

HOUSE BILL NO. 176

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE OLBERG

Introduced: 2/24/93

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

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

14           Sec. 41.21.191. MT. EYAK STATE PARK ESTABLISHED. The presently

1 state-owned land and water and all that is acquired in the future by the state within the  
2 following described areas are established as Mt. Eyak State Park and reserved from all  
3 uses incompatible with their primary function as a park area except for lawful uses  
4 existing within the park area on the effective date of this Act:

5 Township 15 South, Range 3 West, Copper River Meridian

6 Section 10: SE1/4SE1/4 southeast of ASLS 79-263

7 Section 11: SW1/2SE1/4 southeast of ASLS 79-264, NE1/4SW1/4

8 south of a line from Corner 3 of ASLS 79-264 to the C4 corner  
9 position excluding ASLS 79-264

10 Section 14: NW1/4NE1/4, S1/2NE1/4, SE1/4, and W1/2 excluding  
11 USMS 1061

12 Section 15: NE1/4 southeast of ASLS 79-262 and 79-263 excluding  
13 Orca extensions No. 3 and 4; Copper Queen extension No. 3;  
14 Jarvis extension of USMS 1061, SE1/4 excluding Armstrong  
15 extension; Jarvis extension, Orca extensions No. 2 and 3;  
16 Copper Queen extensions No. 2 and 3 of USMS 1061; USMS  
17 1061 Burton extension, Keystone Mine within W1/2 excluding  
18 ASLS 79-258 (unapproved)

19 Section 21: Portion of USS 1765 lying within SE1/4 excluding ASLS  
20 79-266

21 Section 22: USS 5103 USMS 1061 excluding ASLS 79-261, USS 1765  
22 excluding ADL lease 57396

23 Section 23: USS 1765, USS 5103 excluding ASLS 79-259

24 Section 24: USS 5103 excluding ASLS 73-35, unnamed island located  
25 in W1/2W1/2

26 Section 27: USS 1765 north of USS 2974 excluding ADL lease 57396.

27 Sec. 41.21.192. DESIGNATION OF MANAGEMENT RESPONSIBILITY.

28 (a) The state-owned land and water described in AS 41.21.191 is assigned to the  
29 department for control, maintenance, and development consistent with the purposes of  
30 AS 41.21.190 - 41.21.193.

31 (b) The Department of Fish and Game is responsible for management of fish

1 and game resources in Mt. Eyak State Park, consistent with the sustained yield  
2 principle and the purposes and provisions of this chapter. The Board of Fisheries, the  
3 Board of Game, and the commissioner of fish and game are responsible for adopting  
4 regulations governing uses of fish and game under AS 16. The fish and game habitat  
5 and breeding areas shall be managed to ensure that the fish and game resources of the  
6 park continue on a sustained yield basis.

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

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

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

16 Sec. 41.21.193. ADDITIONS AUTHORIZED. (a) Land and water within the  
17 following described parcels may be added to Mt. Eyak State Park if the commissioner  
18 determines that the land or water would be more appropriately managed as part of the  
19 park:

20 Township 15 South, Range 3 West, Copper River Meridian

21 Section 11: N1/2SE1/4, SE1/4SE1/4

22 Section 12: lands lying west and upland of Eyak Lake in S1/2

23 Section 13: lands lying west and upland of Eyak Lake, Kritchlin Island  
24 located in SE1/4.

25 (b) The state may not acquire by eminent domain privately-owned land for  
26 inclusion in Mt. Eyak State Park.

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

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

1           **Expansion of the ski area shall be done in a manner compatible with the purposes of**  
2           **Mt. Eyak State Park.**

3                   **(c) Construction, operation, and maintenance of Power Creek Road and utilities**  
4           **near the road is compatible with the purposes of Mt. Eyak State Park.**

5                   **(d) Telecommunication facilities are compatible with the purposes of Mt. Eyak**  
6           **State Park if properly located and designed as determined by the department.**

7                   **(e) Tourist-related facilities are compatible with the purposes of Mt. Eyak State**  
8           **Park.**

9           **\* Sec. 2. The commissioner of natural resources shall notify the revisor of statutes within**  
10          **30 days after an area is added to Mt. Eyak State Park under AS 41.21.193.**