

Offered: 4/17/89  
Referred: Finance

6-0644E

Original sponsors: Fischer, Sturgulewski,  
Rodey, and Kerttula

1 IN THE SENATE BY THE RESOURCES COMMITTEE  
2 CS FOR SENATE BILL NO. 184 (Resources)  
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-  
10 lished to ensure the protection and enhancement of fish and wildlife habi-  
11 tat and populations, especially Tule geese; the continuation of fish and  
12 wildlife harvest; and public use and enjoyment of the area in a high qual-  
13 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-  
17 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

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Sections 29 - 30

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

Sections 19 - 36

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

Sections 21 - 36

(b) Notwithstanding AS 16.20.500 and the establishment of the Redoubt Bay Critical Habitat Area under (a) of this section, egress and ingress to and from private property within the Redoubt Bay Critical Habitat Area shall be permitted through access corridors established through agreement between the state and the private property owners involved.

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

(d) The department shall permit entry within the Redoubt Bay Critical Habitat Area for the exploration and development of oil and gas resources when it is compatible with the purposes for which the critical habitat area is established. An oil and gas lease of state land and existing oil and gas pipeline rights-of-way within the critical habitat area are valid and continue in full force according to their terms. The commissioner shall permit inspection and maintenance activities necessary to ensure the integrity of oil and gas pipelines on existing leases and pipeline rights-of-way in a manner that is compatible with the purposes for which the Redoubt Bay Critical Habitat Area was established.

(e) The department shall permit uses of the Redoubt Bay Critical Habitat Area in a manner that is compatible with the purposes for

1 which the critical habitat area is established. The department shall  
2 permit the following public uses to continue without further approval  
3 by the department unless the department determines that the use is not  
4 compatible with the purposes for which the Redoubt Bay Critical Habi-  
5 tat Area is established:

6 (1) hunting, trapping, and commercial and sport fishing,  
7 including the continued use of cabins for the purpose of hunting,  
8 trapping, and fishing;

9 (2) hiking, backpacking, and camping, including the use of  
10 campfires;

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

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

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

20 (g) Appointments to the citizens' advisory committee shall be  
21 made by the Kenai Peninsula Borough and shall include representatives  
22 from

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

25 (2) hunters, trappers, fishermen, cabin owners, and recrea-  
26 tional users; and

27 (3) officials representing the Kenai Peninsula Borough.

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