

Original sponsor: Ray

Offered: 5/3/82
Referred: Rules

1 IN THE SENATE BY THE RESOURCES COMMITTEE
2 HOUSE CS FOR 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;

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

1 purpose for which the Alaska Chilkat Bald Eagle Preserve is established;
2 and

3 (5) provide an opportunity for the continued traditional and
4 natural resource based lifestyle of the people living in the general
5 areas described in AS 41.20.507(k), consistent with the other purposes
6 of AS 41.20.506(a) and (b).

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

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

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

1 (b) Private land, approved or pending Native allotments, pending
2 and approved land selections made by the Haines Borough under state law
3 on the effective date of this Act, University of Alaska grant land not
4 located within the Chilkat River Critical Habitat Area established by
5 AS 16.20.230(8) and existing transportation and utility corridors located
6 partially or completely within the Alaska Chilkat Bald Eagle Preserve
7 are excluded from the Alaska Chilkat Bald Eagle Preserve. The commis-
8 sioner of natural resources may not acquire private land or University
9 of Alaska grant land located partially or completely within the Alaska
10 Chilkat Bald Eagle Preserve by eminent domain for any purpose.

11 (c) Approved or pending Native allotments located partially or
12 completely within the Alaska Chilkat Bald Eagle Preserve are not ad-
13 versely affected by the establishment of the Alaska Chilkat Bald Eagle
14 Preserve and all approved allotments and all pending allotments located
15 partially or completely within the preserve shall be treated as private
16 land.

17 (d) The Department of Fish and Game is responsible for the manage-
18 ment of fish and game resources in the Alaska Chilkat Bald Eagle Pre-
19 serve

20 (1) under applicable law and consistent with the purposes of
21 AS 41.20.506 - 41.20.525;

22 (2) subject to the authority of the Secretary of the Interior
23 to permit the taking of bald eagles for the religious purposes of an
24 Indian tribe under sec. 2 of the Bald Eagle Protection Act, 16 U.S.C.,
25 Sec. 668a.

26 (e) The Department of Natural Resources shall consult with the
27 Department of Fish and Game, the United States Fish and Wildlife Ser-
28 vice, a local governing body of a municipality, any local fish and game
29 advisory committees, and the Alaska Chilkat Bald Eagle Preserve Advisory

1 Council established by AS 41.20.515 before adoption of reasonable regula-
2 tions governing public use and protection of the Alaska Chilkat Bald
3 Eagle Preserve. The Department of Fish and Game shall consult with the
4 Department of Natural Resources and the Alaska Chilkat Bald Eagle
5 Preserve Advisory Council in proposing regulations governing fish and
6 game management in the Alaska Chilkat Bald Eagle Preserve for adoption
7 by the Board of Fisheries or the Board of Game. The Department of Fish
8 and Game and the Department of Natural Resources shall cooperate with
9 the United States Fish and Wildlife Service in its administration of
10 federal law governing the conservation of bald eagles.

11 (f) The state land and water described in (k) of this section are
12 closed to mineral entry under AS 38.05.135 - 38.05.280, to commercial
13 harvest of timber, and to sale under state land disposal laws. The
14 commissioner of natural resources may lease the land described in (k) of
15 this section under AS 38.05.070 - 38.05.105 for a purpose consistent
16 with AS 41.20.506(a) and (b); a municipality may select land within the
17 Alaska Chilkat Bald Eagle Preserve under law.

18 (g) Continued opportunities for traditional uses of the Alaska
19 Chilkat Bald Eagle Preserve at levels and by methods and means that are
20 compatible with the protection of the bald eagle population are guaran-
21 teed. These historically compatible uses include but are not limited to
22 hunting, trapping, fishing, berry picking, other subsistence and recrea-
23 tional uses, operation of motorized vehicles, and the harvesting of
24 personal-use firewood. The level and method or means of traditional use
25 may continue subject to reasonable regulation unless the director of the
26 division of parks, Department of Natural Resources, after consultation
27 with the Alaska Chilkat Bald Eagle Preserve Advisory Council, makes a
28 finding that the level or method and means of use is causing significant
29 resource damage that is inconsistent with AS 41.20.506(a) and (b). The

1 director of the division of parks shall hold a public hearing in Haines
2 and Klukwan before restricting a traditional use permitted under this
3 section.

4 (h) If privately owned land, University of Alaska grant land,
5 valid mining rights, existing mineral leases, subsurface rights on
6 private land, or other valid occupancy is surrounded by state land of
7 the Alaska Chilkat Bald Eagle Preserve or if privately owned land,
8 University of Alaska grant land, federal land, municipal land, or state
9 land not described in (k) of this section, valid mining claims, subsur-
10 face rights, or other valid occupancy on land not described in (k) of
11 this section does not have reasonable, timely, and economically feasible
12 access and egress by means other than crossing land designated as Alaska
13 Chilkat Bald Eagle Preserve land in (k) of this section, the director of
14 the division of parks shall grant a private landowner, the University of
15 Alaska, a holder of valid existing rights to land, or a state agency,
16 municipality, or federal agency rights necessary to assure reasonable,
17 timely, and economically feasible access and egress. A permittee or
18 licensee of an owner of land or holder of valid existing rights to land
19 may use access and egress granted under this subsection. The rights of
20 access and egress granted under this subsection are subject to reason-
21 able regulation and stipulations established by the director of the
22 division of parks after consulting with the Alaska Chilkat Bald Eagle
23 Preserve Advisory Council to protect the purposes and values of the
24 Alaska Chilkat Bald Eagle Preserve and to minimize adverse environmental
25 impacts in the preserve. As used in this subsection, "valid existing
26 rights" includes but is not limited to valid mining rights, existing
27 mineral rights, and subsurface rights. The director of the division of
28 parks shall give favorable consideration to applications for utility
29 rights-of-way that are compatible with AS 41.20.506(a) and (b).

1 (i) The director of the division of parks and the Alaska Chilkat
2 Bald Eagle Advisory Council established under AS 41.20.515, in written
3 consultation with the United States Fish and Wildlife Service, the
4 Department of Fish and Game, the Chilkat Indian Village, the Chilkoot
5 Indian Association, and other appropriate groups, may use information
6 gained through cooperative resource studies in the development of the
7 management plan for the Alaska Chilkat Bald Eagle Preserve and in deci-
8 sions affecting the management and administration of the preserve. The
9 director of the division of parks and the advisory council shall investi-
10 gate the need for additional research to increase knowledge and under-
11 standing of the natural and cultural resources of the area and to enhance
12 the effective management of the Alaska Chilkat Bald Eagle Preserve.

13 (j) An agency of the state may not participate or cooperate with a
14 federal or private study considering additions to or deletions from the
15 area of the Alaska Chilkat Bald Eagle Preserve without giving 90 days
16 prior notice to the Alaska Chilkat Bald Eagle Preserve Advisory Council.
17 The director of the division of parks may waive the notice required by
18 this subsection on his determination in writing to the advisory council
19 that an emergency necessitates immediate study or a shorter period of
20 notice to the advisory council.

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

- 25 (1) Township 26 South, Range 55 East, Copper River Meridian
26 Section 12: that portion within USS 3708
27 Section 13
28 Section 23: SE1/4NE1/4, NE1/4SE1/4, E1/2NW1/4SE1/4,
29 S1/2SE1/4

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Sections 24 and 25

Section 26: E1/2

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

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

Section 35

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

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

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

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

Section 17: W1/2NW1/4

Section 18

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

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

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

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

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

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

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

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

13 Section 27

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

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

18 Section 34

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

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

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

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

24 Section 2

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

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

28 Section 10: that portion of Mosquito Lake

29 Section 11: N1/2, N1/2SE1/4, NE1/4SW1/4SE1/4, SE1/4SE1/4,

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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 S1/2S1/2, the south 660 feet of
Lots 5 - 7, 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 Lot 6 except the south 660 feet

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

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

Section 35: Lot 1

Section 36, except SW1/4NW1/4, S1/2, and the south 660
feet of Lots 3 - 4

(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

1 Section 20: W1/2W1/2

2 Section 29: Lots 8 - 11

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

5 Section 31

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

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

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

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

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

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

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

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

17 Section 35: SW1/4SW1/4NE1/4, NW1/4NW1/4NW1/4, S1/2NW1/4-
18 NW1/4, S1/2NW1/4, E1/2SW1/4, NW1/4NW1/4SE1/4, S1/2NW1/4-
19 SE1/4, S1/2SE1/4, SW1/4NE1/4SE1/4

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

21 Section 1: S1/2NE1/4NE1/4, E1/2SW1/4NE1/4, N1/2SE1/4-
22 NE1/4, SW1/4SE1/4NE1/4, NW1/4NE1/4SE1/4, NE1/4NW1/4SE1/4

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

24 Section 1

25 Section 2: N1/2NE1/4, E1/2SE1/4NE1/4, NE1/4NW1/4, E1/2-
26 NE1/4SE1/4, NE1/4SE1/4SE1/4

27 Section 4: W1/2NW1/4, W1/2SE1/4NW1/4, SE1/4SE1/4NW1/4,
28 SW1/4, W1/2NW1/4SE1/4, SE1/4NW1/4SE1/4, SW1/4SE1/4,
29 W1/2SE1/4SE1/4, SE1/4SE1/4SE1/4

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

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

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

6 Section 9

7 Section 10: S1/2S1/2NE1/4, SW1/4NE1/4NW1/4, NW1/4NW1/4,
8 S1/2NW1/4, S1/2

9 Section 11: S1/2NE1/4, S1/2S1/2NW1/4, NE1/4SW1/4NW1/4,
10 N1/2SE1/4NW1/4, S1/2

11 Sections 12, 13, 14

12 Section 15: N1/2, N1/2N1/2SW1/4, E1/2SE1/4, NW1/4SE1/4,
13 E1/2SW1/4SE1/4

14 Section 16: E1/2NE1/4, E1/2W1/2NE1/4, W1/2NW1/4NE1/4,
15 NW1/4SW1/4NE1/4, N1/2N1/2NW1/4, SE1/4NE1/4NW1/4, NE1/4-
16 SE1/4NW1/4

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

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

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

21 (9) Township 29 South, Range 57 East, Copper River Meridian
22 Section 4: NW1/4NW1/4SW1/4, S1/2NW1/4SW1/4, SW1/4SW1/4,
23 NW1/4SE1/4SW1/4, S1/2SE1/4SW1/4

24 Section 5, except N1/2NE1/4, NE1/4SE1/4NE1/4, and the
25 north 660 feet and the east 660 feet of Lot 2

26 Sections 6 - 8

27 USS 907

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

1 Section 10: Lots 1 - 4, W1/2NE1/4SW1/4, NW1/4SE1/4-
2 SW1/4, E1/2SW1/4SE1/4SW1/4

3 Section 14: that portion west of the Haines Highway
4 Section 15, except NE1/4NE1/4 and Lots 7 - 10, 13 - 14
5 Sections 16 - 18

6 USS 786

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

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

11 Sections 21 and 22

12 Section 23: that portion west of the Haines Highway

13 Section 25: that portion west of the Haines Highway

14 Section 26: that portion west of the Haines Highway

15 Section 27

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

19 Section 34: NE1/4, NE1/4NW1/4, NE1/4SE1/4NW1/4, NE1/4-
20 SE1/4, NE1/4NW1/4SE1/4, E1/2SE1/4SE1/4

21 Section 35

22 Section 36: that portion west of the Haines Highway

23 (10) Township 29 South, Range 58 East, Copper River Meridian

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

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

28 Section 9: NE1/4NE1/4

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

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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: Lots 1 - 3 and 5, SW1/4NE1/4, N1/2SE1/4NW1/4,
SE1/4SE1/4NW1/4, SE1/4

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

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

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

4 Sec. 41.20.515. ALASKA CHILKAT BALD EAGLE PRESERVE ADVISORY COUN-
5 CIL. (a) A 12-member Alaska Chilkat Bald Eagle Preserve Advisory
6 Council is established. The members of the advisory council shall be
7 selected under this section.

8 (b) The governor shall appoint individuals to the Alaska Chilkat
9 Bald Eagle Preserve Advisory Council representing the following inter-
10 ests for a two-year term:

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

13 (2) a representative of the United States Fish and Wildlife
14 Service;

15 (3) a member of the Upper Lynn Canal fish and game advisory
16 committee.

17 (c) The mayor of the City of Haines, the mayor of the Haines
18 Borough, the president of Klukwan, Inc., the chairman of the Council of
19 the Chilkat Indian Village, and the chairman of the Chilkoot Indian
20 Association are ex officio members of the Alaska Chilkat Bald Eagle
21 Preserve Advisory Council. The mayor of the Haines Borough may recom-
22 mend to the governor for appointment to the advisory council the name of
23 a resident of the Haines Borough for the representation of commercial or
24 industrial interests.

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

29 (e) The Alaska Chilkat Bald Eagle Preserve Advisory Council shall

1 assist the Department of Natural Resources in the development and moni-
2 toring of a management plan for the Alaska Chilkat Bald Eagle Preserve.
3 The management plan shall be presented at public hearings in Haines and
4 Klukwan before approval and implementation by the department.

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

8 Sec. 41.20.525. EXISTING RIGHTS. The establishment of the Alaska
9 Chilkat Bald Eagle Preserve under AS 41.20.506 - 41.20.525 does not
10 enlarge, diminish, add to, or waive a requirement of law otherwise
11 applicable to the management or use of the state land of the Haines
12 State Forest Resource Management Area (AS 41.15.500 - 41.15.520) or
13 private land. An activity allowed under law on land not described in
14 AS 41.20.507(k), including but not limited to an activity described in
15 AS 41.20.507(g), timber harvest, mining, resource development, and
16 recreation, is permitted so long as the activity is conducted in compli-
17 ance with law.

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

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

20 Sec. 41.15.500. HAINES STATE FOREST RESOURCE MANAGEMENT AREA. (a)
21 The purpose of AS 41.15.500 - 41.15.520 is to establish the land and
22 water presently owned by the state and all land and water acquired in
23 the future by the state lying within the boundaries described in AS 41.-
24 15.510(a) as the Haines State Forest Resource Management Area. The
25 primary purposes for the establishment of the Haines State Forest Re-
26 source Management Area are the utilization, perpetuation, conservation,
27 and production of the land and water including but not limited to the
28 use of renewable and nonrenewable resources through multiple-use manage-
29 ment and the continuation of other beneficial uses including traditional

1 uses and other recreational activities.

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

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

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

14 (2) Those mental health lands (MH-153) approved in the state
15 selection letter from the United States Bureau of Land Management dated
16 August 26, 1974, described as follows: Beginning at corner No. 1 of
17 this tract which is common to angle point No. 5 of U.S. Survey 3708,
18 then north 02°13'51" west 52.639 chains along the survey line to corner
19 No. 2 of this tract which is common to angle point No. 6 of U.S. Survey
20 3708, then north 12°01'18" west 13.346 chains to corner No. 3 of this
21 tract which is common to angle point No. 7 of U.S. Survey 3708, then
22 north 53°57'42" west 537.070 chains to corner No. 4 of this tract which
23 is common to angle point No. 7-A of U.S. Survey 3708, then south 0°0'30"
24 east 63.06 chains to corner No. 5 of this tract, then south 53°57'42"
25 east 542.00 chains to corner No. 1 of this tract and angle point No. 5,
26 U.S. Survey 3708, the point of beginning.

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

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Section 34: NW1/4, SE1/4

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

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

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

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

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

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

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

Sections 19 - 36

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

Sections 19 - 36

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

Sections 19 and 20

Sections 29 - 32

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

Section 1: that portion of Lot 1 lying east of U.S.S. 3708

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

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

(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

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(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

Sections 31 and 32

(23) Township 32 South, Range 59 East, Copper River Meridian

Sections 3 - 33

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

(b) Private land, University of Alaska grant land, existing transportation corridors, and borough selection within the Haines State Forest Resource Management Area are excluded from the Haines State Forest Resource Management Area. The commissioner of natural resources

1 may not acquire private land or University of Alaska grant land located
2 within the Haines State Forest Resource Management Area by eminent
3 domain for any purpose.

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

9 (d) The division of forestry shall consult with the division of
10 parks, the Department of Fish and Game, including each local fish and
11 game advisory committee with jurisdiction in the area, and the Alaska
12 Chilkat Bald Eagle Preserve Advisory Council to promote effective,
13 efficient, and coordinated administration of the Haines State Forest
14 Resource Management Area and the Alaska Chilkat Bald Eagle Preserve for
15 the values for which each is established.

16 (e) Resource studies undertaken by the Department of Natural
17 Resources shall be designed to benefit the management and administration
18 of the Haines State Forest Resource Management Area and the Alaska
19 Chilkat Bald Eagle Preserve.

20 (f) The establishment of the Haines State Forest Resource Manage-
21 ment Area has no effect on the terms and conditions of an existing
22 permit or contract involving use of the land, water, or other resources
23 of the Haines State Forest Resource Management Area.

24 Sec. 41.15.520. MULTIPLE-USE MANAGEMENT. (a) The Haines State
25 Forest Resource Management Area shall be managed under the principles of
26 multiple use and sustained yield, under AS 41.17, and under a management
27 plan prepared by the Department of Natural Resources. The plan may not
28 be adopted or revised without prior review by the Board of Forestry or
29 without a public hearing held in Haines and Klukwan.

1 (b) The Department of Natural Resources shall periodically review
2 and revise the management plan adopted for the Haines State Forest
3 Resource Management Area under (a) of this section. The management plan
4 should be based on a current operational level inventory completed within
5 the last 10 years and revised as future inventory information becomes
6 available to the department.

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

13 (d) The Department of Fish and Game is responsible for the manage-
14 ment of fish and game resources in the Haines State Forest Resource
15 Management Area under applicable law and in a manner consistent with
16 AS 41.15.500 - 41.15.520 except that an opportunity for continued
17 traditional use of the Haines State Forest Resource Management Area at
18 levels and by traditional methods and means is guaranteed. The tradi-
19 tionally compatible uses include but are not limited to fishing, hunting,
20 trapping, berry picking, subsistence, and recreational uses, operation
21 of motorized vehicles, and the harvest of personal-use firewood.

22 (e) The control of highway access within the Haines State Forest
23 Resource Management Area is the responsibility of the Department of
24 Natural Resources except that the Department of Transportation and
25 Public Facilities is responsible for the repair and maintenance of
26 public roads in the Haines State Forest Resource Management Area.

27 (f) The state land and water described in AS 41.15.510(a) are
28 closed to sale under state land disposal laws. The commissioner of
29 natural resources may lease the land described in AS 41.15.510(a) under

1 AS 38.05.070 - 38.05.105 for a purpose consistent with AS 41.15.500(a)
2 and a municipality may select land in the Haines State Forest Resource
3 Management Area under law.

4 (g) The Department of Natural Resources shall consult with the
5 Department of Fish and Game and the governing bodies of each munici-
6 pality in the general area during preparation of a management plan under
7 (a) and (b) of this section and during formulation of regulations govern-
8 ing the use of the Haines State Forest Resource Management Area. The
9 Department of Fish and Game shall consult with the Department of Natural
10 Resources and local fish and game advisory committees before adopting
11 regulations governing fish and wildlife management in the Haines State
12 Forest Resource Management Area. Regulations may not be adopted by
13 either department without prior review at a public hearing in Haines and
14 Klukwan.

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

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

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

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

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

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