

Original sponsor: Zharoff

1 IN THE SENATE BY THE RESOURCES COMMITTEE

2 HOUSE CS FOR 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 within the following described area is established as the
17 Tugidak Island Critical Habitat Area:

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

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

20 Sections 1 - 11

21 Sections 14 - 23

22 Sections 25 - 36

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

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

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

29 (c) The Tugidak Island Critical Habitat Area described in (a)

1 and (b) of this section shall be managed under a management plan
2 prepared by the department.

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

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

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

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