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Referred: Resources

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1 IN THE SENATE

2 SENATE BILL NO. 128

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing certain areas as marine park  
7 units of the Alaska state park system; and providing  
8 for an effective 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 17. ALASKA MARINE PARKS.

12 Sec. 41.20.530. DECLARATION OF PURPOSE. The purpose of AS 41.-  
13 20.530 - 41.20.538 is to establish, subject to valid existing rights,  
14 the state-owned or acquired land and water described in AS 41.20.534  
15 as marine park units of the Alaska state park system. The primary  
16 purposes in establishing the land and water areas described in AS 41.-  
17 20.534 as marine park units of the Alaska state park system are to

18 (1) maintain natural, cultural, and scenic values;

19 (2) maintain fish and wildlife resources;

20 (3) promote and support recreation and tourism in the

21 state.

22 Sec. 41.20.532. DESIGNATION OF MANAGEMENT RESPONSIBILITY. (a)  
23 The state land and water described in AS 41.20.534 is assigned to the  
24 Department of Natural Resources for control, maintenance, and develop-  
25 ment consistent with the purposes and provisions of AS 41.20.530 -  
26 41.20.538.

27 (b) The Department of Fish and Game is responsible for the  
28 management of fish and game resources on the state land and water  
29 described in AS 41.20.534 consistent with the purposes of

1 AS 41.20.530 - 41.20.538. The Department of Fish and Game shall give  
2 written notice to and consult with the Department of Natural Resources  
3 before adoption of regulations governing fish and game management in a  
4 marine park unit of the Alaska state park system.

5 (c) The Department of Natural Resources shall develop a manage-  
6 ment plan for each marine park unit of the Alaska state park system to  
7 determine the specific purposes and uses for the unit. The commis-  
8 sioner of natural resources shall give written notice and consult with  
9 the Department of Fish and Game, proximately located municipalities of  
10 the state, proximately located private landowners, the United States  
11 Forest Service, and organizations concerned with conservation, recrea-  
12 tion, and tourism, and other interested parties during the preparation  
13 of a management plan for a marine park unit of the Alaska state park  
14 system.

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

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

22 (f) The commissioner of natural resources may enter into a co-  
23 operative agreement for the management of a marine park unit of the  
24 Alaska state park system with a federal agency, a municipality of the  
25 state, or a proximately located private landowner for a purpose stated  
26 under AS 41.20.020(7).

27 (g) In the management of a marine park unit of the Alaska state  
28 park system the commissioner of natural resources shall consult and  
29 cooperate with a Native corporation that owns an historical or

1 cultural site granted under sec. 14(h)(1) of the Alaska Native Claims  
2 Settlement Act (43 U.S.C. sec. 1613(h)(1)) and that is proximately  
3 located to a marine park unit of the Alaska state park system. In the  
4 management of a marine park unit of the Alaska state park system the  
5 commissioner of natural resources shall address the potential con-  
6 flicts with the cultural and historical values of land granted to a  
7 Native corporation under sec. 14(h)(1) of the Alaska Native Claims  
8 Settlement Act and shall provide for appropriate protection to these  
9 values.

10 (h) Nothing in AS 41.20.530 - 41.20.538 precludes the use of or  
11 access to privately owned land.

12 Sec. 41.20.534. DESIGNATED LAND AND WATER. The state-owned land  
13 and water and that land and water acquired by the state in the future  
14 lying within the following described parcels are designated as marine  
15 park units of the Alaska state park system:

16 (1) Bettles Bay

17 Township 10 North, Range 6 East, Seward Meridian

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

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

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

21 (2) Decision Point

22 Township 8 North, Range 5 East, Seward Meridian

23 Section 1: All

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

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

26 Township 8 North, Range 6 East, Seward Meridian

27 Section 5: SW1/4

28 Section 6: All

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

1                   Section 8: N1/2, N1/2S1/2  
 2                   (3) Entry Cove  
 3                   Township 8 North, Range 6 East, Seward Meridian  
 4                   Section 2: S1/2  
 5                   Section 3: SE1/4, S1/2SW1/4  
 6                   Section 10: N1/2  
 7                   Section 11: N1/2  
 8                   (4) Oliver Inlet  
 9                   Township 43 South, Range 68 East, Copper River Meridian  
 10                   Section 28: SW1/4  
 11                   Section 32: E1/2E1/2  
 12                   Section 33: NW1/4, W1/2SW1/4  
 13                   (5) Sawmill Bay  
 14                   Township 9 South, Range 9 West, Copper River Meridian  
 15                   Section 22: E1/2SE1/4, SW1/4SE1/4  
 16                   Section 23: SW1/4, S1/2NW1/4, NE1/4NW1/4, W1/2NE1/4  
 17                   Section 26: W1/2  
 18                   Section 27: E1/2, S1/2SW1/4  
 19                   Section 28: E1/2SE1/4  
 20                   Section 33: NE1/4NE1/4  
 21                   Section 34: N1/2, SE1/4, N1/2SW1/4, SE1/4SW1/4  
 22                   Section 35: W1/2  
 23                   Township 10 South, Range 9 West, Copper River Meridian  
 24                   Section 3: N1/2NE1/4  
 25                   (6) Shoup Bay  
 26                   Township 8 South, Range 7 West, Copper River Meridian  
 27                   Section 30: W1/2W1/2  
 28                   Section 31: W1/2W1/2  
 29                   Township 8 South, Range 8 West, Copper River Meridian

1                   Section 25: All  
2                   Section 26: All  
3                   Section 27: E1/2  
4                   Section 34: E1/2  
5                   Section 35: All  
6                   Section 36: All  
7                   Township 9 South, Range 8 West, Copper River Meridian  
8                   Section 1: N1/2NW1/4  
9                   Section 2: N1/2  
10                  Section 3: All  
11                  (7) South Esther Island  
12                  Township 8 North, Range 8 East, Seward Meridian  
13                  Section 3: W1/2, W1/2SE1/4, SW1/4NE1/4  
14                  Section 4: E1/2E1/2, SW1/4SE1/4  
15                  Section 5: E1/2SW1/4, SW1/4SW1/4, SE1/4NW1/4  
16                  Section 6: E1/2SW1/4, S1/2SE1/4, NW1/4SE1/4  
17                  Section 7: N1/2NE1/4, SE1/4NE1/4  
18                  Section 8: E1/2, NW1/4, N1/2SW1/4, SE1/4SW1/4  
19                  Section 9: All  
20                  Section 10: N1/2NW1/4, SW1/4NW1/4  
21                  Section 16: N1/2  
22                  Section 17: NE1/4, E1/2NW1/4  
23                  Township 9 North, Range 8 East, Seward Meridian  
24                  Section 33: SW1/2NW1/4, SW1/4NE1/4, E1/2SW1/4, W1/2-  
25                               SE1/4  
26                  (8) Surprise Cove  
27                  Township 8 North, Range 6 East, Seward Meridian  
28                  Section 21: SE1/4, E1/2SW1/4  
29                  Section 22: SE1/4, S1/2SW1/4, SE1/4NE1/4

1                   Section 23: W1/2SW1/4, SW1/4NW1/4  
2                   Section 26: W1/2W1/2  
3                   Section 27: All  
4                   Section 28: S1/2, NE1/4, E1/2NW1/4  
5                   Section 29: SE1/4SE1/4  
6                   Section 34: N1/2N1/2  
7                   Section 35: NW1/4NW1/4  
8                   (9) Chilkat Islands  
9                   Township 32 South, Range 60 East, Copper River Meridian  
10                   Section 22: SE1/4  
11                   Section 23: All  
12                   Section 26: All  
13                   Section 27: All  
14                   Section 34: All  
15                   Section 35: All  
16                   Township 33 South, Range 61 East, Copper River Meridian  
17                   Section 4: All  
18                   Section 5: All  
19                   Section 8: All  
20                   Section 9: All  
21                   Section 16: All  
22                   (10) Ziegler Cove  
23                   Township 9 North, Range 6 East, Seward Meridian  
24                   Section 25: SW1/4, W1/2SE1/4  
25                   Section 26: E1/2  
26                   Section 36: N1/2N1/2  
27                   (11) Horseshoe Bay  
28                   Township 1 South, Range 9 East, Seward Meridian  
29                   Section 32: SE1/4

1 Township 2 South, Range 9 East, Seward Meridian  
2 Section 4: S1/2SW1/4 excluding amended Iron Mountain  
3 Lode No. 2 and Iron Mountain Lode  
4 Section 5: All  
5 Section 8: N1/2 excluding Iron Mountain Lode No. 11  
6 and Iron Mountain Lode No. 10  
7 Section 9: NW1/4NW1/4 excluding amended Iron Mountain  
8 Lode No. 2 and Iron Mountain Lode  
9 (12) Sullivan Island  
10 Township 34 South, Range 60 East, Copper River Meridian  
11 Section 12: SE1/4  
12 Township 34 South, Range 61 East, Copper River Meridian  
13 Section 7: All  
14 Section 18: All  
15 Section 19: All  
16 Section 30: All  
17 (13) Shelter Island  
18 Township 39 South, Range 64 East, Copper River Meridian  
19 Section 29: All  
20 Section 31: All  
21 Section 32: All  
22 Section 33: All  
23 (14) Saint James Bay  
24 Township 37, Range 62 East, Copper River Meridian  
25 Section 27: All  
26 Section 28: All  
27 Section 29: All  
28 Section 30: SE1/4, SE1/4SW1/4  
29 Section 31: E1/2NW1/4, NE1/4SW1/4, E1/2

1                   Section 32: All  
2                   Section 33: All  
3                   Section 34: All  
4                   Section 35: W1/2

5                   Township 38 South, Range 62 East, Copper River Meridian

6                   Section 2: W1/2  
7                   Section 3: All  
8                   Section 4: All  
9                   Section 5: All  
10                  Section 6: NE1/4, E1/2SE1/4  
11                  Section 8: N1/2, NE1/4SW1/4, SE1/4  
12                  Section 9: All  
13                  Section 10: All  
14                  Section 11: W1/2  
15                  Section 14: NW1/4  
16                  Section 15: N1/2  
17                  Section 16: N1/2  
18                  Section 17: N1/2NE1/4, SE1/4NE1/4

19                  Sec. 41.20.536. INCOMPATIBLE USES PROHIBITED. The commis-  
20                  sioner of natural resources may prohibit or restrict by regulation  
21                  incompatible uses within the boundaries of the areas described in  
22                  AS 41.20.534.

23                  Sec. 41.20.538. DISCHARGE OF FIREARMS. Discharge of a firearm  
24                  is permitted in the areas described in AS 41.20.534 when authorized by  
25                  regulation of the Department of Natural Resources.

26                  \* Sec. 2. This Act takes effect immediately in accordance with AS 01.-  
27                  10.070(c).