands, (3)
2 Saint James Bay/Boat Harbor, (4) Echo Cove, (5) Cape Bingham, (6) Shelter
3 Island, (7) Goulding Harbor, (8) Lake Anna, (9) Pavolof Harbor, (10) Taku
4 Harbor, (11) Windfall Harbor, (12) Kalinin Bay/Sealion Cove, (13) Pleasant
5 Bay, (14) Kasnyku Bay, (15) Chaik Bay, (16) Sumdum, (17) Gambler Bay, (18)
6 Pybus Bay, (19) Goddard Hot Springs, (20) Entrance Island (Hobard Bay), (21)
7 Shamrock Bay, (22) Red Bluff Bay, (23) Security Bay, (24) Read Island
8 (Farraquat Bay), (25) Deep Cove, (26) High Island (Rocky Pass), (27) Port
9 Armstrong, (28) Explorer Basin (Tebenkof Bay), (29) Beecher Pass, (30) LeConte
10 Bay, (31) Salmon Bay, (32) Thoms Place, (33) McHenry Anchorage, (34) Burroughs
11 Bay, (35) Port Stewart, (36) Shrimp Bay, (37) Traitors Cove, (38) Neets Bay,
12 (39) Grindall Island, (40) Settler Cove, (41) Manzanita Bay, (42) South Arm
13 Cholmondeley Sound, (43) Blank Inlet, (44) Niblack Anchorage, (45) Dall Bay,
14 (46) Alava Bay, (47) Foggy Bay, (48) Anderson Bay, (49) Boswell Bay, (50)
15 Canoe Passage, (51) Cascade Creek, (52) Constantine Harbor, (53) Disk Island,
16 (54) Drier Bay, (55) Driftwood Bay, (56) Eagle Bay, (57) Falls Bay, (58)
17 Garden Cove, (59) Goat Harbor, (60) Golden Creek, (61) Granite Cove, (62)
18 Gravina Point, (63) Horseshoe Bay, (64) Jack Bay, (65) Long Bay, (66) Main
19 Bay, (67) Marsha Bay, (68) Outside Bay, (69) Perry Island, (70) Port Chalmers,
20 (71) Port Fidalgo, (72) Port Nellie Juan, (73) Princeton Creek, (74) Safety
21 Cove, (75) Salmon Creek, (76) Shoestring Cove, (77) Siwash Bay, (78) South
22 Elrington Island, (79) Sunny Cove, (80) Thumb Cove, and (81) Kayak Island.

23 * Sec. 3. The commissioner of natural resources shall report to the
24 governor on the actions taken under AS 41.20.506 - 41.20.520 by December 1 of
25 each even-numbered year. The governor shall submit the report to the legis-
26 lature during the first 10 days of the first session of each legislature.
27 The report to the legislature shall include the progress of the commissioner
28 in conducting the assessment required by sec. 2 of this Act, together with
29 the recommendations of the governor for the inclusion of additional land and

1 water as units of the Alaska marine park system and other recommendations for
2 legislation.

3 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
4 070(c).

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