

Offered: 4/4/85
Referred: Finance

Original sponsors: M.M. Miller, Goll
and Duncan

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2

CS FOR HOUSE BILL NO. 44 (Judiciary)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to marine park units of the state
7 park system; and providing for an effective date."

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

9 * Section 1. AS 41.21.302(h) is amended to read:

10 (h) Nothing in AS 41.21.300 - 41.21.306 precludes the use of or
11 access to [PRIVATELY OWNED] land proximately located to a marine park
12 unit of the Alaska state park system or to mineral claims and leases.
13 The commissioner of natural resources shall permit adequate and feasi-
14 ble access across state land within a marine park unit of the Alaska
15 state park system to and from private and public land within or out-
16 side a unit. In the granting of such access the commissioner of
17 natural resources may adopt reasonable regulations to protect the
18 natural and other values of the marine park unit lands and water.

19 * Sec. 2. AS 41.21.304 is amended by adding new paragraphs to read:

20

(13) Taku Harbor

21

U.S. Mineral Survey No. 2192

22

Township 44 South, Range 70 East, Copper River Meridian

23

Section 5: W1/2SW1/4, W1/2E1/2SW1/4

24

Section 6: E1/2SE1/4

25

Section 7: NE1/4, NE1/4SE1/4, S1/2SE1/4

26

Section 8: W1/2, excluding ILMT 33289 (ATS682)

27

Section 17: W1/2W1/2

28

Section 18: E1/2, excluding tideland permit 100597

29

(14) Funter Bay

1 Township 42 South, Range 64 East, Copper River Meridian
2 Sections 1 and 12: The following described tracts,
3 excluding U.S. Surveys Nos. 2448 and 3149:
4 (A) Beginning at Corner No. 4, Lone Star Lode claim,
5 U.S. Mineral Survey No. (M.S.) 1492 proceed N. 70 degrees 00 feet
6 E. along the north boundary of said claim a distance of 359.15
7 feet more or less to Corner No. 3, Otter Lode claim, M.S. 1492;
8 thence N. 5 degrees 50 feet E. a distance of 666.60 feet more or
9 less along the west boundary of the Otter Lode claim to Corner
10 No. 4 of said claim; thence N. 70 degrees 00 feet E. a distance
11 of 1,500.00 feet more or less along the north boundary of the
12 Otter Lode claim, M.S. 1492 to Corner No. 1 of said claim, said
13 Corner being common to Corner No. 2, Mill Site claim, M.S. 2191;
14 thence N. 5 degrees 27 feet W. to an intersect with the southwest
15 boundary of ISH NIC claim, M.S. 2191; thence N. 44 degrees 00
16 feet W. along said boundary to Corner No. 4 of ISH NIC claim;
17 thence N. 46 degrees 00 feet E. along the northwest boundary of
18 ISH NIC claim a distance of 321.62 feet more or less to Corner
19 No. 3 of Beach No. 4 claim, M.S. 2191, common with Corner No. 2
20 of Beach No. 1 claim, M.S. 2191; thence N. 44 degrees 00 feet W.
21 along the southwest boundary of Beach No. 4 claim a distance of
22 600. 00 feet more or less to Corner No. 4 of Beach No. 4 claim;
23 thence N. 46 degrees 00 feet E. along the northwest boundary of
24 Beach No. 4 claim a distance of 1,099.47 feet more or less to
25 Corner No. 1 of Beach No. 4 claim, common with Corner No. 1 of
26 Beach No. 5 claim, M.S. 2191; thence N. 44 degrees 00 feet W.
27 along the southwest boundaries of Beach No's. 6 and 7 claims,
28 M.S. 2191 a distance of 1,200.00 feet more or less to Corner No.
29 1 of Beach No. 7 claim; thence N. 46 degrees 00 feet E. along the

1 northwest boundary of Beach No. 7 claim a distance of 135.10 feet
2 more or less to Corner No. 4 U.S. Survey No. (U.S.S.) 3149;
3 thence continue N. 46 degrees 00 feet E. along the northwest
4 boundaries of Beach No's. 7 and 8 claims, M.S. 2191 a distance of
5 2,864.90 feet more or less to Corner No. 2, Beach No. 8 claim;
6 thence due west a distance of 3,300 feet more or less to an
7 intersection of a line projected due north from Meander Corner
8 (M.C.) No. 3, U.S.S. 2448; thence due south a distance of 1,214
9 feet more or less to M.C. No. 3, U.S.S. 2448; thence meander
10 along the mean high water line of the northeast shore of Funter
11 Bay in a southwesterly, easterly, southeasterly, southwesterly
12 direction a distance of 1.11 miles more or less to a point lying
13 S. 70 degrees 00 feet W. from Corner No. 4, Lone Star Lode claim,
14 M.S. 1492 on the mean high water line of the easterly shore of
15 Funter Bay; thence N. 70 degrees 00 feet E. to Corner No. 4, Lone
16 Star Lode claim; the point of beginning.

17 (B) That portion of Mill Site, Mineral Survey (M.S.)
18 No. 2191, described as follows: beginning at Corner No. 1, Mill
19 Site, on line 2-3, Beach No. 1, M.S. 2191, thence S. 5 degrees 27
20 feet E., 57.26 feet, to the intersection of line 1-4, ISH NIC,
21 M.S. 2191; thence S. 46 degrees 00 feet W., 264.36 feet, along a
22 portion of line 1-4, of ISH NIC, to Corner No. 4, ISH NIC, M.S.
23 2191; thence S. 44 degrees 00 feet E., 331.75 feet, along a
24 portion of line 4-3 of ISH NIC, to the intersection of line 1-2,
25 Mill Site; thence S. 5 degrees 27 feet E., 137.55 feet, along a
26 portion of line 1-2 of Mill Site, to Corner No. 2, Mill Site,
27 identical to Corner No. 1 of Otter, M.S. 1492; thence S. 70
28 degrees 00 feet W., 1,500.00 feet, on line 2-3, Mill Site, iden-
29 tical to line 1-4 of Otter, M.S. 1492, to Corner No. 3, Mill

1 Site, M.S. 2191, identical to Corner No. 4 of Otter, M.S. 1492;
2 thence N. 5 degrees 27 feet W., 497.70 feet, on line 3-4, along
3 the mean-high tide line of Funter Bay, to Corner No. 4, Mill
4 Site; thence N. 30 degrees 07 feet E., 183.08 feet, on line 4-5,
5 along the mean-high tide line of Funter Bay, to Corner No. 5,
6 Mill Site, identical to Corner No. 3, Beach No. 1, M.S. 2191;
7 thence N. 70 degrees 00 feet E., 1,390.00 feet, on line 5-1, Mill
8 Site, identical to a portion of line 3-2, Beach No. 1, to Corner
9 No. 1, the point of beginning.

10 (C) That portion of Beach No. 1, Mineral Survey (M.S.)
11 No. 2191, described as follows: beginning at Corner No. 2, Beach
12 No. 1, identical with Corner No. 3, Beach No. 4, M.S. 2191, on
13 line 4-1 of ISH NIC, M.S. 2191, thence S. 70 degrees 00 feet W.,
14 1,500.00 feet on line 2-3, Beach No. 1, identical to a portion of
15 line 1-5, Mill Site, M.S. 2191, to Corner No. 3, Beach No. 1,
16 identical to Corner No. 5, Mill Site; thence N. 12 degrees 43
17 feet E., 460.00 feet, along the mean-high tide line of Funter Bay
18 to Corner No. 4, Beach No. 1; thence N. 47 degrees 23 feet E.,
19 157.50 feet, along the mean-high tide line of Funter Bay, to
20 Corner No. 5, Beach No. 1; thence N. 14 degrees 02 feet E.,
21 183.33 feet, along the mean-high tide line of Funter Bay, to
22 Corner No. 6, Beach No. 1, identical to Corner No. 4, Beach No.
23 2, M.S. 2191; thence N. 70 degrees 00 feet E., 874.74 feet, on
24 line 6-1, Beach No. 1, identical to a portion of line 4-3 of
25 Beach No. 2, to the intersection of line 4-1, Beach No. 4, M.S.
26 2191; thence S. 46 degrees 00 feet W., 126.34 feet, along a
27 portion of line 4-1 of Beach No. 4, to Corner No. 4, Beach No. 4;
28 thence S. 44 degrees 00 feet E., 600.00 feet, on line 4-3, Beach
29 No. 4, to Corner No. 3, Beach No. 4, identical to Corner No. 2,

1 Beach No. 1, the point of beginning.

2 (D) That portion of Beach No. 2, Mineral Survey (M.S.)
3 No. 2191, described as follows: beginning at the true point for
4 Corner No. 1, Beach No. 2, thence N. 70 degrees 00 feet E.,
5 1,197.45 feet, along a portion of line 1-2 of Beach No. 2, to the
6 intersection of line 1-4 of Beach No. 6, M.S. 2191; thence S. 44
7 degrees 00 feet E., 223.40 feet, along a portion of line 1-4 of
8 Beach No. 6, to Corner No. 4, Beach No. 6, identical with Corner
9 No. 1, Beach No. 5, M.S. 2191; thence S. 46 degrees 00 feet W.,
10 973.13 feet, along a portion of line 1-4 of Beach No. 4, to the
11 intersection of line 3-4 of Beach No. 2; thence S. 70 degrees 00
12 feet W., 874.74 feet, along a portion of line 3-4 of Beach No. 2,
13 to Corner No. 4, Beach No. 2, identical with Corner No. 6, Beach
14 No. 1; thence N. 14 degrees 03 feet E., 478.00 feet, along the
15 mean-high tide line of Funter Bay, to Corner No. 5, Beach No. 2;
16 thence N. 25 degrees 33 feet E., 291.00 feet, along the mean-high
17 tide line of Funter Bay, to Corner No. 1, Beach No. 2, the point
18 of beginning.

19 (E) That portion of Beach No. 3, Mineral Survey (M.S.)
20 No. 2191, described as follows: beginning at Corner No. 1, Beach
21 No. 3, thence N. 70 degrees 00 feet E., 637.07 feet, along a
22 portion of line 1-2, to the intersection of line 1-4, Beach No.
23 7, M.S. 2191; thence S. 44 degrees 00 feet E., 279.27 feet, along
24 a portion of line 1-4 of Beach No. 7, to Corner No. 4, Beach No.
25 7, identical to Corner No. 1, Beach No. 6, M.S. 2191, thence
26 continue S. 44 degrees 00 feet E., 376.60 feet, along a portion
27 of line 1-4 of Beach No. 6, to the intersection of line 3-4,
28 Beach No. 3; thence S. 70 degrees 00 feet W., 1,139.45 feet,
29 along a portion of line 3-4 of Beach No. 3, to Corner No. 4,

1 Beach No. 3; thence N. 1 degree 30 feet E., 644.00 feet, along
2 the mean-high tide line of Funter Bay, on line 4-1, to Corner No.
3 1, Beach No. 3, to point of beginning. Containing 12.22 acres.
4 Section 2: W1/2
5 Section 3: S1/2SW1/4, NW1/4SW1/4
6 Section 4: S1/2NE1/4, E1/2SE1/4
7 Section 10: N1/2N1/2, S1/2NE1/4
8 Section 11: NW1/4, NW1/4NE1/4, including all tide and
9 submerged land
10 (15) Pt. Higgins Beach
11 Township 74 South, Range 89 East, Copper River Meridian
12 U.S. Survey 3762 and adjacent tideland
13 (16) Joe Mace Island
14 Township 64 South, Range 75 East, Copper River Meridian
15 Lot 4, U.S. Survey 3854 and adjacent tideland
16 (17) Thoms Place
17 Township 65 South, Range 86 East, Copper River Meridian
18 Section 32: S1/2
19 Township 66 South, Range 86 East, Copper River Meridian
20 Section 4: SW1/4, S1/2NW1/4, NW1/4NW1/4, S1/2SE1/4,
21 NW1/4SE1/4
22 Section 5: All except for land within ASLS
23 81-234
24 Section 8: NE1/4
25 Section 9: N1/2, SE1/4
26 (18) Thoms Lake
27 Township 65 South, Range 85 East, Copper River Meridian
28 Section 9: S1/2SE1/4
29 Section 10: S1/2S1/2

1 Section 11: SW1/4SW1/4
 2 Section 14: S1/2, S1/2NW1/4, NW1/4NW1/4, SW1/4NE1/4
 3 Section 15: All
 4 Section 16: E1/2
 5 Section 21: NE1/4
 6 Section 22: N1/2
 7 Section 23: N1/2
 8 (19) Beecher Pass
 9 Township 61 South, Range 79 East, Copper River Meridian
 10 Section 1: NE1/4SW1/4, Lots 5 - 8
 11 Section 10: Lots 1 - 2, including all adjacent
 12 tideland
 13 Section 11: Lots 1 - 11, including all adjacent
 14 tideland
 15 Section 12: Lots 3 - 11, including all adjacent
 16 tideland
 17 Section 14: Lot 2, including all adjacent tideland
 18 Section 15: Lot 2, including all adjacent tideland
 19 Township 61 South, Range 80 East, Copper River Meridian
 20 Section 6: Lot 11, including all adjacent tideland
 21 Section 7, Lots 1 - 2, including all adjacent tideland
 22 (20) Dall Bay
 23 Township 77 South, Range 91 East, Copper River Meridian
 24 Section 29: W1/2SW1/4, SW1/4NW1/4
 25 Section 30: SE1/4, E1/2SW1/4
 26 Section 31: NE1/4, N1/2SE1/4, NE1/4SW1/4, E1/2NW1/4
 27 subject to USS 3525 and A.T.S. 155
 28 Section 32: NW1/4, N1/2SW1/4
 29 (21) Security Bay

1 Township 58 South, Range 70 East, Copper River Meridian
2 Section 1: SW1/4SW1/4
3 Section 2: S1/2
4 Section 11: N1/2, SE1/4, E1/2SW1/4
5 Section 12: W1/2W1/2, E1/2SW1/4 subject to Forest
6 Service Preference 103521
7 Section 13: All subject to Historic Place Application
8 AA-6569, Parcel A
9 Section 14: NE1/4

10 (22) Petersburg Creek

11 Township 58 South, Range 79 East, Copper River Meridian
12 Section 18: S1/2 subject to valid existing rights to
13 lot 5
14 Section 19: N1/2, SE1/4
15 Section 20: All
16 Section 29: N1/2, SW1/4, W1/2SW1/4 excluding Block 3
17 Section 32: N1/2, N1/2S1/2 excluding Lots 5 - 8 and
18 U.S. Survey 2867

19 * Sec. 3. AS 41.21.306(d) is amended to read:

20 (d) Reasonable access shall be permitted to and across a marine
21 park unit of the Alaska state park system for lawful [HUNTING, FISH-
22 ING, TRAPPING AND RECREATIONAL] purposes.

23 * Sec. 4. This Act takes effect August 1, 1985.