

1 IN THE SENATE

BY FISCHER

2

SENATE BILL NO. 184

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act establishing the Redoubt Bay Critical Habitat

7

Area; and providing for an effective date."

8

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

9

* Section 1. PURPOSE. The Redoubt Bay Critical Habitat Area is estab-
lished to ensure the protection and enhancement of fish and wildlife habi-
tat and populations, especially Tule geese; the continuation of fish and
wildlife harvest; and public use and enjoyment of the area in a high qual-
ity environment.

14

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

15

Sec. 16.20.620. REDOUBT BAY CRITICAL HABITAT AREA. (a) The

16

state owned land and water contained in the following described par-
cels are designated as the Redoubt Bay Critical Habitat Area:

18

(1) Township 6 North, Range 16 West, Seward Meridian

19

Sections 1 - 12: North of the south bank of Drift

20

River

21

Sections 14 - 18: North of the south bank of Drift

22

River

23

Sections 20 - 22: North of the south bank of Drift

24

River

25

(2) Township 6 North, Range 17 West, Seward Meridian

26

Sections 1 - 6: North of the south bank of Drift River

27

Sections 10 - 12: North of the south bank of Drift

28

River

29

(3) Township 7 North, Range 14 West, Seward Meridian

1 Section 5: S1/2
 2 Sections 6 - 8
 3 Section 18
 4 (4) Township 7 North, Range 15 West, Seward Meridian
 5 Sections 1 - 21
 6 Sections 29 - 31
 7 (5) Township 7 North, Range 16 West, Seward Meridian
 8 (6) Township 7 North, Range 17 West, Seward Meridian
 9 Sections 1 - 4
 10 Section 8: E1/2
 11 Sections 9 - 17
 12 Sections 19 - 27
 13 Section 30
 14 Sections 34 - 36
 15 (7) Township 8 North, Range 15 West, Seward Meridian
 16 Section 1: S1/2
 17 Section 2: S1/2
 18 Section 3: W1/2
 19 Sections 4 - 11
 20 Section 12: N1/2
 21 Sections 13 - 36
 22 (8) Township 8 North, Range 16 West, Seward Meridian
 23 (9) Township 8 North, Range 17 West, Seward Meridian
 24 Sections 1 - 17
 25 Sections 20 - 29
 26 Sections 32 - 36
 27 (10) Township 8 North, Range 18 West, Seward Meridian
 28 Sections 1 - 12
 29 (11) Township 9 North, Range 15 West, Seward Meridian

1 Sections 29 - 30

2 (12) Township 9 North, Range 16 West, Seward Meridian

3 Sections 19 - 36

4 (13) Township 9 North, Range 17 West, Seward Meridian

5 Sections 21 - 36

6 (b) Notwithstanding AS 16.20.500 and the establishment of the
7 Redoubt Bay Critical Habitat Area under (a) of this section, egress
8 and ingress to and from private property within the Redoubt Bay Crit-
9 ical Habitat Area shall be permitted through access corridors estab-
10 lished through agreement between the state and the private property
11 owners involved.

12 (c) The state may not acquire by eminent domain privately owned
13 land within the Redoubt Bay Critical Habitat Area but may acquire
14 privately owned land within the Redoubt Bay Critical Habitat Area by
15 purchase, exchange, or otherwise for inclusion in the Redoubt Bay
16 Critical Habitat Area.

17 (d) The department shall permit entry within the Redoubt Bay
18 Critical Habitat Area for the exploration and development of oil and
19 gas resources when it is compatible with the purposes for which the
20 critical habitat area is established. An oil and gas lease of state
21 land within the critical habitat area is valid and continues in full
22 force according to its terms.

23 (e) The department shall permit uses of the Redoubt Bay Critical
24 Habitat Area in a manner that is compatible with the purposes for
25 which the critical habitat area is established. The department shall
26 permit the following public uses to continue without further approval
27 by the department unless the department determines that the use is not
28 compatible with the purposes for which the Redoubt Bay Critical Habi-
29 tat Area is established:

1 (1) hunting, trapping, and commercial and sport fishing,
2 including the continued use of cabins for the purpose of hunting,
3 trapping, and fishing;

4 (2) hiking, backpacking, and camping, including the use of
5 campfires;

6 (3) cross-country skiing, snowmachining, boating, and the
7 landing of aircraft; and

8 (4) other related uses that are temporary in duration and
9 have no foreseeable adverse effects on vegetation, drainage, soil
10 stability, or fish and game and their habitat.

11 (f) The Kenai Peninsula Borough shall establish a citizens'
12 advisory committee to work with the department and the Department of
13 Natural Resources and advise on the development of policies and regu-
14 lations that affect the Redoubt Bay Critical Habitat Area.

15 (g) Appointments to the citizens' advisory committee shall be
16 made by the Kenai Peninsula Borough and shall include representatives
17 from

18 (1) industry and commercial users including the oil and gas
19 industry, timber, mining, and commercial fishing;

20 (2) hunters, trappers, fishermen, cabin owners, and recrea-
21 tional users; and

22 (3) officials representing the Kenai Peninsula Borough.

23 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).