

Original sponsor: Zharoff

1 IN THE SENATE BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 475 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Tugidak Island Critical
7 Habitat Area; and providing for an effective date."

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

9 * Section 1. PURPOSE. The Tugidak Island Critical Habitat Area is
10 established to ensure the protection and enhancement of fish and wildlife
11 habitat and populations, especially marine mammals, birds, fish and shell-
12 fish; the continuation of fish and wildlife harvest; and public use and
13 enjoyment of the area in a high quality environment.

14 * Sec. 2. AS 16.20 is amended by adding a new section to read:

15 Sec. 16.20.610. TUGIDAK ISLAND CRITICAL HABITAT AREA. (a) The
16 state land above the mean high tide line within the following de-
17 scribed area is established as the Tugidak Island Critical Habitat
18 Area:

19 (1) Township 41 South, Ranges 33 - 34 West, Seward Meridian

20 (2) Township 42 South, Range 33 West, Seward Meridian

21 Sections 1 - 11

22 Sections 14 - 23

23 Sections 25 - 36

24 (3) Township 42 South, Ranges 34 - 35 West, Seward Meridian

25 (4) Township 43 South, Ranges 34 - 35 West, Seward Meridian

26 (b) In addition to the area described in (a) of this section,
27 the water and the land below the mean high tide line in the lagoon at
28 the northeast end of Tugidak Island are included within the Tugidak
29 Island Critical Habitat Area.

1 (c) The Tugidak Island Critical Habitat Area described in (a)
2 and (b) of this section shall be managed under a management plan
3 prepared by the department.

4 (d) The department shall permit existing cabins to remain,
5 subsistence and recreational uses to continue, and commercial uses
6 such as seal hunting and placer mining to continue, if appropriate
7 under the management plan adopted under (c) of this section to the
8 extent that the activities are compatible with the establishment of
9 the Tugidak Island Critical Habitat Area.

10 (e) The department shall permit entry within the Tugidak Island
11 Critical Habitat Area for the exploration and development of oil and
12 gas resources when compatible with the purposes for which the critical
13 habitat area was established. An oil and gas lease of state land
14 within the Tugidak Island Critical Habitat Area is valid and continues
15 in full force according to its terms.

16 * Sec. 3. After completion of plans for the area including the Tugidak
17 Island Critical Habitat Area as enacted in sec. 2 of this Act, the commis-
18 sioners of natural resources and fish and game may recommend an adjustment
19 in the boundaries of the critical habitat area to the legislature.

20 * Sec. 4. This Act takes effect immediately under AS 01.10.070(c).