

HOUSE BILL NO. 585

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Introduced: 4/16/92

Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act establishing Mt. Eyak State Park."**

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

3 *** Section 1. AS 41.21 is amended by adding new sections to read:**

4 Sec. 41.21.190. **PURPOSE OF AS 41.21.190 - 41.21.194. (a) The purpose of**
5 **AS 41.21.190 - 41.21.194 is to establish, subject to valid existing rights, the state-owned or**
6 **acquired land and water described in AS 41.21.191 as Mt. Eyak State Park and to authorize**
7 **future expansion of the park. The primary purposes of establishing Mt. Eyak State Park are to**
8 **protect the area's recreational, scenic, watershed, and fish and wildlife habitat resources and to**
9 **support and promote tourism in the state.**

10 **(b) The state-owned land and water described in AS 41.21.191 and land or water added**
11 **to Mt. Eyak State Park under AS 41.21.193 are dedicated as a special purpose site under**
12 **art. VIII, sec. 7, of the Constitution of the State of Alaska.**

13 **Sec. 41.21.191. MT. EYAK STATE PARK ESTABLISHED. The land and water lying**
14 **within subunit 27A, City of Cordova, excluding lands subject to ADL Lease 57396, owned by**

1 the state on the effective date of this Act, are designated as Mt. Eyak State Park and reserved
2 from all uses incompatible with their primary function as a park area except for lawful uses
3 existing within the Mt. Eyak State Park boundaries on the effective date of this Act.

4 Sec. 41.21.192. DESIGNATION OF MANAGEMENT RESPONSIBILITY. (a) The
5 state-owned land and water described in AS 41.21.191 is assigned to the department for control,
6 maintenance, and development consistent with the purposes AS 41.21.190 - 41.21.193.

7 (b) The Department of Fish and Game is responsible for management of fish and game
8 resources in Mt. Eyak State Park, consistent with the sustained yield principle and the purposes
9 and provisions of this chapter. The Board of Fisheries, the Board of Game, and the
10 commissioner of fish and game are responsible for adopting regulations governing uses of fish
11 and game under AS 16. The fish and game habitat and breeding areas shall be managed to
12 ensure that the fish and game resources of the park continue on a sustained yield basis.

13 (c) The department shall consult with the Department of Fish and Game before adopting
14 regulations governing public use of Mt. Eyak State Park.

15 (d) The Department of Fish and Game shall consult with the department before adoption
16 of regulations governing fish and game management in Mt. Eyak State Park.

17 (e) The department and the City of Cordova may enter into an agreement with the
18 department under which the City of Cordova assumes responsibility to maintain, operate, and
19 finance Mt. Eyak State Park, subject to responsibility of the department to provide technical
20 guidance to the City of Cordova and retention by the department of authority to issue land use
21 authorizations.

22 Sec. 41.21.193. ADDITIONS AUTHORIZED. Land and water within Township 15S,
23 Range 3W, Copper River Meridian acquired by the state after the effective date of this section
24 may be added to Mt. Eyak State Park if the commissioner determines that the land or water
25 would be more appropriately managed as part of the park. The state may not acquire by eminent
26 domain privately owned land for inclusion in Mt. Eyak State Park.

27 Sec. 41.21.194. INCOMPATIBLE USES. (a) The commissioner of natural resources
28 may designate by regulation incompatible uses within Mt. Eyak State Park.

29 (b) Expansion of ski runs, lifts, and related facilities from the ski area operated under
30 ADL 57396 by the City of Cordova is a compatible use of Mt. Eyak State Park. Expansion of
31 the ski area shall be done in a manner compatible with the purposes of Mt. Eyak State Park.

- 1 (c) Construction, operation, and maintenance of Power Creek Road and utilities near the
- 2 road is compatible with the purposes of Mt. Eyak State Park.
- 3 (d) Telecommunication facilities are compatible with the purposes of Mt. Eyak State Park
- 4 if properly located and designed as determined by the department.