

HOUSE BILL NO. 277
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES IVAN, Jacko

Introduced: 4/17/91

Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act establishing the Goodnews Bay Submerged Land Area; closing the area to mining,
2 mineral entry, mineral location, and mineral leasing; and providing for an effective date."

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

4 * Section 1. FINDINGS. The legislature finds that Goodnews Bay is of extreme importance to the
5 culture, communities, and residents of the area. Since the area was first inhabited, Goodnews Bay has
6 been and remains a source of fish, including salmon and herring, wildlife, and marine life important for
7 local cash and subsistence economies. That heritage, and current use, could be endangered by mining,
8 mineral entry or location, or mineral leasing of the submerged land of the bay. A reduction in the
9 fishery resource because of mining, mineral entry or location, or mineral leasing activity would be
10 extremely harmful to the cultural heritage of the communities and residents of the area. The legislature
11 further finds that closing the Goodnews Bay Submerged Land Area to mining, mineral entry or location,
12 and mineral leasing represents the maximum use of the area consistent with the public interest.

13 * Sec. 2. AS 41 is amended by adding a new chapter to read:

14 **CHAPTER 24. LIMITED USE AREAS.**

1 Sec. 41.24.010. PURPOSE OF CHAPTER. The purpose of this chapter is

2 (1) to establish the Goodnews Bay Submerged Land Area as a limited use area
3 to be managed by the department as provided in AS 41.24.020;

4 (2) to protect and perpetuate the fisheries resources and habitat in the area; and

5 (3) to close the area to mining, mineral entry, and to leasing as mineral land.

6 Sec. 41.24.020. GOODNEWS BAY SUBMERGED LAND AREA ESTABLISHED. (a)

7 The state tideland, submerged land, and water lying within the area described in this subsection
8 is designated as the Goodnews Bay Submerged Land Area:

9 (1) seaward of the mean higher high tide line, starting at the point where the
10 section line separating Section 32, Township 13 South, Range 75 West, Seward Meridian, from
11 Section 4, Township 14 South, Range 75 West, Seward Meridian, intersects with the mean higher
12 high tide line, thence northerly along the higher high tide line of Kuskokwim Bay, continuing
13 along the higher high tide line of Goodnews Bay, continuing northerly along the higher high tide
14 line of Kuskokwim Bay to the point where the higher high tide line intersects with the section
15 line separating Section 36, Township 11 South, Range 75 West, Seward Meridian, from Section
16 1, Township 12 South, Range 75 West, Seward Meridian, thence westerly along the section line
17 to the point where the line separating the state territorial waters from the contiguous zone
18 intersects with the section line, thence southerly along the line separating the state territorial
19 waters from the contiguous zone to the point where the section line separating Section 32,
20 Township 13 South, Range 75 West, Seward Meridian, from Section 4, Township 14 South,
21 Range 75 West, Seward Meridian, intersects the line separating the state territorial waters from
22 the contiguous zone, thence easterly along the section line to the starting point;

23 (2) seaward of the mean higher high tide line, starting at the point where the
24 northern boundary line of Section 4, Township 14 South, Range 75 West, Seward Meridian,
25 intersects with the mean higher high tide line, thence southerly along the higher high tide line
26 of Kuskokwim Bay to the point where the higher high tide line intersects with the southern
27 boundary line of Section 15, Township 15 South, Range 75 West, Seward Meridian, thence
28 westerly along the section line to a point 2,640 feet seaward from the higher high tide line,
29 thence northerly along a line 2,640 feet seaward of the higher high tide line to a point where this
30 line intersects the westward extension of the northern boundary of Section 4, Township 14 South,
31 Range 75 West, Seward Meridian, thence easterly to the starting point.

1 (b) The land and water described in (a) of this section is designated as a special purpose
2 area under art. VIII, sec. 7, Constitution of the State of Alaska.

3 (c) The land and water described in (a) of this section is closed to

4 (1) mining, mineral location, mineral entry, and mineral leasing under
5 AS 38.05.185 - 38.05.275;

6 (2) exploration, development, and extraction of minerals under AS 38.05.135 -
7 38.05.184.

8 (d) The department may not manage the Goodnews Bay Submerged Land Area as a unit
9 of the state park system.

10 (e) The department shall manage the Goodnews Bay Submerged Land Area as it does
11 other state land and water except as provided in (c) of this section and shall permit other uses
12 as provided by law.

13 * Sec. 3. ACQUISITION OF EXISTING MINING LEASES OR RIGHTS. The Department of
14 Natural Resources shall acquire all valid state mining or mineral leases or rights found to exist in the
15 Goodnews Bay Submerged Land Area.

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