

Offered: 3/30/83
Referred: Rules

Original sponsors: V.Fischer, Bennett,
Eliason, et al

1 IN THE SENATE BY THE RESOURCES COMMITTEE
2 CS FOR SENATE BILL NO. 128 (Resources) am
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. (a) The purpose of
13 AS 41.20.530 - 41.20.536 is to establish, subject to valid existing
14 rights, the state-owned or acquired land and water described in
15 AS 41.20.534 as marine park units of the Alaska state park system.
16 The primary purposes in establishing the land and water areas de-
17 scribed in AS 41.20.534 as marine park units of the Alaska state park
18 system are to

19 (1) maintain natural, cultural, and scenic values;
20 (2) maintain fish and wildlife resources;
21 (3) promote and support recreation and tourism in the
22 state.

23 (b) The land and water described in AS 41.20.534 is dedicated as
24 special purpose sites under art. VIII, sec. 7 of the state constitu-
25 tion.

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

1 41.20.536.

2 (b) The Department of Fish and Game is responsible for the
3 management of fish and game resources on the state land and water
4 described in AS 41.20.534 consistent with the purposes of AS 41.20.-
5 530 - 41.20.536. The Department of Fish and Game shall give written
6 notice to and consult with the Department of Natural Resources before
7 adoption of regulations governing fish and game management in a marine
8 park unit of the Alaska state park system.

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

19 (d) The commissioner of natural resources may not restrict the
20 exercise of fishing, hunting, or trapping rights permitted under law
21 or under a regulation of the Board of Fisheries or the Board of Game
22 within a marine park unit of the Alaska state park system.

23 (e) The commissioner of natural resources shall allow the devel-
24 opment of aquaculture facilities within a marine park unit of the
25 Alaska state park system under terms and conditions that ensure that
26 the development is compatible with AS 41.20.530 - 41.20.536.

27 (f) The commissioner of natural resources may enter into a co-
28 operative agreement for

29 (1) the management of a marine park unit of the Alaska

1 state park system with a federal agency, a municipality of the state,
2 or a proximately located private landowner for a purpose stated under
3 AS 41.20.020(7); or

4 (2) the management of proximately located federal, municipi-
5 pal, or private land as part of a marine park unit of the Alaska state
6 park system.

7 (g) In the management of a marine park unit of the Alaska state
8 park system the commissioner of natural resources shall consult and
9 cooperate with a Native corporation that owns an historical or cul-
10 tural site granted under sec. 14(h)(1) of the Alaska Native Claims
11 Settlement Act (43 U.S.C. sec. 1613(h)(1)) and that is proximately
12 located to a marine park unit of the Alaska state park system. In the
13 management of a marine park unit of the Alaska state park system the
14 commissioner of natural resources shall address the potential con-
15 flicts with the cultural and historical values of land granted to a
16 Native corporation under sec. 14(h)(1) of the Alaska Native Claims
17 Settlement Act and shall provide for appropriate protection to these
18 values.

19 (h) Nothing in AS 41.20.530 - 41.20.536 precludes the use of or
20 access to privately owned land or mineral claims and leases. The
21 commissioner of natural resources shall permit adequate and feasible
22 access across state land within a marine park unit of the Alaska state
23 park system to and from private land within or outside a unit. In the
24 granting of such access the commissioner of natural resources may
25 adopt reasonable regulations to protect the natural and other values
26 of the marine park unit lands and water.

27 Sec. 41.20.534. DESIGNATED LAND AND WATER. The state-owned land
28 and water and that land and water acquired by the state in the future
29 lying within the following described parcels is designated as marine

1 park units of the Alaska state park system:

2 (1) Bettles Bay

3 Township 10 North, Range 6 East, Seward Meridian

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

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

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

7 (2) Decision Point

8 Township 8 North, Range 5 East, Seward Meridian

9 Section 1: All

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

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

12 Township 8 North, Range 6 East, Seward Meridian

13 Section 5: SW1/4

14 Section 6: All

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

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

17 (3) Entry Cove

18 Township 8 North, Range 6 East, Seward Meridian

19 Section 2: S1/2

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

21 Section 10: N1/2

22 Section 11: N1/2

23 (4) Oliver Inlet

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

25 Section 28: SW1/4

26 Section 32: E1/2E1/2

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

28 (5) Sawmill Bay

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

1 Section 22: E1/2SE1/4, SW1/4SE1/4
2 Section 23: SW1/4, S1/2NW1/4, NE1/4NW1/4, W1/2NE1/4
3 Section 26: W1/2
4 Section 27: E1/2, S1/2SW1/4
5 Section 28: E1/2SE1/4
6 Section 33: NE1/4NE1/4
7 Section 34: N1/2, SE1/4, N1/2SW1/4, SE1/4SW1/4
8 Section 35: W1/2
9 Township 10 South, Range 9 West, Copper River Meridian
10 Section 3: N1/2NE1/4
11 (6) Shoup Bay
12 Township 8 South, Range 7 West, Copper River Meridian
13 Section 30: W1/2W1/2
14 Section 31: W1/2W1/2
15 Township 8 South, Range 8 West, Copper River Meridian
16 Section 25: All
17 Section 26: All
18 Section 27: E1/2
19 Section 34: E1/2
20 Section 35: All
21 Section 36: All
22 Township 9 South, Range 8 West, Copper River Meridian
23 Section 1: N1/2NW1/4
24 Section 2: N1/2
25 Section 3: All
26 (7) South Esther Island
27 Township 8 North, Range 8 East, Seward Meridian
28 Section 3: W1/2, W1/2SE1/4, SW1/4NE1/4
29 Section 4: E1/2E1/2, SW1/4SE1/4

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

1 Section 35: All
 2 Township 33 South, Range 61 East, Copper River Meridian
 3 Section 4: All
 4 Section 5: All
 5 Section 8: All
 6 Section 9: All
 7 Section 16: All
 8 (10) Ziegler Cove
 9 Township 9 North, Range 6 East, Seward Meridian
 10 Section 25: SW1/4, W1/2SE1/4
 11 Section 26: E1/2
 12 Section 36: N1/2N1/2
 13 (11) Horseshoe Bay
 14 Township 1 South, Range 9 East, Seward Meridian
 15 Section 32: SE1/4
 16 Township 2 South, Range 9 East, Seward Meridian
 17 Section 4: S1/2SW1/4 excluding amended Iron Mountain
 18 Lode No. 2 and Iron Mountain Lode
 19 Section 5: All
 20 Section 8: N1/2 excluding Iron Mountain Lode No. 11
 21 and Iron Mountain Lode No. 10
 22 Section 9: NW1/4NW1/4 excluding amended Iron Mountain
 23 Lode No. 2 and Iron Mountain Lode
 24 (12) Sullivan Island
 25 Township 34 South, Range 60 East, Copper River Meridian
 26 Section 12: SE1/4
 27 Township 34 South, Range 61 East, Copper River Meridian
 28 Section 7: All
 29 Section 18: All

1 Section 19: All
2 Section 30: All
3 (13) Shelter Island
4 Township 39 South, Range 64 East, Copper River Meridian
5 Section 29: All
6 Section 31: All
7 Section 32: All
8 Section 33: All
9 (14) Saint James Bay
10 Township 37, Range 62 East, Copper River Meridian
11 Section 27: All
12 Section 28: All
13 Section 29: All
14 Section 30: SE1/4, SE1/4SW1/4
15 Section 31: E1/2NW1/4, NE1/4SW1/4, E1/2
16 Section 32: All
17 Section 33: All
18 Section 34: All
19 Section 35: W1/2
20 Township 38 South, Range 62 East, Copper River Meridian
21 Section 2: W1/2
22 Section 3: All
23 Section 4: All
24 Section 5: All
25 Section 6: NE1/4, E1/2SE1/4
26 Section 8: N1/2, NE1/4SW1/4, SE1/4
27 Section 9: All
28 Section 10: All
29 Section 11: W1/2

1 Section 14: NW1/4
2 Section 15: N1/2
3 Section 16: N1/2
4 Section 17: N1/2NE1/4, SE1/4NE1/4

5 Sec. 41.20.536. COMPATIBILITY OF USES. (a) The commissioner
6 of natural resources may prohibit or restrict by regulation incompati-
7 ble uses within the state-owned land and water described in
8 AS 41.20.534.

9 (b) Discharge of a firearm is permitted in state-owned land and
10 water described in AS 41.20.534 unless the land or waters are closed
11 by regulation of the commissioner of natural resources for public
12 safety purposes.

13 (c) Nothing in AS 41.20.530 - 41.20.536 prohibits the Department
14 of Fish and Game from engaging in rehabilitation, enhancement, and
15 development under AS 16.05.092 within an area described in AS 41.20.-
16 534.

17 (d) Reasonable access shall be permitted to and across a marine
18 park unit of the Alaska state park system for lawful hunting, fishing,
19 trapping and recreational purposes.

20 (e) The Department of Public Safety and the Department of Fish
21 and Game shall be allowed reasonable access for fish and game manage-
22 ment, research, and enforcement purposes.

23 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
24 10.070(c).