

Offered: 4/21/82
Referred: Finance

Original sponsor: Ray

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 796 (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 providing for the management of state-owned
7 land in the Haines area; establishing the Alaska Chilkat
8 Bald Eagle Preserve and the Haines State Forest Resource
9 Management Area; and providing for an effective date."

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

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

12 ARTICLE 16. ALASKA CHILKAT BALD EAGLE PRESERVE.

13 Section 41.20.506. DECLARATION OF PURPOSE. (a) The purpose of
14 AS 41.20.506 - 41.20.525 is to establish the state-owned land and water
15 described in AS 41.20.507(k) as the Alaska Chilkat Bald Eagle Preserve
16 as part of the state park system. The primary purpose of establishing
17 the Alaska Chilkat Bald Eagle Preserve is to protect and perpetuate the
18 Chilkat bald eagles and their essential habitats within the Alaska
19 Chilkat Bald Eagle Preserve in recognition of their statewide, nation-
20 ally, and internationally significant values in perpetuity.

21 (b) The Alaska Chilkat Bald Eagle Preserve is also established to

22 (1) protect and sustain the natural salmon spawning and
23 rearing areas of the Chilkat River and Chilkoot River systems within the
24 preserve in perpetuity;

25 (2) provide continued opportunities for research, study and
26 enjoyment of bald eagles and other wildlife;

27 (3) ensure to the maximum extent practicable water quality
28 and necessary water quantity under applicable laws; and

29 (4) provide for other public uses consistent with the primary

1 purpose for which the Alaska Chilkat Bald Eagle Preserve is established.

2 (c) It is the intent of the legislature in enacting AS 41.20.506 -
3 41.20.525 to provide sufficient protection for the purposes for which
4 the Alaska Chilkat Bald Eagle Preserve is established. Accordingly, the
5 establishment of the Alaska Chilkat Bald Eagle Preserve and the Haines
6 State Forest Resource Management Area (AS 41.15.500 - 41.15.520) is
7 determined to represent a proper balance between the reservation of
8 state public domain land and water for bald eagle preserve purposes and
9 state public domain land and water more appropriate for multiple use.
10 Therefore, the legislature determines that there is no need for legisla-
11 tion expanding or contracting the boundary of the Alaska Chilkat Bald
12 Eagle Preserve in the future; the legislature further determines that
13 study by a state agency of the expansion or contracting of the boundary
14 of the preserve shall be conducted under AS 41.20.507(j).

15 (d) Inasmuch as the area described in AS 41.20.507(k) exceeds 640
16 acres, AS 41.20.506 - 41.20.525 are intended to close the area to mul-
17 tiple use in conformity with AS 38.05.300 and the land is dedicated as a
18 special purpose site under art. VIII, sec. 7 of the state constitution.

19 Sec. 41.20.507. ESTABLISHMENT AND MANAGEMENT. (a) Subject to
20 valid existing rights, the land and water presently owned by the state
21 and all land and water acquired in the future by the state lying within
22 the boundaries described in (k) of this section are designated the
23 Alaska Chilkat Bald Eagle Preserve and assigned to the Department of
24 Natural Resources for control, development, and maintenance.

25 (b) Private land, pending and approved land selections made by the
26 Haines Borough under state law on the effective date of this Act, Univer-
27 sity of Alaska grant land not located within the Chilkat River Critical
28 Habitat Area established by AS 16.20.230(8) and existing transportation
29 and utility corridors located partially or completely within the Alaska

1 Chilkat Bald Eagle Preserve are excluded from the Alaska Chilkat Bald
2 Eagle Preserve. The commissioner of natural resources may not acquire
3 private land or University of Alaska grant land located partially or
4 completely within the Alaska Chilkat Bald Eagle Preserve by eminent
5 domain for any purpose.

6 (c) Approved or pending Native allotments located partially or
7 completely within the Alaska Chilkat Bald Eagle Preserve are not ad-
8 versely affected by the establishment of the Alaska Chilkat Bald Eagle
9 Preserve and all approved allotments and all pending allotments located
10 partially or completely within the preserve shall be treated as private
11 land.

12 (d) The Department of Fish and Game is responsible for the manage-
13 ment of fish and game resources in the Alaska Chilkat Bald Eagle Pre-
14 serve under applicable law and consistent with the purposes of AS 41.-
15 20.506 - 41.20.525.

16 (e) The Department of Natural Resources shall consult with the
17 Department of Fish and Game, the United States Fish and Wildlife Ser-
18 vice, and the Alaska Chilkat Bald Eagle Preserve Advisory Council estab-
19 lished by AS 41.20.515 before adoption of reasonable regulations govern-
20 ing public use and protection of the Alaska Chilkat Bald Eagle Preserve.
21 The Department of Fish and Game shall consult with the Department of
22 Natural Resources and the Alaska Chilkat Bald Eagle Preserve Advisory
23 Council in proposing regulations governing fish and game management in
24 the Alaska Chilkat Bald Eagle Preserve for adoption by the Board of
25 Fisheries or the Board of Game. The Department of Fish and Game and the
26 Department of Natural Resources shall cooperate with the United States
27 Fish and Wildlife Service in its administration of federal law governing
28 the conservation of bald eagles.

29 (f) The state land and water described in (k) of this section are

1 closed to mineral entry under AS 38.05.135 - 38.05.280, to commercial
2 harvest of timber, to sale under state land disposal laws, and to municipal
3 selections made after the effective date of this Act. The commissioner
4 of natural resources may lease the land described in (k) of this
5 section under AS 38.05.070 - 38.05.105 for a purpose consistent with
6 AS 41.20.506(a).

7 (g) Continued opportunities for traditional uses of the Alaska
8 Chilkat Bald Eagle Preserve at levels and by methods and means that are
9 compatible with the protection of the bald eagle population are guaranteed.
10 These historically compatible uses include but are not limited to
11 hunting, trapping, fishing, berry picking, other subsistence and recreational
12 uses, operation of motorized vehicles, and the harvesting of
13 personal-use firewood. The level and method or means of traditional use
14 shall be permitted to continue subject to reasonable regulation unless
15 the director of the division of parks, Department of Natural Resources,
16 after consultation with the Alaska Chilkat Bald Eagle Preserve Advisory
17 Council, makes a finding that the level or method and means of use is
18 causing significant resource damage that is inconsistent with AS 41.20.-
19 506(a). The director of the division of parks shall hold a public
20 hearing in Haines and Klukwan before restricting a traditional use
21 permitted under this section.

22 (h) If privately owned land, University of Alaska grant land, valid
23 mining rights, existing mineral leases, subsurface rights on private
24 land, or other valid occupancy is surrounded by state land of the Alaska
25 Chilkat Bald Eagle Preserve or if privately owned land, University of
26 Alaska grant land, federal land, or state land not described in (k) of
27 this section, valid mining claims, subsurface rights, or other valid oc-
28 cupancy on land not described in (k) of this section does not have rea-
29 sonable, timely, and economically feasible access and egress by means

1 other than crossing land designated as Alaska Chilkat Bald Eagle Preserve
2 land in (k) of this section, the director of the division of parks shall
3 grant a private landowner, the University of Alaska, a holder of valid
4 existing rights to land, or a state agency or federal agency rights
5 necessary to assure reasonable, timely, and economically feasible access
6 and egress. The rights of access and egress granted under this subsec-
7 tion are subject to reasonable regulation and stipulations established
8 by the director of the division of parks after consulting with the
9 Alaska Chilkat Bald Eagle Preserve Advisory Council to protect the
10 purposes and values of the Alaska Chilkat Bald Eagle Preserve and to
11 minimize adverse environmental impacts in the preserve. The director of
12 the division of parks shall give favorable consideration to applications
13 for utility rights-of-way that are compatible with AS 41.20.506(a).

14 (i) The director of the division of parks and the Alaska Chilkat
15 Bald Eagle Advisory Council established under AS 41.20.515, in consulta-
16 tion with the United States Fish and Wildlife Service, the Department of
17 Fish and Game, the Chilkat Indian Village, the Chilkoot Indian Associa-
18 tion, and other appropriate groups, may use information gained through
19 cooperative resource studies in the development of the management plan
20 for the Alaska Chilkat Bald Eagle Preserve and in decisions affecting
21 the management and administration of the preserve. The director of the
22 division of parks and the advisory council shall investigate the need
23 for additional research to increase knowledge and understanding of the
24 natural and cultural resources of the area and to enhance the effective
25 management of the Alaska Chilkat Bald Eagle Preserve.

26 (j) An agency of the state may not participate or cooperate with a
27 federal or private study considering additions to or deletions from the
28 area of the Alaska Chilkat Bald Eagle Preserve without giving 90 days
29 prior notice to the Alaska Chilkat Bald Eagle Preserve Advisory Council.

1 The director of the division of parks may waive the notice required by
2 this subsection on his determination in writing to the advisory council
3 that an emergency necessitates immediate study or a shorter period of
4 notice to the advisory council.

5 (k) Except for University of Alaska grant land, the land and water
6 owned by the state and all land and water acquired by the state in the
7 future lying within the following described parcels are designated as
8 the Alaska Chilkat Bald Eagle Preserve:

9 (1) Township 26 South, Range 55 East, Copper River Meridian

10 Section 12: that portion within USS 3708

11 Section 13

12 Section 23: SE1/4NE1/4, NE1/4SE1/4, E1/2NW1/4SE1/4,
13 S1/2SE1/4

14 Sections 24 and 25

15 Section 26: E1/2

16 Section 33: SE1/4SE1/4SE1/4

17 Section 34: E1/2NE1/4, E1/2SW1/4NE1/4, SE1/4NE1/4SW1/4,
18 E1/2SW1/4SW1/4, SW1/4SW1/4SW1/4, SE1/4SW1/4, SE1/4

19 Section 35

20 Section 36: NE1/4NW1/4NE1/4, W1/2W1/2NE1/4, NW1/4,
21 N1/2SW1/4, N1/2SW1/4SW1/4, SW1/4SW1/4SW1/4, NW1/4SE1/4-
22 SW1/4, NW1/4SE1/4

23 (2) Township 26 South, Range 56 East, Copper River Meridian

24 Section 7: SW1/4NE1/4, S1/2NW1/4, S1/2

25 Section 8: SE1/4SW1/4NW1/4, SE1/4NW1/4, SW1/4, that
26 portion of the S1/2NE1/4 within USS 3708

27 Section 17: W1/2NW1/4

28 Section 18

29 Section 19: W1/2, SW1/4SE1/4

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

(3) Township 27 South, Range 55 East, Copper River Meridian

Section 2: NW1/4, W1/2NE1/4SW1/4, NW1/4SW1/4, N1/2SW1/4-
SW1/4, SW1/4SW1/4SW1/4, NW1/4SE1/4SW1/4, except USS 3744

Section 3

Section 4: NE1/4NE1/4NE1/4, S1/2NE1/4NE1/4, E1/2SW1/4-
NE1/4, SE1/4NE1/4, E1/2SE1/4SW1/4, SE1/4

Section 8: SE1/4SE1/4SW1/4, S1/2S1/2SE1/4, N1/2SE1/4-
SE1/4

Section 9: E1/2, E1/2NW1/4, N1/2NE1/4SW1/4, SE1/4NE1/4-
SW1/4, NW1/4SW1/4SW1/4, S1/2S1/2SW1/4

Section 10: W1/2W1/2NE1/4, W1/2

Section 15: NW1/4NW1/4NE1/4, S1/2NW1/4NE1/4, SW1/4NE1/4,
W1/2, W1/2SE1/4

Section 16: E1/2, NW1/4, N1/2SW1/4, NW1/4SE1/4SW1/4,
E1/2SE1/4SW1/4

Section 17: N1/2NE1/4, NE1/4SW1/4NE1/4, SE1/4NE1/4,
E1/2NE1/4NW1/4, N1/2NE1/4SE1/4, SE1/4NE1/4SE1/4

Section 21: E1/2, E1/2E1/2NW1/4, SW1/4SE1/4NW1/4, E1/2-
SW1/4, SE1/4SW1/4SW1/4

Section 22: SW1/4NE1/4NE1/4, W1/2E1/2, W1/2SE1/4NE1/4,
W1/2, W1/2E1/2SE1/4

Section 26: NW1/4NW1/4NW1/4, S1/2NW1/4NW1/4, SW1/4NW1/4,
W1/2E1/2SW1/4, W1/2SW1/4

Section 27

Section 28: E1/2, E1/2W1/2, E1/2W1/2W1/2

Section 33: N1/2NE1/4, E1/2SW1/4NE1/4, NW1/4SW1/4NE1/4,
SE1/4NE1/4, E1/2NE1/4NW1/4, NE1/4SE1/4, E1/2NW1/4SE1/4,

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N1/2SE1/4SE1/4, SE1/4SE1/4SE1/4

Section 34

Section 35: NW1/4NW1/4NE1/4, S1/2NW1/4NE1/4, SW1/4NE1/4,
NW1/4SE1/4NE1/4, S1/2SE1/4NE1/4, W1/2, SE1/4

Section 36: W1/2SW1/4SW1/4

(4) Township 28 South, Range 55 East, Copper River Meridian

Section 1: S1/2SW1/4NW1/4, SW1/4

Section 2

Section 3: NE1/4, N1/2NW1/4, N1/2SW1/4NW1/4, SE1/4NW1/4,
NE1/4NE1/4SW1/4, N1/2SE1/4, SE1/4SE1/4

Section 4: E1/2NE1/4NE1/4

Section 10: that portion of Mosquito Lake

Section 11: N1/2, N1/2SE1/4, NE1/4SW1/4SE1/4, SE1/4SE1/4,
except USS 3431

Section 12

Section 13: E1/2, NE1/4NW1/4, E1/2NW1/4NW1/4, NW1/4NW1/4-
NW1/4, NW1/4SE1/4NW1/4, E1/2SE1/4NW1/4

Section 15: that portion of Mosquito Lake

Section 19: Lot 13

Section 24: E1/2E1/2, NE1/4NW1/4NE1/4

Section 25: Lots 9 - 11 and 16

Section 26: that portion of Lot 5 and NE1/4NW1/4 south
of the Haines Highway and Lots 1, 12, and 17

Section 27: Lots 5 - 8, 10, 13, 18, 19, and 22

Section 28, except S1/2NE1/4SW1/4, S1/2S1/2, S1/2N1/2-
SE1/4 and that portion north of the Haines Highway

Section 29, except S1/2S1/2S1/2, NE1/4SE1/4SE1/4 and
Lots 9, 14, 15, and 18

Section 30: Lot 11 and N1/2NE1/4SE1/4

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Section 33: S1/2SE1/4SE1/4

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

Section 35: Lot 1

Section 36: N1/2N1/2, N1/2SW1/4NE1/4, NE1/4SE1/4NW1/4
and Lot 5

(5) Township 28 South, Range 56 East, Copper River Meridian

Section 7: SW1/4NW1/4NW1/4, SW1/4NW1/4, SW1/4SE1/4NW1/4,
W1/2NE1/4SW1/4, SE1/4NE1/4SW1/4, NW1/4SW1/4, S1/2SW1/4,
SW1/4SW1/4SE1/4

Section 17: W1/2SW1/4SW1/4, SE1/4SW1/4SW1/4

Section 18: W1/2W1/2NE1/4, E1/2SW1/4NE1/4, SW1/4SE1/4-
NE1/4, W1/2, SE1/4

Section 19

Section 20: W1/2W1/2

Section 29: Lots 8 - 11

Section 30, except Lots 1, 4, 5, 8, 15 - 17, and the
NE1/4SW1/4

Section 31

Section 32, except USS 991, USS 2455, and Lots 1, 2,
and 24

Section 33: S1/2 except USS 2455 and Lots 18 - 21

Section 34: Lots 1, 2, S1/2NE1/4SE1/4, W1/2SW1/4SE1/4,
SE1/4SW1/4SE1/4

(6) Township 28 South, Range 57 East, Copper River Meridian

Section 22: NE1/4SW1/4, E1/2SE1/4SW1/4, W1/2NW1/4SE1/4,
SW1/4SE1/4, NW1/4SE1/4SE1/4, S1/2SE1/4SE1/4

Section 26: W1/2SW1/4NW1/4, W1/2W1/2SW1/4

Section 27: E1/2E1/2, N1/2NW1/4NE1/4, SE1/4NW1/4NE1/4

Section 34: NE1/4NE1/4, NE1/4SE1/4NE1/4

1 Section 35: SW1/4SW1/4NE1/4, NW1/4NW1/4NW1/4, S1/2NW1/4-
2 NW1/4, S1/2NW1/4, E1/2SW1/4, NW1/4NW1/4SE1/4, S1/2NW1/4-
3 SE1/4, S1/2SE1/4, SW1/4NE1/4SE1/4

4 (7) Township 29 South, Range 55 East, Copper River Meridian

5 Section 1: S1/2NE1/4NE1/4, E1/2SW1/4NE1/4, N1/2SE1/4-
6 NE1/4, SW1/4SE1/4NE1/4, NW1/4NE1/4SE1/4, NE1/4NW1/4SE1/4

7 (8) Township 29 South, Range 56 East, Copper River Meridian

8 Section 1

9 Section 2: N1/2NE1/4, E1/2SE1/4NE1/4, NE1/4NW1/4, E1/2-
10 NE1/4SE1/4, NE1/4SE1/4SE1/4

11 Section 4: W1/2NW1/4, W1/2SE1/4NW1/4, SE1/4SE1/4NW1/4,
12 SW1/4, W1/2NW1/4SE1/4, SE1/4NW1/4SE1/4, SW1/4SE1/4,
13 W1/2SE1/4SE1/4, SE1/4SE1/4SE1/4

14 Section 5: E1/2, N1/2NW1/4, SE1/4NE1/4SW1/4, E1/2SE1/4-
15 SW1/4

16 Section 6: N1/2N1/2NE1/4, NE1/4NE1/4NW1/4, S1/2NE1/4-
17 NW1/4, S1/2NW1/4NW1/4, N1/2SW1/4NW1/4, NW1/4SE1/4NW1/4

18 Section 8, except SW1/4SW1/4 and S1/2SE1/4SW1/4

19 Section 9

20 Section 10: S1/2S1/2NE1/4, SW1/4NE1/4NW1/4, NW1/4NW1/4,
21 S1/2NW1/4, S1/2

22 Section 11: S1/2NE1/4, S1/2S1/2NW1/4, NE1/4SW1/4NW1/4,
23 N1/2SE1/4NW1/4, S1/2

24 Sections 12, 13, 14

25 Section 15: N1/2, N1/2N1/2SW1/4, E1/2SE1/4, NW1/4SE1/4,
26 E1/2SW1/4SE1/4

27 Section 16: E1/2NE1/4, E1/2W1/2NE1/4, W1/2NW1/4NE1/4,
28 NW1/4SW1/4NE1/4, N1/2N1/2NW1/4, SE1/4NE1/4NW1/4, NE1/4-
29 SE1/4NW1/4

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Section 17: N1/2NE1/4NE1/4

Section 22: N1/2NE1/4NE1/4, NE1/4NW1/4NE1/4

Section 23: that portion of the N1/2NW1/4 lying west of
Chilkat Lake

(9) Township 29 South, Range 57 East, Copper River Meridian

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

Section 5: SW1/4NE1/4, NW1/4SE1/4NE1/4, S1/2SE1/4NE1/4,
SW1/4NE1/4NW1/4, W1/2NW1/4, SE1/4NW1/4, S1/2

Sections 6 - 8

Section 9: W1/2W1/2NE1/4, SE1/4SW1/4NE1/4, SW1/4SE1/4-
NE1/4, NW1/4, S1/2

Section 10: Lot 1, W1/2E1/2SW1/4

Section 14: that portion west of the Haines Highway

Section 15: W1/2NE1/4, W1/2, SW1/4SE1/4, Lots 11 and 12

Sections 16 - 18

Section 19: NE1/4NE1/4NE1/4

Section 20: NE1/4, E1/2NW1/4, NW1/4NW1/4, E1/2SW1/4NW1/4,
NE1/4SE1/4, N1/2NW1/4SE1/4, SE1/4NW1/4SE1/4, NE1/4SE1/4-
SE1/4

Sections 21 and 22

Section 23: that portion west of the Haines Highway

Section 25: that portion west of the Haines Highway

Section 26: that portion west of the Haines Highway

Section 27

Section 28: NE1/4, NE1/4NW1/4, N1/2NW1/4NW1/4, N1/2SE1/4-
NW1/4, NE1/4SE1/4, N1/2NW1/4SE1/4, SE1/4NW1/4SE1/4,
NE1/4SE1/4SE1/4

Section 34: NE1/4, NE1/4NW1/4, NE1/4SE1/4NW1/4, NE1/4-

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SE1/4, NE1/4NW1/4SE1/4, E1/2SE1/4SE1/4

Section 35

Section 36: that portion west of the Haines Highway
(10) Township 29 South, Range 58 East, Copper River Meridian

Section 3: S1/2SW1/4NW1/4, SW1/4NE1/4SW1/4, W1/2SW1/4,
SE1/4SW1/4, S1/2SW1/4SE1/4

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

Section 9: NE1/4NE1/4

Section 10: N1/2, E1/2SW1/4, E1/2W1/2SW1/4, NW1/4NW1/4-
SW1/4, SE1/4

(11) Township 30 South, Range 57 East, Copper River Meridian
Section 1

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

Section 3: NE1/4NE1/4NE1/4

Section 12: NE1/4, NE1/4NW1/4, NE1/4NW1/4NW1/4, NE1/4-
SE1/4NW1/4, W1/2NE1/4SE1/4, NE1/4NW1/4SE1/4, E1/2E1/2-
SE1/4, NW1/4SE1/4SE1/4

Section 13: NE1/4NE1/4NE1/4

(12) Township 30 South, Range 58 East, Copper River Meridian

Section 6: that portion west of the Haines Highway

Section 7: that portion west of the Haines Highway

Section 8: that portion west of the Haines Highway

Section 16: that portion west of the Haines Highway

Section 17: that portion west of the Haines Highway

Section 18: E1/2, N1/2NW1/4, N1/2SE1/4NW1/4, SE1/4SE1/4-
NW1/4

1 (l) Historical, cultural, and burial sites identified in the
2 Alaska Chilkat Bald Eagle Preserve management plan are not available for
3 surface disposal under AS 41.20.507(f) and shall be managed by the
4 director of parks to prevent vandalism, destruction, and desecration.

5 (m) The director of the division of parks and the director of the
6 division of forestry shall consult in the preparation of the management
7 plan prepared under AS 41.20.507(i) to promote effective, efficient, and
8 coordinated administration of the Haines State Forest Resource Manage-
9 ment Area and the Alaska Chilkat Bald Eagle Preserve for the purposes
10 and values for which each is established.

11 (n) University of Alaska grant land located within the boundary of
12 the Chilkat River Critical Habitat Area established under AS 16.20.230(8)
13 is excluded from the Alaska Chilkat Bald Eagle Preserve.

14 Sec. 41.20.515. ALASKA CHILKAT BALD EAGLE PRESERVE ADVISORY COUN-
15 CIL. (a) A 12-member Alaska Chilkat Bald Eagle Preserve Advisory
16 Council is established. The members of the advisory council shall be
17 selected under this section. Members of the advisory council or their
18 alternates are entitled to the per diem and travel expenses authorized
19 for members of state boards under AS 39.20.180.

20 (b) The governor may appoint individuals to the Alaska Chilkat
21 Bald Eagle Preserve Advisory Council representing the following inter-
22 ests for a two-year term:

23 (1) a resident of the Haines Borough representing a conserva-
24 tion organization; and

25 (2) a representative of the United States Fish and Wildlife
26 Service.

27 (c) The mayor of the City of Haines, the mayor of the Haines
28 Borough, the president of Klukwan, Inc., the chairman of the Council of
29 the Chilkat Indian Village, and the chairman of the Chilkoot Indian

1 Association are ex officio members of the Alaska Chilkat Bald Eagle
2 Preserve Advisory Council. The mayor of the Haines Borough may recom-
3 mend to the governor for appointment to the advisory council the name of
4 a resident of the Haines Borough for the representation of commercial or
5 industrial interests.

6 (d) The commissioner of fish and game, the director of the divi-
7 sion of parks, and the director of the division of forestry, or their
8 designees, serve ex officio as members of the Alaska Chilkat Bald Eagle
9 Preserve Advisory Council.

10 (e) The Alaska Chilkat Bald Eagle Preserve Advisory Council shall
11 assist the Department of Natural Resources in the development and moni-
12 toring of a management plan for the Alaska Chilkat Bald Eagle Preserve.
13 The management plan shall be presented at public hearings in Haines and
14 Klukwan before approval and implementation by the department.

15 (f) Members of the Alaska Chilkat Bald Eagle Preserve Advisory
16 Council selected under (b) - (d) of this section may select alternates
17 to act as members of the advisory council in their absence.

18 Sec. 41.20.525. EXISTING RIGHTS. The establishment of the Alaska
19 Chilkat Bald Eagle Preserve under AS 41.20.506 - 41.20.525 does not
20 enlarge, diminish, add to, or waive a requirement of law otherwise
21 applicable to the management or use of the state land of the Haines
22 State Forest Resource Management Area (AS 41.15.500 - 41.15.520) or
23 private land. An activity allowed under law on land not described in
24 AS 41.20.507(k), including but not limited to timber harvest, mining,
25 resource development, and recreation, is permitted so long as the activ-
26 ity is conducted in compliance with law.

27 * Sec. 2. AS 41.15 is amended by adding new sections to read:

28 ARTICLE 3A. HAINES STATE FOREST RESOURCE MANAGEMENT AREA.

29 Sec. 41.15.500. HAINES STATE FOREST RESOURCE MANAGEMENT AREA. (a)

1 The purpose of AS 41.15.500 - 41.15.520 is to establish the land and
2 water presently owned by the state and all land and water acquired in
3 the future by the state lying within the boundaries described in AS 41.-
4 15.510(a) as the Haines State Forest Resource Management Area. The
5 primary purposes for the establishment of the Haines State Forest Re-
6 source Management Area are the utilization, perpetuation, conservation,
7 and production of the land and water including but not limited to the
8 use of renewable and nonrenewable resources through multiple-use manage-
9 ment and the continuation of other beneficial uses including traditional
10 uses and other recreational activities.

11 (b) The responsibility for the management, control, development,
12 and maintenance of the Haines State Forest Resource Management Area
13 established under AS 41.15.500 - 41.15.520 is assigned to the Department
14 of Natural Resources.

15 Sec. 41.15.510. BOUNDARIES AND MANAGEMENT OF HAINES STATE FOREST
16 RESOURCE MANAGEMENT AREA. (a) Subject to valid existing rights, the
17 land and water presently owned by the state and all land and water
18 acquired in the future by the state lying within the following described
19 parcels are designated as the Haines State Forest Resource Management
20 Area:

21 (1) All lands encompassed by U.S. Survey 3708, Tracts A, B
22 and C but excluding U.S.M.S. 2206.

23 (2) Those mental health lands (MH-153) approved in the state
24 selection letter from the United States Bureau of Land Management dated
25 August 26, 1974, described as follows: Beginning at corner No. 1 of
26 this tract which is common to angle point No. 5 of U.S. Survey 3708,
27 then north 02°13'51" west 52.639 chains along the survey line to corner
28 No. 2 of this tract which is common to angle point No. 6 of U.S. Survey
29 3708, then north 12°01'18" west 13.346 chains to corner No. 3 of this

1 tract which is common to angle point No. 7 of U.S. Survey 3708, then
2 north 53°57'42" west 537.070 chains to corner No. 4 of this tract which
3 is common to angle point No. 7-A of U.S. Survey 3708, then south 0°0'30"
4 east 63.06 chains to corner No. 5 of this tract, then south 53°57'42"
5 east 542.00 chains to corner No. 1 of this tract and angle point No. 5,
6 U.S. Survey 3708, the point of beginning.

7 (3) Township 28 South, Range 56 East, Copper River Meridian
8 Section 29: that portion of the N1/2 lying east of
9 U.S.S. 3708

10 Section 34: NW1/4, SE1/4

11 (4) Township 28 South, Range 57 East, Copper River Meridian

12 (5) Township 28 South, Range 58 East, Copper River Meridian

13 (6) Township 29 South, Range 57 East, Copper River Meridian

14 Section 36: that portion of Lots 1, 5, 6, and 10 lying
15 east of U.S.S. 3708

16 (7) Township 29 South, Range 58 East, Copper River Meridian

17 (8) Township 29 South, Range 59 East, Copper River Meridian

18 (9) Township 29 South, Range 60 East, Copper River Meridian

19 Sections 19 - 36

20 (10) Township 29 South, Range 61 East, Copper River Meridian

21 Sections 19 - 36

22 (11) Township 29 South, Range 62 East, Copper River Meridian

23 Sections 19 and 20

24 Sections 29 - 32

25 (12) Township 30 South, Range 57 East, Copper River Meridian

26 Section 1: that portion of Lot 1 lying east of U.S.S.

27 3708

28 (13) Township 30 South, Range 58 East, Copper River Meridian

29 That portion lying east and south of U.S.S. 3708

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- (14) Township 30 South, Range 59 East, Copper River Meridian
Sections 1- 10
Section 12
Sections 14 - 23
Section 27: that portion lying west of the Haines
Corporation boundary
Sections 28 - 31
Section 33
- (15) Township 30 South, Range 60 East, Copper River Meridian
- (16) Township 30 South, Range 61 East, Copper River Meridian
- (17) Township 30 South, Range 62 East, Copper River Meridian
Sections 5 - 8
Sections 17 - 20
Sections 29 - 32
- (18) Township 31 South, Range 58 East, Copper River Meridian
- (19) Township 31 South, Range 59 East, Copper River Meridian
Sections 6 - 8
Sections 16 - 22
Sections 27 - 34
- (20) Township 31 South, Range 60 East, Copper River Meridian
Sections 1 - 4
Sections 9 - 15
Sections 22 - 24
Sections 35 and 36
- (21) Township 31 South, Range 61 East, Copper River Meridian
Sections 1 - 30
- (22) Township 31 South, Range 62 East, Copper River Meridian
Sections 5 - 8
Sections 17 - 20

1 Sections 31 and 32

2 (23) Township 32 South, Range 59 East, Copper River Meridian
3 Sections 3 - 33

4 Sections 34 - 36: that portion lying north of the Tongass
5 National Forest boundary

6 (b) Private land, University of Alaska grant land, existing trans-
7 portation corridors, and borough selection within the Haines State Forest
8 Resource Management Area are excluded from the Haines State Forest
9 Resource Management Area. The commissioner of natural resources may not
10 acquire private land or University of Alaska grant land located within
11 the Haines State Forest Resource Management Area by eminent domain for
12 any purpose.

13 (c) Approved or pending Native allotment applications located
14 partially or completely within the Haines State Forest Resource Manage-
15 ment Area are not adversely affected by the establishment of the Haines
16 State Forest Resource Management Area and all approved allotments and
17 all pending allotments shall be treated as private land.

18 (d) The division of forestry shall consult with the division of
19 parks, the Department of Fish and Game, and the Alaska Chilkat Bald
20 Eagle Preserve Advisory Council to promote effective, efficient, and
21 coordinated administration of the Haines State Forest Resource Management
22 Area and the Alaska Chilkat Bald Eagle Preserve for the values for which
23 each is established.

24 (e) Resource studies undertaken by the Department of Natural
25 Resources shall be designed to benefit the management and administration
26 of the Haines State Forest Resource Management Area and the Alaska
27 Chilkat Bald Eagle Preserve.

28 (f) The establishment of the Haines State Forest Resource Manage-
29 ment Area has no effect on the terms and conditions of an existing

1 permit or contract involving use of the land, water, or other resources
2 of the Haines State Forest Resource Management Area.

3 Sec. 41.15.520. MULTIPLE-USE MANAGEMENT. (a) The Haines State
4 Forest Resource Management Area shall be managed under the principles of
5 multiple use and sustained yield as defined in AS 38.04.910, under
6 AS 41.17, and under a management plan prepared by the Department of
7 Natural Resources. The plan may not be adopted or revised without prior
8 review by the Board of Forestry or without a public hearing held in
9 Haines and Klukwan.

10 (b) The Department of Natural Resources shall periodically review
11 and revise the management plan adopted for the Haines State Forest
12 Resource Management Area under (a) of this section. The management plan
13 shall be based on an existing operational level inventory and revised as
14 future inventory information becomes available to the department.

15 (c) A copy of a management plan and any revision to it prepared by
16 the Department of Natural Resources, reviewed by the Board of Forestry
17 and adopted by the department after public hearings required under (a)
18 of this section shall be provided to the legislature within 30 days of
19 its adoption or revision or within the first 10 days of the first session
20 of the legislature to convene after its adoption or revision.

21 (d) The Department of Fish and Game is responsible for the manage-
22 ment of fish and game resources in the Haines State Forest Resource
23 Management Area under applicable law and in a manner consistent with
24 AS 41.15.500 - 41.15.520.

25 (e) The control of highway access and roadside structures within
26 the Haines State Forest Resource Management Area is the responsibility
27 of the Department of Natural Resources except that the Department of
28 Transportation and Public Facilities is responsible for the repair and
29 maintenance of public roads in the Haines State Forest Resource Manage-

1 ment Area.

2 (f) The state land and water described in AS 41.15.510(a) are
3 closed to sale under state land disposal laws and to municipal selec-
4 tions made after the effective date of this Act. The commissioner of
5 natural resources may lease the land described in AS 41.15.510(a) under
6 AS 38.05.070 - 38.05.105 for a purpose consistent with AS 41.15.500(a).

7 (g) The Department of Natural Resources shall consult with the
8 Department of Fish and Game during preparation of a management plan
9 under (a) and (b) of this section and during formulation of regulations
10 governing the use of the Haines State Forest Resource Management Area.
11 The Department of Fish and Game shall consult with the Department of
12 Natural Resources before adopting regulations governing fish and wild-
13 life management in the Haines State Forest Resource Management Area.
14 Regulations may not be adopted by either department without prior review
15 at a public hearing.

16 (h) The Department of Natural Resources may enter into cooperative
17 management agreements with a person who holds title to or has a valid
18 entry on land within or adjoining the boundaries of the Haines State
19 Forest Resource Management Area.

20 * Sec. 3. The management plan for the Alaska Chilkat Bald Eagle Preserve
21 prepared by the Department of Natural Resources under AS 41.20.507(i) as
22 enacted in sec. 1 of this Act shall be adopted and implemented within two
23 years after the effective date of this Act.

24 * Sec. 4. The management plan for the Haines State Forest Resource Manage-
25 ment Area prepared by the Department of Natural Resources under AS 41.15.520
26 enacted in sec. 2 of this Act shall be adopted and implemented within two
27 years after the effective date of this Act. The Haines-Skagway Area Land Use
28 Plan adopted by the Department of Natural Resources in 1979 shall be used as
29 the basis for preparation of the initial management plan for the Haines State

1 Forest Resource Management Area. Before approval of the management plan
2 prepared under AS 41.15.520, management of the Haines State Forest Resource
3 Management Area shall be conducted under the land use allocations and the
4 appropriate management provisions of the Haines-Skagway Area Land Use Plan.

5 * Sec. 5. This Act takes effect July 1, 1982.

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