

Offered: 5/5/89
Referred: Rules

6-0644J

Original sponsors: Fischer, Sturgulewski,
Rodey, et al.

1 IN THE SENATE BY THE RESOURCES COMMITTEE
2 HOUSE CS FOR 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 above mean lower low water contained in the
17 following described parcels are designated as the Redoubt Bay Critical
18 Habitat Area:
19 (1) Township 6 North, Range 16 West, Seward Meridian
20 Sections 1 - 12: North of the south bank of Drift
21 River
22 Sections 14 - 18: North of the south bank of Drift
23 River
24 Sections 20 - 22: North of the south bank of Drift
25 River
26 (2) Township 6 North, Range 17 West, Seward Meridian
27 Sections 1 - 6: North of the south bank of Drift River
28 Sections 10 - 12: North of the south bank of Drift
29 River

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

1 (11) Township 9 North, Range 15 West, Seward Meridian
2 Sections 29 - 30

3 (12) Township 9 North, Range 16 West, Seward Meridian
4 Sections 19 - 36

5 (13) Township 9 North, Range 17 West, Seward Meridian
6 Sections 21 - 36

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

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

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

29 (e) The department shall permit uses of the Redoubt Bay Critical

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

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

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

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

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

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

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

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

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

28 (3) officials representing the Kenai Peninsula Borough.

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