

HB

130

<TARGET><BILL>HB 130</BILL><SUBJECT>HB
130</SUBJECT><COMM>SRES30</COMM></TARGET>

STATE CAPITOL
P.O. Box 110001
Juneau, AK 99811-0001
907-465-3500
fax: 907-465-3532



Governor Bill Walker
STATE OF ALASKA

550 West Seventh Avenue, Suite 1700
Anchorage, AK 99501
907-269-7450
fax 907-269-7461
www.Gov.Alaska.Gov
Governor@Alaska.Gov

February 14, 2017

The Honorable Bryce Edgmon
Speaker of the House
Alaska State Legislature
State Capitol, Room 208
Juneau, AK 99801-1182

Dear Speaker Edgmon:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to certain State game refuges and critical habitat areas (collectively called special areas), namely Izembek State Game Refuge, Cape Newenham State Game Refuge, Palmer Hay Flats State Game Refuge, Port Moller Critical Habitat Area, Egegik Critical Habitat Area, Pilot Point Critical Habitat Area, Fox River Flats Critical Habitat Area, Kachemak Bay Critical Habitat Area, and Dude Creek Critical Habitat Area.

The bill would correct technical errors or minor omissions in the legal boundary descriptions of eight legislatively-designated special areas and would incorporate parcels of land adjacent into another critical habitat area. Egegik, Pilot Point, and Port Moller Critical Habitat Areas have either typographical errors in the original legal descriptions from the 1970s, or were described from a map with a typographical error. The bill would shift the boundaries to correct these errors with no net change in acreage. Izembek State Game Refuge, Cape Newenham State Game Refuge, and Fox River Flats Critical Habitat Area have small tideland areas within their larger boundaries that were likely excluded from the original legal description due to the mapping of shorelines at the time the areas were created. The bill would incorporate omitted areas by adding 778 acres to the Izembek State Game Refuge, 415 acres to the Cape Newenham State Game Refuge, and 285 acres to the Fox River Flats Critical Habitat Area. Palmer Hay Flats State Game Refuge has small portions of abandoned and current stream channels that were initially excluded from the refuge due to platted descriptions of streambanks. By adding these lands, the bill would add 398 acres to the Refuge. Kachemak Bay Critical Habitat Area has a small portion of tidelands that appears to have been inadvertently excluded from the statutory description. The bill would incorporate 230 acres of tidelands into the critical habitat area.

Through the aforementioned amendments, the bill would:

- (1) correct errors and properly describe areas intended for habitat protection;
- (2) eliminate the confusing patchwork of land status within these refuges and critical habitat areas;

- (3) create contiguous, inclusive boundaries that better reflect the original legislative intent of the designations;
- (4) remove lands inadvertently included in critical habitat areas that were not appropriate for habitat protections, and eliminate permitting requirements for such lands; and
- (5) clarify management and enforcement of the applicable statutes and regulations governing the subject special areas.

In addition, the bill would add several tracts of wetlands, consisting of approximately 1,439 acres, to the Dude Creek Critical Habitat Area. These tracts of lands are located adjacent to the current boundaries of the Dude Creek Critical Habitat Area and were acquired by The Nature Conservancy in 2004 from the Alaska Mental Health Trust Authority through the U.S. Fish and Wildlife Service's National Coastal Wetland Conservation Grant Program and then donated to the State of Alaska specifically for the purpose of becoming part of the Critical Habitat Area. After acquiring title for these parcels in 2004, the Alaska Department of Natural Resources issued full management authority to the Alaska Department of Fish and Game (ADF&G) to manage the lands consistent with the conservation purposes for which the State acquired the property and with the policies of the Dude Creek Critical Habitat Area. The bill would give ADF&G the authority to effectively regulate these parcels and would be the final step in this cooperative process between State, local, and federal agencies.

I urge your prompt and favorable action on this measure.

Sincerely,



Bill Walker
Governor

Enclosure

SENATE COMMITTEE REPORT

DATE: 5/3/17

FURTHER: Rules

DATE TURNED
IN TO OFFICE: 4/23/18

Resources Committee considered HOUSE BILL NO. 130

HB 130-GAME REFUGE/CRIT HABITAT AREA BOUNDARIES

"An Act relating to the Izembek State Game Refuge, Cape Newenham State Game Refuge, Palmer Hay Flats State Game Refuge, Port Moller Critical Habitat Area, Egegik Critical Habitat Area, Pilot Point Critical Habitat Area, Fox River Flats Critical Habitat Area, Kachemak Bay Critical Habitat Area, and Dude Creek Critical Habitat Area; and providing for an effective date."

and recommends:

be replaced with SCS HB 130 (RES) Same Title Technical Title Change
 New Title/SCR No. _____

adopt previous SCS _____ (_____) Same Title Technical Title Change
 New Title/SCR No. _____

attached amendment(s)

adopt _____ Letter of Intent

further referral to _____ Committee

Dept Abbr.	
ADM	LWF
CED	LAW
COR	LEG
EED	MVA
DEC	DNR
DFG	DPS
GOV	REV
DHS	DOT
AJS	UA

NEW FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #
Fiscal Info Forthcoming				

PREVIOUS FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	Do PASS	Do NOT PASS	NO REC	AMEND
	Witkechanski				<input checked="" type="checkbox"/>
	Coshill	<input checked="" type="checkbox"/>			
	Von Imbold	<input checked="" type="checkbox"/>			
	Meyer			<input checked="" type="checkbox"/>	
	Glessel	<input checked="" type="checkbox"/>			



Sectional Analysis, HB 130 Version A
Game Refuge/Critical Habitat Area Boundaries
January 11, 2018

- Sec. 1** This section amends AS 16.20.030(a)(14) and (15) to include the all the tidelands in Izembek Lagoon in the legal description of Izembek SGR, and all the tidelands in Chagvan to Cape Newenham SGR by adding a series of sections to the lists in the Public Land Survey System descriptions. AS 16.20.030(a)(14)(M) would be edited by replacing one phrase with an equivalent description consistent with the bill's formatting.
- Sec. 2** This section amends AS 16.20.032(a)(3) by adding portions of the bed of Palmer Slough and the historic Matanuska River bed to the legal description of the boundary of the Palmer Hay Flats State Game Refuge, by eliminating parcel-based descriptions in the relevant parts and/or including all state lands, including tide and submerged lands.
- Sec. 3** This section amends AS 16.20.550 by correcting the Range numbers for the northern portion of the Port Moller CHA boundary description. (e.g., Range 74 replaces Range 75)
- Sec. 4** This section amends AS 16.20.565(1) by replacing "S" with "N" to include the correct half section in the Egegik CHA legal boundary description.
- Sec. 5** This section amends AS 16.20.570(8) by replacing "32" with "31" to correctly designate a Township in the legal boundary description of the Pilot Point CHA.
- Sec. 6** This section amends AS 16.20.580 to include all the tide and submerged lands at the head of Kachemak Bay in the Fox River Flats CHA.
- Sec. 7** This section amends AS 16.20.590 by adding an additional township to the list of townships which would then include the all tide and submerged lands and waters of Kachemak Bay (except the Homer Harbor) in the legal boundary description of the Kachemak Bay CHA.
- Sec. 8** This section amends AS 16.20.610 by adding two additional tracts of lands, and the adjacent streambed of Dude Creek, to the legal boundary description of the Dude Creek CHA.

Sec. 9 This section amends AS 16.20.610 by adding a new subsection that would protect access to school trust and private lands through the acquired tracts, if necessary, through agreement between ADF&G, ADNR, and private property owners.

Sec. 10-11 These sections amend current uncodified law by incorporating the amendments to AS16.20.030(a)(14) and (15) in Sec. 1 of the bill into the conditional amendments to the legal description of the Izembek SGR boundary described in ch. 119, SLA 2010, in the 2010 Temporary and Special Acts. These sections have no other impact on the 2010 session law regarding the potential land exchange between the state and the U.S Department of the Interior.

30-GH1871J
Radford/Bullard
4/5/18

SENATE CS FOR HOUSE BILL NO. 130()
IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTIETH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL
FOR AN ACT ENTITLED

1 **"An Act relating to the purposes of state game refuges and fish and game critical habitat**
2 **areas; relating to the Izembek State Game Refuge, Cape Newenham State Game Refuge,**
3 **Anchorage Coastal Wildlife Refuge, Palmer Hay Flats State Game Refuge, Yakataga**
4 **State Game Refuge, Mendenhall Wetlands State Game Refuge, Susitna Flats State**
5 **Game Refuge, Minto Flats State Game Refuge, Trading Bay State Game Refuge,**
6 **Creamer's Field Migratory Waterfowl Refuge, Port Moller Critical Habitat Area,**
7 **Egegik Critical Habitat Area, Pilot Point Critical Habitat Area, Fox River Flats Critical**
8 **Habitat Area, Kachemak Bay Critical Habitat Area, and Dude Creek Critical Habitat**
9 **Area; and providing for an effective date."**

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

11 *** Section 1.** AS 16.20.020 is amended to read:

12 **Sec. 16.20.020. Purpose.** The purpose of AS 16.20.010 - 16.20.080 is to

1 **conserve** [PROTECT] and preserve the natural habitat and game population in certain
2 designated areas of the state.

3 * **Sec. 2.** AS 16.20.030(a)(14) is amended to read:

4 (14) Izembek Refuge, including the tide and submerged land described
5 as follows:

6 (A) Township 58 South, Range 91 West, Seward Meridian

7 Sections 1 - 4

8 Sections 9 - 13 [9 - 12]

9 (B) Township 58 South, Range 90 West, Seward Meridian

10 Sections 1 - 12

11 Sections 16 - 17 [1 - 9

12 SECTION 16]

13 (C) Township 57 South, Range 91 West, Seward Meridian

14 Section 13

15 Sections 24 - 26

16 Sections 34 - 36 [35 - 36]

17 (D) Township 57 South, Range 90 West, Seward Meridian

18 Sections 1 - 36

19 (E) Township 57 South, Range 89 West, Seward Meridian

20 Sections 5 - 7

21 Sections 18 - 19

22 Section 30 [5 - 6]

23 (F) Township 56 South, Range 87 West, Seward Meridian

24 Sections 1 - 6

25 Sections 10 - 11

26 (G) Township 56 South, Range 88 West, Seward Meridian

27 Sections 1 - 23

28 Sections 27 - 33 [27 - 32]

29 (H) Township 55 South, Range 87 West, Seward Meridian

30 Sections 1 - 36

31 (I) Township 56 South, Range 89 West, Seward Meridian

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

Sections 1 - 36

(J) Township 55 South, Range 89 West, Seward Meridian

Sections 1 - 36

(K) Township 55 South, Range 88 West, Seward Meridian

Sections 1 - 36

(L) Township 55 South, Range 86 West, Seward Meridian

Sections 6 - 7

Sections 18 - 19

Sections 30 - 31

(M) Township 56 South, Range 90 West, Seward Meridian

Sections 1 - 36

(N) Township 54 South, Range 87 West, Seward Meridian

Sections 35 - 36

(O) Township 54 South, Range 86 West, Seward Meridian

Section 31 [(ENTIRE TOWNSHIP)];

* Sec. 3. AS 16.20.030(a)(14), as amended by sec. 2, ch. 119, SLA 2010, is amended to read:

(14) Izembek Refuge, including the tide and submerged land described

as follows:

(A) Township 58 South, Range 91 West, Seward Meridian

Sections 1 - 4

Sections **9 - 13** [9 - 12]

(B) Township 58 South, Range 90 West, Seward Meridian

Sections **1 - 12**

Sections 16 - 17 [1 - 9

SECTION 16]

(C) Township 57 South, Range 91 West, Seward Meridian

Section 13

Sections 24 - 26

Sections **34 - 36** [35 - 36]

(D) Township 57 South, Range 90 West, Seward Meridian

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

- Sections 1 - 36
- (E) Township 57 South, Range 89 West, Seward Meridian
 - Sections 5 - 7 [5 - 6]
 - Section 12, N1/2, N1/2N1/2S1/2
 - Sections 18 - 19**
 - Section 30**
- (F) Township 56 South, Range 87 West, Seward Meridian
 - Sections 1 - 6
 - Sections 10 - 11
 - Sections 26 - 35
- (G) Township 56 South, Range 88 West, Seward Meridian
 - Sections 1 - 23
 - Section 25
 - Sections 27 - 33 [27 - 32]
 - Section 36
- (H) Township 55 South, Range 87 West, Seward Meridian
 - Sections 1 - 36
- (I) Township 56 South, Range 89 West, Seward Meridian
 - Sections 1 - 36
- (J) Township 55 South, Range 89 West, Seward Meridian
 - Sections 1 - 36
- (K) Township 55 South, Range 88 West, Seward Meridian
 - Sections 1 - 36
- (L) Township 55 South, Range 86 West, Seward Meridian
 - Sections 6 - 7
 - Sections 18 - 19
 - Sections 30 - 31
- (M) Township 56 South, Range 90 West, Seward Meridian
 - Sections 1 - 36** [(ENTIRE TOWNSHIP)]
- (N) Township 57 South, Range 88 West, Seward Meridian
 - Sections 1 - 6

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

(H) Township 55 South, Range 87 West, Seward Meridian
Sections 1 - 36

(I) Township 56 South, Range 89 West, Seward Meridian
Sections 1 - 36

(J) Township 55 South, Range 89 West, Seward Meridian
Sections 1 - 36

(K) Township 55 South, Range 88 West, Seward Meridian
Sections 1 - 36

(L) Township 55 South, Range 86 West, Seward Meridian
Sections 6 - 7
Sections 18 - 19
Sections 30 - 31

(M) Township 56 South, Range 90 West, Seward Meridian
Sections 1 - 36

(N) Township 54 South, Range 87 West, Seward Meridian
Sections 35 - 36

(O) Township 54 South, Range 86 West, Seward Meridian
Section 31 [(ENTIRE TOWNSHIP)];

* **Sec. 5.** AS 16.20.030(a)(15) is amended to read:

(15) Cape Newenham National Wildlife Range, including tide and submerged land in Chagvan Bay described as follows:

(A) Township 16 South, Range 75 West, Seward Meridian
Sections 1 - 2 [SECTION 1]
Sections 11 - 15
Sections 22 - 27
Sections 34 - 36

(B) Township 16 South, Range 74 West, Seward Meridian
Sections 5 - 9 [7 - 9]
Sections 17 - 19
Section 30;

* **Sec. 6.** AS 16.20.031 is amended to read:

Sec. 16.20.031. Anchorage Coastal Wildlife Refuge and Hunting Preserve.

(a) The following described state-owned land and water is established as the Anchorage Coastal Wildlife Refuge and Hunting Preserve and shall be managed as a state game refuge for the protection of waterfowl, shorebirds, salmon, and other fish and wildlife species, and their habitat and for the use and enjoyment of the people of the state:

(1) Township 13 North, Range 4 West, Seward Meridian

Section 20: SE1/4 seaward of the 20 foot elevation contour

SE1/4NE1/4 seaward of the 20 foot elevation contour

Section 29: E1/2 seaward of the 20 foot elevation contour

SW1/4 seaward of the 20 foot elevation contour

Section 30: SE1/4SE1/4

Section 31: All seaward of the 20 foot elevation contour

except NW1/4NW1/4

Section 32: All seaward of the 20 foot elevation contour;

(2) Township 13 North, Range 5 West, Seward Meridian

Section 36: S1/2, S1/2N1/2;

(3) Township 12 North, Range 4 West, Seward Meridian

Sections 6 - 9: Seaward of the 20 foot elevation contour

Section 15: NW1/4 seaward of the 20 foot elevation contour

SW1/4NE1/4 seaward of the 20 foot elevation contour

Government Lot 5 and the remainder of the W1/2SE1/4, all

SW1/4

Section 16: Seaward of the 20 foot elevation contour

Sections 17 - 22

Section 23: Government Lot 1 and the remainder of the SW1/4,

all seaward of the 20 foot elevation contour

Government Lot 2 and the remainder of the S1/2NW1/4, all

seaward of the 20 foot elevation contour

Government Lots 3 and 4, and the remainder of the SE1/4, all

seaward of the 20 foot elevation contour

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

Section 24: Tract A, Shorecrest Subdivision (Plat No. 81-68, Anchorage Recording District)

Section 25: Government Lots 1 and 2, and the remainder of the W1/2, all

Tract A, Johns Park Estates, and the remainder of the NE1/4, excluding Skyway Park Estates, Addition No. 1 all seaward of the 20 foot elevation contour

Government Lots 3 and 4, and the remainder of the SE1/4, all Sections 26 - 36;

(4) Township 12 North, Range 5 West, Seward Meridian

Sections 1 - 2

Sections 11 - 14

Sections 23 - 26

Sections 35 - 36;

(5) Township 12 North, Range 3 West, Seward Meridian

Section 29: That portion of the SW1/4 southwesterly of the Alaska Railroad right-of-way and southerly of Oceanview Subdivision, Addition No. 6

Section 30: That portion of Tract A, Johns Park Estates, seaward of the 20 foot elevation contour

Government Lot 2 and that portion of the SE1/4NW1/4 southwesterly of Oceanview West Subdivision, Addition No. 1

Government Lots 3 and 4 and the remainder of the SW1/4, all That portion of the SW1/4NE1/4 and the SE1/4 southwesterly of Oceanview Subdivision, Addition No. 4 and Addition No. 6

Section 31

Section 32: All land southwesterly of the Alaska Railroad right-of-way

Section 33: All land westerly of the Alaska Railroad right-of-way;

(6) Township 11 North, Range 3 West, Seward Meridian

Section 3: Government Lot 5

Section 4: That portion southwesterly of the Old Seward Highway right-of-way and The Landings Subdivision which is northeasterly of the New Seward Highway right-of-way

That portion southwesterly of the Alaska Railroad right-of-way Sections 5 - 8

Section 9: That portion southwesterly of the Alaska Railroad right-of-way

That portion northeasterly of the New Seward Highway right-of-way

Section 10: That portion westerly of the Old Seward Highway right-of-way which is northeasterly of the New Seward Highway right-of-way

That portion southwesterly of the Alaska Railroad right-of-way;

(7) Township 11 North, Range 4 West, Seward Meridian

Sections 1 - 4

Sections 10 - 12.

(b) Except as provided in (d) of this section, the Department of Fish and Game and the Department of Natural Resources shall exercise their respective authorities over the Anchorage Coastal Wildlife Refuge **and Hunting Preserve** consistent with a management plan prepared by the Department of Fish and Game in consultation with the Department of Natural Resources.

(c) A public right-of-way for surface transportation and a utility corridor are created across state-owned land and water within the Anchorage Coastal Wildlife Refuge **and Hunting Preserve** between the Anchorage mainland and Fire Island. The management plan prepared under (b) of this section shall identify the actual location on the land and water of the right-of-way and of the utility corridor between the Anchorage mainland and Fire Island.

(d) Land owned by the Municipality of Anchorage that lies within the boundary of the Anchorage Coastal Wildlife Refuge **and Hunting Preserve** described

1 in (a) of this section may be included in the Anchorage Coastal Wildlife Refuge **and**
2 **Hunting Preserve**. An agreement between the Department of Fish and Game and the
3 Municipality of Anchorage for the management of the land within the Anchorage
4 Coastal Wildlife Refuge **and Hunting Preserve** that is owned by the Municipality of
5 Anchorage shall be approved by the Municipality of Anchorage and by the
6 Department of Fish and Game.

7 (e) The state or the Municipality of Anchorage may not acquire privately
8 owned land within the Anchorage Coastal Wildlife Refuge **and Hunting Preserve**
9 described in (a) of this section by eminent domain for inclusion within the Anchorage
10 Coastal Wildlife Refuge **and Hunting Preserve**. The Department of Fish and Game
11 or the Municipality of Anchorage may acquire privately owned land within the
12 Anchorage Coastal Wildlife Refuge **and Hunting Preserve** by purchase, exchange, or
13 otherwise, except by eminent domain.

14 (f) The land and water areas of the Anchorage Coastal Wildlife Refuge **and**
15 **Hunting Preserve** are closed to mineral entry under AS 38.05.185 - 38.05.275.

16 * **Sec. 7.** AS 16.20.032(a) is amended to read:

17 (a) The following state-owned land and water is established as the Palmer Hay
18 Flats State Game Refuge **and Hunting Preserve**:

19 (1) Township 16 North, Range 1 West, Seward Meridian

20 Sections 1 - 12

21 Section 13: N 1/2

22 Sections 14 - 18;

23 (2) Township 17 North, Range 1 West, Seward Meridian

24 Section 25

25 Section 26: S 1/2, S 1/2 N 1/2, N 1/2 NE 1/4, NE 1/4 NW 1/4

26 Section 27: S 1/2, SE 1/4 NE 1/4

27 Section 31: Lot 4, SE 1/4, E 1/2 SW 1/4, SE 1/4 NE 1/4, S 1/2

28 SW 1/4 NE 1/4

29 Section 32: S 1/2, S 1/2 NE 1/4, NE 1/4 NE 1/4, SE 1/4 NW 1/4

30 Sections 33 - 36;

31 (3) Township 17 North, Range 1 East, Seward Meridian

- 1 Section 19: Lots 3 and 4, E 1/2 SW 1/4, S 1/2 SE 1/4
2 Section 21: N 1/2 SE 1/4, S 1/2 S 1/2
3 Section 22:
4 excluding NW 1/4 NW 1/4
5 excluding N 1/2 NE 1/4 NW 1/4
6 excluding NE 1/4 NE 1/4 NE 1/4
7 excluding all portions of U.S. Survey No. 9024
8 Section 25 [: LOTS 1 - 6, NW 1/4, N 1/2 NE 1/4, N 1/2 SW 1/4,
9 SW 1/4]
10 Section 26: SE 1/4 NE 1/4, S 1/2, excluding all portions of U.S.
11 Survey No. 9024
12 Section 27: Lot 1, N 1/2, N 1/2 S 1/2, SE 1/4 SW 1/4, S 1/2 SE
13 1/4
14 Section 28: Lots 1 - 2, N 1/2, SW 1/4, N 1/2 SE 1/4, SW 1/4 SE
15 1/4
16 Section 29: N 1/2, N 1/2 SW 1/4, SE 1/4
17 Section 30: Lots 1 - 4, E 1/2, E 1/2 W 1/2
18 Section 31 [: LOTS 1 - 10, NE 1/4 NW 1/4, SW 1/4 NE 1/4, N
19 1/2 NE 1/4]
20 Section 32: Lots 3 - 7, NE 1/4, SW 1/4 SW 1/4, NE 1/4 SE 1/4,
21 **including all state tide and submerged land**
22 Section 33: Lots 5 - 9, S 1/2 SE 1/4, SW 1/4 NW 1/4, including
23 all state tide and submerged land
24 Section 34: Lots 1 - 3, E 1/2 NW 1/4, SW 1/4, E 1/2, excluding
25 all portions of U.S. Survey No. 9024
26 Section 35 [: LOTS 1 - 5, NW 1/4, N 1/2 SW 1/4, SW 1/4 SW
27 1/4, N 1/2 NE 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4,] excluding
28 all portions of U.S. Survey No. 9024
29 Section 36: **excluding all portions of U.S. Survey No. 9024**
30 [LOTS 1 - 10, SE 1/4 SW 1/4, S 1/2 SE 1/4, NE 1/4 SE 1/4];
31 (4) Township 17 North, Range 1 East, Seward Meridian

- 1 Sections 19 - 21: Tracts B and D, according to Plat No. 2012-
2 110, Palmer Recording District;
- 3 (5) Township 17 North, Range 1 East, Seward Meridian
4 U.S. Survey No. 1169: Lots 1 and 2, Block 31, within Section
5 26;
- 6 (6) Township 16 North, Range 1 East, Seward Meridian
7 Sections 4 - 9
8 Section 17: N 1/2
9 Section 18: N 1/2;
- 10 (7) Township 16 North, Range 1 East, Seward Meridian
11 Section 2: That portion lying westerly of Lot 7 and Parcel F of
12 U.S. Survey No. 9023
13 Section 3: That portion lying westerly of Lot 7, Lot 8, and
14 Parcel F of U.S. Survey No. 9023
15 Section 10: That portion lying westerly of Lot 4, Lot 5, and
16 Parcel C of U.S. Survey No. 9023
17 Section 15: That portion northerly of the left bank of the Knik
18 River and lying westerly of Lot 3, Lot 4, and Parcel A of U.S.
19 Survey No. 9023
20 Section 16: That portion northerly of the left bank of the Knik
21 River;
- 22 (8) Township 16 North, Range 2 West, Seward Meridian
23 Section 1: All, excluding South Hayfield Road right-of-way
24 Section 2: Lot 5
25 Section 11: Lots 1 and 3 - 6, N 1/2 NE 1/4
26 Section 12: Lots 1 - 4, N 1/2 NW 1/4, NE 1/4 NE 1/4;
- 27 (9) Township 17 North, Range 2 West, Seward Meridian
28 Section 36: That portion of the S 1/2 S 1/2 lying easterly of the
29 South Hayfield Road right-of-way.
- 30 * **Sec. 8.** AS 16.20.032(c) is amended to read:
31 (c) Land selected by the Matanuska-Susitna Borough in Township 17, North

1 Range 1 East S.M. shall be included in the Palmer Hay Flats State Game Refuge **and**
2 **Hunting Preserve**, subject to borough approval. If the borough relinquishes the
3 selection of the land, the selected land becomes part of the Palmer Hay Flats State
4 Game Refuge **and Hunting Preserve**.

5 * **Sec. 9.** AS 16.20.032(d) is amended to read:

6 (d) The state may not acquire by eminent domain privately owned land within
7 state-owned land specified in (c) of this section for inclusion in the Palmer Hay Flats
8 State Game Refuge **and Hunting Preserve**. The Department of Natural Resources
9 may adopt, in accordance with AS 44.62 (Administrative Procedure Act), zoning
10 regulations governing privately owned land within the Palmer Hay Flats State Game
11 Refuge **and Hunting Preserve**.

12 * **Sec. 10.** AS 16.20.032(e) is amended to read:

13 (e) Notwithstanding the provisions of (a) of this section, the land described in
14 this subsection is excluded from the Palmer Hay Flats State Game Refuge **and**
15 **Hunting Preserve** established under (a) of this section for the establishment of a
16 transportation and utility corridor. Land within the transportation and utility corridor
17 that is determined by the commissioner of transportation and public facilities to be
18 unnecessary for future transportation or utility corridors becomes a part of the Palmer
19 Hay Flats State Game Refuge **and Hunting Preserve**. The commissioner of
20 transportation and public facilities is directed to provide access to the Palmer Hay
21 Flats State Game Refuge **and Hunting Preserve** during future development of state
22 highways in the area. The land that is excluded from the Palmer Hay Flats State Game
23 Refuge **and Hunting Preserve** under this subsection is described as

24 Township 17 North, Range 1 East, Seward Meridian

25 Section 22: SE 1/4 NW 1/4, W 1/2 NE 1/4, SE 1/4 NE 1/4, S 1/2 NE
26 1/4 NE 1/4, NW 1/4 NE 1/4 NE 1/4, NE 1/4 SW 1/4, W 1/2 SE 1/4

27 Sections 27 and 34: a corridor 300 feet on each side of the existing
28 highway centerline.

29 * **Sec. 11.** AS 16.20.033(a) is amended to read:

30 (a) The following state-owned land and water and all land acquired in the
31 future by the state lying within the parcels described in this subsection are established

1 as the Yakataga State Game Refuge **and Hunting Preserve**:

2 (1) Township 20 South, Range 13 East, Copper River Meridian

3 Section 11: SE1/4

4 Section 12: S1/2

5 Section 13

6 Section 14: E1/2

7 Sections 22 - 27

8 Sections 34 - 36;

9 (2) Township 20 South, Range 14 East, Copper River Meridian

10 Sections 7 - 12: S1/2

11 Sections 13 - 36;

12 (3) Township 20 South, Range 15 East, Copper River Meridian

13 Sections 7 - 12: S1/2

14 Sections 13 - 36;

15 (4) Township 20 South, Range 16 East, Copper River Meridian

16 Sections 7 - 9: S1/2

17 Sections 16 - 36;

18 (5) Township 21 South, Range 11 East, Copper River Meridian

19 Excluding that portion of Tract A-148 lying north and west
20 of Seal River:

21 Sections 1 - 2

22 Sections 3 - 4: North and east of the Seal River and its
23 associated lake system

24 Section 10: East of Seal River and one mile north of mean high
25 tide line on the Gulf of Alaska

26 Sections 11 - 12

27 Sections 13 - 14: above mean high tide line on the Gulf of
28 Alaska;

29 (6) Township 21 South, Range 11 1/2 East, Copper River Meridian

30 Sections 6 - 7

31 Section 18: Above mean high tide line on the Gulf of Alaska;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

- (7) Township 21 South, Range 12 East, Copper River Meridian
 Sections 13 - 14: S1/2
 Sections 23 - 26
 Sections 35 - 36: Above mean high tide line on the Gulf of
 Alaska;
- (8) Township 21 South, Range 13 East, Copper River Meridian
 Sections 1 - 21
 Section 22: W1/2, E1/2 one mile north of mean high tide line on
 the Gulf of Alaska
 Sections 23 - 24: One mile north of mean high tide line on the
 Gulf of Alaska;
- (9) Township 21 South, Range 14 East, Copper River Meridian
 Sections 1 - 12
 Sections 13 - 15: One mile north of mean high tide line on the
 Gulf of Alaska
 Sections 16 - 18
 Sections 19 - 22: One mile north of mean high tide line on the
 Gulf of Alaska;
- (10) Township 21 South, Range 15 East, Copper River Meridian
 Sections 1 - 7
 Sections 8 - 12: One mile north of mean high tide line on the
 Gulf of Alaska;
- (11) Township 21 South, Range 16 East, Copper River Meridian
 Sections 1 - 6
 Sections 7 - 12: One mile north of mean high tide line on the
 Gulf of Alaska.

* **Sec. 12.** AS 16.20.033(b) is amended to read:

(b) The Yakataga State Game Refuge and Hunting Preserve is established to protect the

(1) fish and wildlife habitat and populations, including salmon spawning and rearing habitat and critical goat and moose winter habitat;

1 (2) public uses of fish and wildlife and their habitat, particularly
2 commercial, sport, and subsistence fishing, hunting, viewing, photography, and
3 general public recreation in a high quality environment; and

4 (3) the use and disposition of other resources when the activities are
5 not inconsistent with (1) and (2) of this subsection.

6 * **Sec. 13.** AS 16.20.033(d) is amended to read:

7 (d) The state may not acquire by eminent domain private land that is located
8 within the state-owned land specified in (a) of this section for inclusion in the
9 Yakataga State Game Refuge **and Hunting Preserve**. The state may acquire private
10 land that is located within the state-owned land specified in (a) of this section by
11 purchase, exchange, or otherwise from willing owners for inclusion in the Yakataga
12 State Game Refuge **and Hunting Preserve**.

13 * **Sec. 14.** AS 16.20.033(e) is amended to read:

14 (e) The establishment of the Yakataga State Game Refuge **and Hunting**
15 **Preserve** under this section does not impair or alter valid existing rights including
16 pending Native allotment applications, access to set net sites, and access to and from
17 private land located within the Yakataga State Game Refuge **and Hunting Preserve**.

18 * **Sec. 15.** AS 16.20.033(f) is amended to read:

19 (f) The department shall allow commercial, sport, and subsistence fishing and
20 hunting within the Yakataga State Game Refuge **and Hunting Preserve** under
21 regulations of the Board of Fisheries and the Board of Game. The department shall
22 also permit associated support activities when necessary and consistent with
23 AS 16.20.010 - 16.20.080 to support fishing and hunting permitted under this section,
24 including fish buying operations, aircraft support including landing strips, and off-road
25 vehicle use.

26 * **Sec. 16.** AS 16.20.033(g) is amended to read:

27 (g) Egress and ingress to and from private property within the parcels
28 described in (a) of this section shall be allowed through access corridors established by
29 agreement between the department, the Department of Natural Resources, and the
30 owners of private land involved. The establishment of the Yakataga State Game
31 Refuge **and Hunting Preserve** does not impair or alter existing rights of access to set

1 net lease sites.

2 * **Sec. 17.** AS 16.20.033(h) is amended to read:

3 (h) The department shall adopt and may revise a management plan for the
4 Yakataga State Game Refuge **and Hunting Preserve**.

5 * **Sec. 18.** AS 16.20.034(a) is amended to read:

6 (a) The following state-owned land, including tide and submerged land, and
7 excluding privately owned land, is established as the Mendenhall Wetlands State
8 Game Refuge **and Hunting Preserve**: Beginning at U.S.C.G.S. Triangulation Station
9 "Salmon" located on the northeastern shore of Douglas Island, lying within the City
10 and Borough of Juneau, First Judicial District, State of Alaska; thence northeasterly
11 across Gastineau Channel approximately .5 miles to U.S.C.G.S. Triangulation Station
12 "Creek", said station being on the shore of Gastineau Channel, 200 feet south of
13 Salmon Creek; thence trend northerly to the intersection of Egan Drive and Salmon
14 Creek; thence trend northwesterly immediately adjacent to but not upon or within the
15 designated right-of-way of Egan Drive approximately 2.7 miles to the intersection
16 with the easterly boundary of Sunny Point Park Subdivision, recorded as Plat No. 333;
17 thence southerly along said boundary; thence along said right-of-way line to the
18 intersection with the 22.7 foot extreme high tide line; thence southerly and westerly on
19 said 22.7 foot extreme high tide line, abutting said Sunny Point Park Subdivision, U.S.
20 Survey 2475, Sunny Point Subdivision (Plat No. 307), and Egan Drive approximately
21 one mile to the easterly line of the accreted property to the U.S. Survey No. 1568;
22 thence southerly and westerly, along the boundary of said accreted property
23 approximately .4 miles to Corner No. 14 of Alaska Tidelands Survey No. 716; thence
24 southerly and westerly along the west meander line of U.S. Survey No. 716,
25 approximately 2.6 miles to Corner No. 4 of said Tidelands Survey; thence northerly
26 along the west meander line of U.S. Survey No. 1742, approximately 790 feet to the
27 northwesterly corner of Juneau Airport property (Corner No. AP-4 of survey dated 6-
28 69); thence northwesterly approximately 440 feet to the southerly meander line of U.S.
29 Survey No. 1919; thence southerly and westerly, along the southerly meanders of U.S.
30 Surveys No. 1919 and No. 1042 (as accreted), approximately .5 miles to the
31 intersection with the south line of U.S. Survey No. 2136; thence westerly, along said

1 south line, approximately .6 miles to the intersection with the 22.7 foot extreme high
 2 tide line; thence southerly, along said line approximately 1.4 miles to U.S.C.G.S.
 3 Triangulation Station "Glacier" on the southerly tip of Mendenhall Peninsula; thence
 4 in a southerly direction across Gastineau Channel approximately 1.3 miles to the
 5 mouth of Cove Creek; thence in a general easterly direction along the 22.7 foot
 6 extreme high tide line of Douglas Island approximately 9 miles to U.S.C.G.S.
 7 Triangulation Station "Salmon", the true point of beginning.

8 * **Sec. 19.** AS 16.20.034(b) is amended to read:

9 (b) The state may not acquire by eminent domain privately owned land within
 10 or abutting state-owned land described in (a) of this section for inclusion in the
 11 Mendenhall Wetlands State Game Refuge **and Hunting Preserve** but may acquire
 12 privately owned land by purchase, exchange, or otherwise for inclusion in the
 13 Mendenhall Wetlands State Game Refuge **and Hunting Preserve**.

14 * **Sec. 20.** AS 16.20.034(e) is amended to read:

15 (e) Except within that portion of the Mendenhall Wetlands State Game Refuge
 16 **and Hunting Preserve** commonly known as the Twin Lakes area, the boundaries of
 17 which shall be established by the department after consultation with the City and
 18 Borough of Juneau, the taking of game is expressly permitted within the land
 19 described in (a) of this section if consistent with the management plan adopted by the
 20 department and conducted under regulations adopted by the board.

21 * **Sec. 21.** AS 16.20.036(a) is amended to read:

22 (a) The following state-owned land, including tide and submerged land, and
 23 all land, including tide and submerged land, acquired in the future by the state lying
 24 within the parcels described in this subsection is established as the Susitna Flats State
 25 Game Refuge **and Hunting Preserve**:

- 26 (1) Township 13 North, Range 4 West, Seward Meridian
- 27 Section: 6;
- 28 (2) Township 13 North, Range 5 West, Seward Meridian
- 29 Sections: 1 - 10;
- 30 (3) Township 13 North, Range 6 West, Seward Meridian
- 31 Sections: 1 - 18;

- 1 (4) Township 13 North, Range 7 West, Seward Meridian
2 Sections: 1 - 18;
- 3 (5) Township 13 North, Range 8 West, Seward Meridian
4 Sections: 1 - 24;
- 5 (6) Township 13 North, Range 9 West, Seward Meridian
6 Sections: 1 - 36;
- 7 (7) Township 13 North, Range 10 West, Seward Meridian
8 Sections: 13, 23 - 26, 36 (excluding uplands above the toe of
9 the bluff);
- 10 (8) Township 14 North, Range 4 West, Seward Meridian
11 Sections: Lots 1 - 6, SE 1/4 NW 1/4, W 1/2 NE 1/4 NW 1/4,
12 SE 1/4 NE 1/4 NW 1/4, NE 1/4 SW 1/4, NW 1/4 SE 1/4,
13 SE 1/4 SE 1/4, W 1/2 SW 1/4 NE 1/4, SE 1/4 SW 1/4 NE
14 1/4, S 1/2 NE 1/4 SW 1/4 NE 1/4 of Section 31;
- 15 (9) Township 14 North, Range 5 West, Seward Meridian
16 Sections: W 1/2 1, 2 - 11, W 1/2 12, 13 - 36;
- 17 (10) Township 14 North, Ranges 6 - 9 West, Seward Meridian
18 Sections: All;
- 19 (11) Township 14 North, Range 10 West, Seward Meridian
20 Sections: 12 - 14, 22 - 27, 34 - 36;
- 21 (12) Township 15 North, Range 5 West, Seward Meridian
22 Sections: 3 - 10, 15 - 22, SW 1/4 26, 27 - 35, SW 1/4 36;
- 23 (13) Township 15 North, Range 6 West, Seward Meridian
24 Sections: All;
- 25 (14) Township 15 North, Range 7 West, Seward Meridian
26 Sections: 1 - 4, E 1/2 5, 7 - 36;
- 27 (15) Township 15 North, Range 8 West, Seward Meridian
28 Sections: 1, 2, 8 - 36;
- 29 (16) Township 15 North, Range 9 West, Seward Meridian
30 Sections: 23 - 28, 32 - 36;
- 31 (17) Township 16 North, Range 5 West, Seward Meridian

1 Sections: 19 - 22, 27 - 34;

2 (18) Township 16 North, Range 6 West, Seward Meridian

3 Sections: 21 - 28, 31 - 36;

4 (19) Township 16 North, Range 7 West, Seward Meridian

5 Sections: 22 - 27, 34 - 36.

6 * **Sec. 22.** AS 16.20.036(b) is amended to read:

7 (b) The Susitna Flats State Game Refuge **and Hunting Preserve** is
8 established to protect the following:

9 (1) fish and wildlife habitat and populations, particularly waterfowl
10 nesting, feeding, and migration areas; moose calving areas; spring and fall bear
11 feeding areas; salmon spawning and rearing habitats;

12 (2) public uses of fish and wildlife and their habitat, particularly
13 waterfowl, moose, and bear hunting; viewing; photography; and general public
14 recreation in a high quality environment.

15 * **Sec. 23.** AS 16.20.036(c) is amended to read:

16 (c) Entry upon the Susitna Flats State Game Refuge **and Hunting Preserve**
17 for purposes of exploration and development of oil and gas resources shall be
18 permitted when compatible with the purposes specified in (b) of this section; however,
19 all existing leases shall be valid and continue in full force and effect according to their
20 terms.

21 * **Sec. 24.** AS 16.20.036(d) is amended to read:

22 (d) Land selected by the Matanuska-Susitna Borough within the area
23 described in (a) of this section shall be included in the Susitna Flats State Game
24 Refuge **and Hunting Preserve**, subject to borough approval. If the borough
25 relinquishes the selection of the land, the selected land becomes part of the Susitna
26 Flats State Game Refuge **and Hunting Preserve**.

27 * **Sec. 25.** AS 16.20.036(e) is amended to read:

28 (e) The state may not acquire by eminent domain privately owned land within
29 state-owned land specified in (a) of this section for inclusion in the Susitna Flats State
30 Game Refuge **and Hunting Preserve**. The Department of Natural Resources may
31 adopt, in accordance with AS 44.62 (Administrative Procedure Act), zoning

1 regulations governing privately owned land within the Susitna Flats State Game
2 Refuge **and Hunting Preserve**, only to the extent that these regulations may insure
3 compatibility with the intended use of the refuge.

4 * **Sec. 26.** AS 16.20.037(a) is amended to read:

5 (a) The following state-owned land and water is established as the Minto Flats
6 State Game Refuge **and Hunting Preserve**:

7 (1) Township 1 North, Range 6 West, Fairbanks Meridian

8 Sections 2 - 11

9 Sections 14 - 23

10 Sections 26 - 34;

11 (2) Township 1 North, Range 7 West, Fairbanks Meridian

12 Sections 1 - 36;

13 (3) Township 1 North, Range 8 West, Fairbanks Meridian

14 Sections 1 - 16

15 Sections 21 - 28: excluding ASLS 95-37

16 Section 35: E1/2

17 Section 36;

18 (4) Township 1 North, Range 9 West, Fairbanks Meridian

19 Sections 1 - 12;

20 (5) Township 1 North, Range 10 West, Fairbanks Meridian

21 Sections 1 - 12;

22 (6) Township 1 North, Range 11 West, Fairbanks Meridian

23 Sections 1 - 4

24 Sections 8 - 17

25 Section 18: east of Tolovana River

26 Section 19: east of Tolovana River

27 Sections 20 - 29

28 Section 30: east of Tolovana River;

29 (7) Township 2 North, Range 6 West, Fairbanks Meridian

30 Sections 1 - 36;

31 (8) Township 2 North, Range 7 West, Fairbanks Meridian

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

- Sections 1 - 36;
- (9) Township 2 North, Range 8 West, Fairbanks Meridian
- Sections 1 - 36;
- (10) Township 2 North, Range 9 West, Fairbanks Meridian
- Sections 1 - 36;
- (11) Township 2 North, Range 10 West, Fairbanks Meridian
- Section 3
- Section 7: S1/2
- Sections 8 - 10
- Section 11: S1/2N1/2, S1/2
- Section 12: S1/2N1/2, S1/2
- Sections 13 - 36;
- (12) Township 2 North, Range 11 West, Fairbanks Meridian
- Section 10: S1/2
- Section 11: S1/2
- Section 12: S1/2
- Sections 13 - 15
- Sections 22 - 27
- Sections 34 - 36;
- (13) Township 3 North, Range 6 West, Fairbanks Meridian
- Sections 13 - 36;
- (14) Township 3 North, Range 7 West, Fairbanks Meridian
- Sections 6 - 8
- Section 9: S1/2S1/2
- Sections 13 - 36;
- (15) Township 3 North, Range 8 West, Fairbanks Meridian
- Section 1
- Sections 5 - 10
- Sections 14 - 23
- Sections 25 - 36;
- (16) Township 3 North, Range 9 West, Fairbanks Meridian

- 1 Section 24: S1/2
2 Section 25
3 Sections 33 - 36;
4 (17) Township 3 North, Range 10 West, Fairbanks Meridian
5 Sections 34 - 35;
6 (18) Township 4 North, Range 6 West, Fairbanks Meridian
7 Sections 2 - 9
8 Sections 16 - 21;
9 (19) Township 4 North, Range 7 West, Fairbanks Meridian
10 Sections 1 - 4
11 Section 5: S1/2
12 Section 6: S1/2
13 Sections 7 - 24
14 Sections 27 - 29
15 Sections 30 - 31
16 Section 32: N1/2, SW1/4;
17 (20) Township 4 North, Range 8 West, Fairbanks Meridian
18 Sections 10 - 15
19 Sections 22 - 27
20 Sections 30 - 31
21 Sections 35 - 36;
22 (21) Township 5 North, Range 5 West, Fairbanks Meridian
23 Section 6: W1/2
24 Section 7: W1/2
25 Section 18: W1/2;
26 (22) Township 5 North, Range 6 West, Fairbanks Meridian
27 Sections 1 - 3
28 Section 4: SE1/4
29 Section 9: E1/2
30 Sections 10 - 15
31 Section 16: E1/2, SW1/4

- 1 Section 20: S1/2
 2 Sections 21 - 29
 3 Sections 31 - 36;
 4 (23) Township 5 North, Range 7 West, Fairbanks Meridian
 5 Section 35: SE1/4
 6 Section 36: S1/2;
 7 (24) Township 1 South, Range 6 West, Fairbanks Meridian
 8 Sections 5 - 8
 9 Sections 17 - 20
 10 Sections 29 - 31;
 11 (25) Township 1 South, Range 7 West, Fairbanks Meridian
 12 Sections 1 - 36;
 13 (26) Township 1 South, Range 8 West, Fairbanks Meridian
 14 Sections 1 - 2
 15 Sections 11 - 14
 16 Sections 23 - 26
 17 Sections 35 - 36;
 18 (27) Township 1 South, Range 9 West, Fairbanks Meridian
 19 Sections 1 - 36;
 20 (28) Township 1 South, Range 10 West, Fairbanks Meridian
 21 Sections 7 - 36;
 22 (29) Township 1 South, Range 11 West, Fairbanks Meridian
 23 Sections 25 - 26
 24 Sections 35 - 36;
 25 (30) Township 2 South, Range 6 West, Fairbanks Meridian
 26 Section 6: S1/2NW1/4, S1/2
 27 Section 7: all North and West of the Alaska Railroad right-of-
 28 way
 29 Section 18: all North and West of the Alaska Railroad right-of-
 30 way
 31 Section 19: all North and West of the Alaska Railroad right-of-

- 1 way;
- 2 (31) Township 2 South, Range 7 West, Fairbanks Meridian
- 3 Sections 1 - 12
- 4 Section 13: NE1/4, E1/2NW1/4, NE1/4SW1/4, S1/2SW1/4,
- 5 SE1/4
- 6 Section 14: W1/2
- 7 Sections 15 - 22
- 8 Section 23: W1/2
- 9 Section 24: all North and West of the Alaska Railroad right-of-
- 10 way
- 11 Section 27: NW1/4
- 12 Sections 28 - 32
- 13 Section 33: NE1/4NE1/4, W1/2NE1/4, W1/2, W1/2SE1/4;
- 14 (32) Township 2 South, Range 8 West, Fairbanks Meridian
- 15 Section 1
- 16 Sections 12 - 13
- 17 Sections 24 - 25
- 18 Section 36;
- 19 (33) Township 2 South, Range 9 West, Fairbanks Meridian
- 20 Sections 1 - 12
- 21 Section 17: W1/2NW1/4, NW1/4SW1/4
- 22 Section 18
- 23 Section 19: N1/2, N1/2S1/2;
- 24 (34) Township 2 South, Range 10 West, Fairbanks Meridian
- 25 Sections 1 - 20
- 26 Section 21: NE1/4, W1/2
- 27 Section 22: NW1/4
- 28 Section 24: N1/2, N1/2S1/2
- 29 Sections 29 - 31;
- 30 (35) Township 2 South, Range 11 West, Fairbanks Meridian
- 31 Sections 1 - 5

- 1 Sections 7 - 36;
- 2 (36) Township 2 South, Range 12 West, Fairbanks Meridian
- 3 Sections 25 - 26
- 4 Sections 35 - 36;
- 5 (37) Township 3 South, Range 7 West, Fairbanks Meridian
- 6 Section 5: N1/2NE1/4, W1/2
- 7 Sections 6 - 7
- 8 Section 18: NE1/4, W1/2, N1/2SE1/4, SW1/4SE1/4;
- 9 (38) Township 3 South, Range 8 West, Fairbanks Meridian
- 10 Section 1
- 11 Section 12
- 12 Section 13
- 13 Section 22: NE1/4 (that portion above the ordinary high water
- 14 mark right bank Tanana River)
- 15 Section 23: N1/2, SE1/4
- 16 Section 24: N1/2, SW1/4
- 17 Section 25: NW1/4;
- 18 (39) Township 3 South, Range 11 West, Fairbanks Meridian
- 19 Sections 2 - 10
- 20 Section 11: N1/2
- 21 Section 14: SW1/4NE1/4, S1/2NW1/4, SW1/4, W1/2SE1/4
- 22 Sections 15 - 21
- 23 Section 22: NE1/4, W1/2, W1/2SE1/4
- 24 Section 23: NW1/4
- 25 Section 27: W1/2NE1/4, NW1/4, W1/2SW1/4
- 26 Sections 28 - 31
- 27 Section 32: NE1/4, NW1/4, SE1/4
- 28 Section 33: W1/2;
- 29 (40) Township 3 South, Range 12 West, Fairbanks Meridian
- 30 Sections 1 - 2
- 31 Sections 11 - 14

1 Sections 23 - 26

2 Sections 35 - 36.

3 * **Sec. 27.** AS 16.20.037(b) is amended to read:

4 (b) The Minto Flats State Game Refuge **and Hunting Preserve** is established
5 to

6 (1) ensure the protection and enhancement of habitat;

7 (2) ensure the conservation of fish and wildlife; and

8 (3) guarantee the continuation of hunting, fishing, trapping, and other
9 uses by the public compatible with the protection and enhancement of habitat and the
10 conservation of fish and wildlife.

11 * **Sec. 28.** AS 16.20.037(c) is amended to read:

12 (c) The state may not acquire by eminent domain privately owned land within
13 the Minto Flats State Game Refuge **and Hunting Preserve**, but may acquire privately
14 owned land by purchase, exchange, or otherwise for inclusion in the Minto Flats State
15 Game Refuge **and Hunting Preserve**.

16 * **Sec. 29.** AS 16.20.037(e) is amended to read:

17 (e) Public access to the Minto Flats State Game Refuge **and Hunting**
18 **Preserve** by means of horse, boat, aircraft, dog team, snow machine, ATV, or other
19 means consistent with (b) of this section may not be prohibited.

20 * **Sec. 30.** AS 16.20.037(f) is amended to read:

21 (f) Access to and from private property within the Minto Flats State Game
22 Refuge **and Hunting Preserve** shall be guaranteed through access corridors
23 established through agreement between the Department of Natural Resources, the
24 Department of Fish and Game, and the private property owners involved.

25 * **Sec. 31.** AS 16.20.037(g) is amended to read:

26 (g) The Department of Fish and Game and the Department of Natural
27 Resources shall exercise their respective authorities over the Minto Flats State Game
28 Refuge **and Hunting Preserve** consistent with a management plan prepared by the
29 Department of Fish and Game in consultation with the Department of Natural
30 Resources.

31 * **Sec. 32.** AS 16.20.037(h) is amended to read:

1 (h) Entry upon the Minto Flats State Game Refuge **and Hunting Preserve** for
2 purposes of exploration and development of oil and gas resources shall be permitted
3 unless a person demonstrates, on the basis of sound science or local traditional
4 knowledge, that exploration and development is incompatible with the purposes
5 specified in (b) of this section.

6 * **Sec. 33.** AS 16.20.038(a) is amended to read:

7 (a) The following state-owned land, including tide and submerged land, and
8 all land, including tide and submerged land, acquired in the future by the state lying
9 within the parcels described in this subsection is established as the Trading Bay State
10 Game Refuge **and Hunting Preserve**:

11 (1) Township 9 North, Range 13 West, Seward Meridian

12 Sections 6 - 7;

13 (2) Township 9 North, Range 14 West, Seward Meridian

14 Sections 1 - 4, E 1/2 5, 8 - 12, W 1/2 13, 14 - 17, E 1/2 19, 20 -
15 22, W 1/2 23, W 1/2 27, 28 - 30;

16 (3) Township 9 North, Range 15 West, Seward Meridian

17 Sections W 1/2 1, 2 - 4, 9 - 11, W 1/2 12 and 13, 14 - 16, 19 -
18 23, W 1/2 24, 26 - 28, 31 - 35;

19 (4) Township 10 North, Range 13 West, Seward Meridian

20 Sections 1 - 12, 14 - 22, 28 - 32;

21 (5) Township 10 North, Range 14 West, Seward Meridian

22 Sections 1 - 18, E 1/2 19, 20 - 29, 32 - 36;

23 (6) Township 10 North, Range 15 West, Seward Meridian

24 Sections 1 - 12, 14 - 23, 26 - 35;

25 (7) Township 11 North, Range 13 West, Seward Meridian

26 Sections SW 1/4 3, 4 - 10, SW 1/4 11, W 1/2SW 1/4 13, 14 -
27 23, W 1/2, SE 1/4, W 1/2 NE 1/4, SE 1/4 NE 1/4 24, 25 - 36;

28 (8) Township 11 North, Range 14 - 15 West, Seward Meridian

29 Sections 1 - 36;

30 (9) Township 12 North, Range 13 West, Seward Meridian

31 Sections 19, 29 - 33;

1 (10) Township 12 North, Range 14 West, Seward Meridian

2 Sections 23 - 26, 31 - 33, 36.

3 * **Sec. 34.** AS 16.20.038(b) is amended to read:

4 (b) The Trading Bay State Game Refuge **and Hunting Preserve** is established
5 to protect the following:

6 (1) fish and wildlife habitat and populations, particularly waterfowl
7 nesting, feeding and migration areas; moose calving areas; spring and fall bear feeding
8 areas; salmon spawning and rearing habitats;

9 (2) public uses of fish and wildlife and their habitat, particularly
10 waterfowl, moose and bear hunting; viewing; photography; and general public
11 recreation in a high quality environment.

12 * **Sec. 35.** AS 16.20.038(c) is amended to read:

13 (c) Entry upon the Trading Bay State Game Refuge **and Hunting Preserve**
14 for purposes of exploration and development of oil and gas resources shall be
15 permitted when compatible with the purposes specified in (b) of this section; however,
16 all existing leases shall be valid and continue in full force and effect according to their
17 terms.

18 * **Sec. 36.** AS 16.20.038(d) is amended to read:

19 (d) Land selected by a borough within the area described in (a) of this section
20 shall be included in the Trading Bay State Game Refuge **and Hunting Preserve**,
21 subject to borough approval. If the borough relinquishes the selection of the land, the
22 selected land becomes part of the Trading Bay State Game Refuge **and Hunting**
23 **Preserve**.

24 * **Sec. 37.** AS 16.20.038(e) is amended to read:

25 (e) The state may not acquire by eminent domain privately owned land within
26 state-owned land specified in (a) of this section for inclusion in the Trading Bay State
27 Game Refuge **and Hunting Preserve**. The Department of Natural Resources may
28 adopt, in accordance with AS 44.62 (Administrative Procedure Act), zoning
29 regulations governing privately owned land within the Trading Bay State Game
30 Refuge **and Hunting Preserve**, only to the extent that these regulations are imperative
31 to insure compatibility with the intended use of the refuge.

1 * **Sec. 38.** AS 16.20.038(h) is amended to read:

2 (h) Land within existing and applied for highway, pipeline, and railway rights-
3 of-way, as of September 22, 1976, are excluded from the land described in (a) of this
4 section; however, when these interests revert to the state, the land shall be included
5 within the Trading Bay State Game Refuge **and Hunting Preserve**.

6 * **Sec. 39.** AS 16.20.039(a) is amended to read:

7 (a) The following state-owned land and water is established as the Creamer's
8 Field Migratory Waterfowl Refuge **and Hunting Preserve**:

9 (1) commencing at the Section Corner on the Fairbanks Base Line
10 common to Sections 33 and 34, Township 1 North, Range 1 West, Fairbanks
11 Meridian, Point of Beginning, thence East along the Fairbanks Base Line 4703.30 feet,
12 thence South 0 degrees 00 minutes 16 seconds West 235.67 feet to the south bank of a
13 tributary of Isabella Creek, thence along the south bank of the tributary to Isabella
14 Creek North 70 degrees 59 minutes 51 seconds West 525.44 feet, continuing North 88
15 degrees 22 minutes 22 seconds West 85.48 feet to the confluence with the south bank
16 of Isabella Creek, thence along the south bank of Isabella Creek South 85 degrees 27
17 minutes 47 seconds West 209.43 feet, continuing South 68 degrees 10 minutes 59
18 seconds West 220.04 feet, continuing South 65 degrees 19 minutes 35 seconds West
19 434.66 feet to the northwestern boundary to Tract No. 5 of instrument number 60-
20 4556 (Plat, recorded June 21, 1960) in the Fairbanks Recorder's Office, thence South
21 53 degrees 52 minutes 05 seconds West 1228.34 feet along the westerly boundary of
22 the Subdivision of Tract No. 5 from the Charles Creamer Property, thence South 35
23 degrees 00 minutes 05 seconds West 300.08 feet to the northerly boundary of Lemeta
24 Subdivision, thence along the north boundary of the Lemeta Subdivision North 89
25 degrees 52 minutes 58 seconds West 646.40 feet to the northern College Road right-
26 of-way, thence along the north edge of the College Road right-of-way North 71
27 degrees 53 minutes 31 seconds West 688.05 feet, thence North 18 degrees 21 minutes
28 30 seconds East 12 feet, continuing on a 2 degree 17 minute 26 second curve to the
29 right 415.49 feet, continuing North 62 degrees 07 minutes 30 seconds West 275.16
30 feet, thence North 27 degrees 52 minutes 30 seconds East 10.00 feet, continuing on a 2
31 degree 26 minute 29 second curve to the left 473.08 feet, thence leaving the College

1 Road right-of-way North 0 degrees 03 minutes East 611.23 feet to the Fairbanks Base
2 Line, thence North 89 degrees 56 minutes 34 seconds East along the Fairbanks Base
3 Line 200.03 feet to the Section Corner common to Sections 33 and 34 on the
4 Fairbanks Base Line and the Point of Beginning, containing 83.7 acres, more or less;

5 (2) the W1/2SW1/4 and the SE1/4SW1/4 of Section 27; the S1/2 of
6 Section 28; the portions of the S1/2SE1/4 lying southerly of the Farmers Loop Road
7 right-of-way and the SE1/4SE1/4NE1/4SE1/4 of Section 29; all of Section 34; and the
8 W1/2 and the W1/2E1/2 of Section 35, all in Township 1 North, Range 1 West,
9 Fairbanks Meridian;

10 (3) Tract B-2 and Tract C of Alaska State Land Survey No. 83-62 in
11 Section 33, Township 1 North, Range 1 West, Fairbanks Meridian, according to Plat
12 No. 83-272 as filed in the Fairbanks Recording District on December 20, 1983, and as
13 modified by the public utility easement vacation plat filed in the Fairbanks Recording
14 District on February 22, 1985, as Plat No. 85-27;

15 (4) the SW1/4SW1/4 of Section 26 in Township 1 North, Range 1
16 West, Fairbanks Meridian (also known as a portion of Tax Lot 2600);

17 (5) the SE1/4 of Section 27 in Township 1 North, Range 1 West,
18 Fairbanks Meridian excepting therefrom:

19 (A) all that portion lying within Air Park Subdivision according
20 to the plat filed November 20, 1978, as Plat No. 78-206 Fairbanks Recording
21 District; Replat Lot 7 Block 1 Air Park Subdivision and Air Park Subdivision
22 First Addition according to the plat filed April 2, 1979, as Plat No. 79-56
23 Fairbanks Recording District; Air Park Second Addition, according to the plat
24 filed November 26, 1979, as Plat No. 79-264 and amended plat filed May 15,
25 1980, as Plat No. 80-86 Fairbanks Recording District; Air Park Subdivision
26 Third Addition according to the plat filed June 14, 1993, as Plat No. 93-160
27 Fairbanks Recording District; and

28 (B) the West 240 feet as conveyed to Sherman Field Airstrip
29 Owner's Association, Inc., by Bargain and Sale Deed recorded January 19,
30 1989, in Book 606, Page 586, Fairbanks Recording District;

31 (6) the portions of the E1/2SW1/4SE1/4NW1/4,

1 W1/2SE1/4SE1/4NW1/4, E1/2NW1/4SE1/4NW1/4, and W1/2NE1/4SE1/4NW1/4
2 lying southerly of Farmers Loop Road right-of-way, according to the Department of
3 Transportation and Public Facilities Project RS-0644(13)/60384, as Plat No. 2008-89,
4 Fairbanks Recording District, all lying within Section 28 in Township 1 North, Range
5 1 West, Fairbanks Meridian;

6 (7) the E1/2SW1/4 and the NW1/4SW1/4 within Section 26 in
7 Township 1 North, Range 1 West, Fairbanks Meridian.

8 * **Sec. 40.** AS 16.20.039(c) is amended to read:

9 (c) The Creamer's Field Migratory Waterfowl Refuge and Hunting Preserve
10 is established to provide the following:

11 (1) protection and enhancement of habitat for migratory birds with
12 special emphasis on waterfowl;

13 (2) opportunity to view, photograph, and study various species of
14 plants, wildlife and geological features typical to interior Alaska.

15 * **Sec. 41.** AS 16.20.500 is amended to read:

16 **Sec. 16.20.500. Purpose.** The purpose of AS 16.20.500 - 16.20.690 is to
17 conserve [PROTECT] and preserve habitat areas especially crucial to the perpetuation
18 of fish and wildlife, and to restrict all other uses not compatible with that primary
19 purpose.

20 * **Sec. 42.** AS 16.20.550 is amended to read:

21 **Sec. 16.20.550. Port Moller Critical Habitat Area established.** The
22 following described area is established as the Port Moller Critical Habitat Area:

23 (1) Township 50 South, Range 71 West, Seward Meridian

24 Sections 7 - 8

25 Section 14 (not tide or submerged land)

26 Sections 15 - 17

27 Sections 21 - 23

28 Section 32;

29 (2) Township 51 South, Range 71 West, Seward Meridian

30 Section 3 (not tide or submerged land)

31 Sections 4 - 5

- 1 Section 7
2 Sections 9 - 10
3 Sections 15 - 17;
4 (3) Township 49 South, Range 73 West, Seward Meridian
5 Sections 10 - 11
6 Section 12 (not tide or submerged land)
7 Sections 13 - 16
8 Section 21
9 Section 24
10 Section 28;
11 (4) Township 51 South, Range 72 West, Seward Meridian
12 Sections 5 - 8
13 Sections 11 - 12;
14 (5) Township 50 South, Range 72 West, Seward Meridian
15 Sections 18 - 19
16 Sections 30 - 32;
17 (6) Township 50 South, Range 73 West, Seward Meridian
18 Sections 7 - 13
19 Sections 14 - 17 (not tide or submerged land)
20 Section 18;
21 (7) Township 50 South, Range 74 West, Seward Meridian
22 Sections 5 - 7
23 Section 8 (not tide or submerged land)
24 Sections 9 - 13
25 Sections 14 - 16 (not tide or submerged land)
26 Sections 17 - 18
27 Section 20;
28 (8) Township 50 South, Range 75 West, Seward Meridian
29 Section 1
30 Sections 6 - 7;
31 (9) Township 49 South, Range 75 West, Seward Meridian

- 1 Section 3
- 2 Sections 4 - 6 (not tide or submerged land)
- 3 Sections 7 - 11
- 4 Sections 14 - 16
- 5 Sections 21 - 32;
- 6 (10) Township 48 South, Range 74 [75] West, Seward Meridian
- 7 Sections 15 - 18
- 8 Section 22
- 9 Sections 29 - 30
- 10 Section 31 (not tide or submerged land)
- 11 Section 32;
- 12 (11) Township 48 South, Range 75 [76] West, Seward Meridian
- 13 Sections 13 - 17
- 14 Sections 19 - 23
- 15 Sections 25 - 27
- 16 Sections 29 - 30
- 17 Sections 34 - 35
- 18 Section 36 (not tide or submerged land);
- 19 (12) Township 50 South, Range 76 West, Seward Meridian
- 20 Section 1
- 21 Section 3
- 22 Section 4 (not tide or submerged land)
- 23 Section 9 (not tide or submerged land)
- 24 Sections 10 - 13
- 25 Sections 14 - 16 (not tide or submerged land)
- 26 Sections 21 - 23 (not tide or submerged land)
- 27 Sections 24 - 25
- 28 Sections 26 - 28 (not tide or submerged land);
- 29 (13) Township 49 South, Range 76 West, Seward Meridian
- 30 Sections 1 - 4
- 31 Sections 7 - 9

- 1 Sections 10 - 11 (not tide or submerged land)
- 2 Sections 12 - 14
- 3 Sections 15 - 16 (not tide or submerged land)
- 4 Sections 17 - 18
- 5 Section 21 (not tide or submerged land)
- 6 Section 22
- 7 Sections 28 - 29
- 8 Sections 33 - 34;

- 9 (14) Township 49 South, Range 77 West, Seward Meridian
- 10 Sections 1 - 2
- 11 Sections 4 - 5
- 12 Sections 7 - 12
- 13 Sections 13 - 18 (not tide or submerged land);

- 14 (15) Township 48 South, Range 76 [77] West, Seward Meridian
- 15 Sections 20 - 23
- 16 Sections 26 - 28;

- 17 (16) Township 48 South, Range 77 [78] West, Seward Meridian
- 18 Sections 26 - 27
- 19 Sections 31 - 34;

- 20 (17) Township 49 South, Range 78 West, Seward Meridian
- 21 Sections 2 - 5
- 22 Sections 8 - 12
- 23 Sections 13 - 16 (not tide or submerged land)
- 24 Section 17.

25 * **Sec. 43.** AS 16.20.565 is amended to read:

26 **Sec. 16.20.565. Egegik Critical Habitat Area established.** The following
 27 described area is established as the Egegik Critical Habitat Area:

- 28 (1) Township 24 South, Range 51 West, Seward Meridian
- 29 Sections 1 - 2
- 30 Section 11 N [S] 1/2
- 31 Section 12 N 1/2;

- 1 (2) Township 23 South, Range 51 West, Seward Meridian
2 Section 13
3 Sections 24 - 25
4 Sections 35 - 36;
5 (3) Township 23 South, Range 50 West, Seward Meridian
6 Section 7
7 Sections 18 - 19
8 Section 30
9 Section 31 (not tide or submerged land).

10 * **Sec. 44.** AS 16.20.570 is amended to read:

11 **Sec. 16.20.570. Pilot Point Critical Habitat Area established.** The following
12 described area is established as the Pilot Point Critical Habitat Area:

- 13 (1) Township 30 South, Range 52 West, Seward Meridian (protracted)
14 Sections 1 - 3
15 Section 12;
16 (2) Township 30 South, Range 51 West, Seward Meridian (protracted)
17 Sections 5 - 8
18 Section 17;
19 (3) Township 31 South, Range 51 West, Seward Meridian (protracted)
20 Sections 5 - 8
21 Sections 13 - 15
22 Sections 17 - 27;
23 (4) Township 30 South, Range 52 West, Seward Meridian (protracted)
24 Sections 27 - 29
25 Sections 31 - 34;
26 (5) Township 31 South, Range 52 West, Seward Meridian (protracted)
27 Sections 1 - 3
28 Sections 5 - 6
29 Sections 11 - 14
30 Sections 23 - 24;
31 (6) Township 30 South, Range 53 West, Seward Meridian (protracted)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

- Section 36;
- (7) Township 31 South, Range 53 West, Seward Meridian (protracted)
 - Sections 1 - 2
 - Sections 10 - 11
 - Sections 12 - 14 (not tide or submerged land)
 - Sections 15 - 16
 - Sections 20 - 21
 - Sections 22 - 28 (not tide or submerged land)
 - Sections 29 - 31
 - Sections 32 - 36 (not tide or submerged land);
- (8) Township 31 [32] South, Range 54 West, Seward Meridian (protracted)
 - Section 36.

* Sec. 45. AS 16.20.580 is amended to read:

Sec. 16.20.580. Fox River Flats Critical Habitat Area established. The following described area is established as the Fox River Flats Critical Habitat Area:

- (1) Township 4 South, Range 10 West, Seward Meridian
 - Section 20: SE 1/4 [(NOT TIDE OR SUBMERGED LAND)]
 - Section 21: S 1/2 [(NOT TIDE OR SUBMERGED LAND)]
 - Section 22: S 1/2
 - Section 23: S 1/2 [(NOT TIDE OR SUBMERGED LAND)]
 - Sections 25 - 29
 - Sections 33 - 36;
- (2) Township 4 South, Range 9 West, Seward Meridian
 - Section 30: W 1/2 [(NOT TIDE OR SUBMERGED LAND)].

* Sec. 46. AS 16.20.590(a) is amended to read:

(a) The following described area is established as the Kachemak Bay Critical Habitat Area:

- (1) Township 4 South, Range 10 West, Seward Meridian (only tide and submerged land and waters);
- (2) Township 4 South, Range 11 West, Seward Meridian (only tide

1 **and submerged land and waters);**

2 **(3)** Township 5 South, Range 10 West, Seward Meridian (only tide
3 and submerged land and waters);

4 **(4)** [(3)] Township 5 South, Range 11 West, Seward Meridian (only
5 tide and submerged land and waters);

6 **(5)** [(4)] Township 5 South, Range 12 West, Seward Meridian (only
7 tide and submerged land and waters);

8 **(6)** [(5)] Township 6 South, Range 11 West, Seward Meridian (only
9 tide and submerged land and waters);

10 **(7)** [(6)] Township 6 South, Range 12 West, Seward Meridian (only
11 tide and submerged land and waters);

12 **(8)** [(7)] Township 6 South, Range 13 West, Seward Meridian (only
13 tide and submerged land and waters);

14 **(9)** [(8)] Township 6 South, Range 14 West, Seward Meridian (only
15 tide and submerged land and waters);

16 **(10)** [(9)] Township 7 South, Range 11 West, Seward Meridian (only
17 tide and submerged land and waters);

18 **(11)** [(10)] Township 7 South, Range 12 West, Seward Meridian (only
19 tide and submerged land and waters);

20 **(12)** [(11)] Township 7 South, Range 13 West, Seward Meridian (only
21 tide and submerged land and waters);

22 **(13)** [(12)] Township 7 South, Range 14 West, Seward Meridian (only
23 tide and submerged land and waters);

24 **(14)** [(13)] Township 8 South, Range 12 West, Seward Meridian (only
25 tide and submerged land and waters);

26 **(15)** [(14)] Township 8 South, Range 13 West, Seward Meridian (only
27 tide and submerged land and waters);

28 **(16)** [(15)] Township 8 South, Range 14 West, Seward Meridian (only
29 tide and submerged land and waters);

30 **(17)** [(16)] Township 9 South, Range 14 West, Seward Meridian (only
31 tide and submerged land and waters);

1 **(18)** [(17)] Township 9 South, Range 15 West, Seward Meridian (only
2 tide and submerged land and waters east of a line from Anchor Point to Point
3 Pogibshi);

4 **(19)** [(18)] Township 5 South, Range 15 West, Seward Meridian
5 (including all tide and submerged land and waters east of a line from Anchor Point to
6 Point Pogibshi);

7 **(20)** [(19)] Township 6 South, Range 15 West, Seward Meridian
8 (including all tide and submerged land and waters east of a line from Anchor Point to
9 Point Pogibshi);

10 **(21)** [(20)] Township 7 South, Range 15 West, Seward Meridian
11 (including all tide and submerged land and waters east of a line from Anchor Point to
12 Point Pogibshi);

13 **(22)** [(21)] Township 8 South, Range 15 West, Seward Meridian
14 (including all tide and submerged land and waters east of a line from Anchor Point to
15 Point Pogibshi);

16 **(23)** [(22)] Township 9 South, Range 12 West, Seward Meridian (only
17 tide and submerged land and waters).

18 * **Sec. 47.** AS 16.20.610(b) is amended to read:

19 (b) The following described area is established as the Dude Creek Critical
20 Habitat Area:

21 **(1)** Township 40 South, Range 58 East, Copper River Meridian

22 Section 2: W1/2

23 Section 3

24 Sections 9 - 10

25 Section 11: W1/2NE1/4, W1/2

26 Section 14: Lot 3, NW1/4, N1/2SW1/4, SW1/4SW1/4,

27 S1/2SE1/4NE1/4, SW1/4NE1/4, W1/2NW1/4NE1/4,

28 N1/2SE1/4 and the tide and submerged land of Dude

29 Creek

30 Section 15

31 Section 16: N1/2, SE1/4

1 **Section 23: The tide and submerged land of Dude Creek;**

2 **(2) Tracts A and B of Gustavus Flats, Trust Land Survey No.**
3 **2004-01, located within Township 40 South, Range 58 East, Copper River**
4 **Meridian, containing 1279.09 acres, more or less, according to the survey plat**
5 **filed in the Juneau Recording District on October 22, 2004, as Plat Number 2004-**
6 **39.**

7 * **Sec. 48.** AS 16.20.610 is amended by adding a new subsection to read:

8 (f) Egress and ingress to and from private property within the parcels
9 described in (b) of this section shall be allowed through access corridors established
10 through agreement between the Department of Natural Resources, the Department of
11 Fish and Game, and the private property owners involved.

12 * **Sec. 49.** The uncodified law of the State of Alaska is amended by adding a new section to
13 read:

14 TRANSITION. To reflect the name changes made by secs. 6 - 40 of this Act, the
15 Department of Natural Resources and the Department of Fish and Game shall

16 (1) update departmental signs and literature as necessary, on a schedule developed by
17 each department; and

18 (2) make immediate changes to digital publications.

19 * **Sec. 50.** This Act takes effect July 1, 2018.



ALASKA STATE LEGISLATURE

SENATE RESOURCES COMMITTEE

SEN. CATHY GIESSEL
Chair
State Capitol, Room 427
Juneau, AK 99801-1182
(907) 465-4843

Sen. John Coghill, Vice-Chair
Sen. Kevin Meyer
Sen. Click Bishop

Sen. Bert Stedman
Sen. Natasha von Imhof
Sen. Bill Wielechowski

CS FOR HOUSE BILL 130

Explanation of Changes: From Version A to Version J

Prepared by Senate Resources Committee Staff

1. Formatting from Legislative Legal Services:

-Section. 2 of the CS (Page 2, Line 3 to Page 3, Line 15) formats reference to AS 16.20.030(a) to conform with legislative legal drafting rules, removing references not pertaining to the legislation, and separating reference to Cape Newenham Wildlife Range into a new Section. 5 (Page 6, Lines 19-30)

-Sections. 10 and 11 of Version A are moved to the beginning of the CS, now named Sections. 3 and 4. (Page 3, Line 16 to Page 6, Line 18). No changes were made in the bill language for those sections.

-The effective date in Version A was July 1, 2017. The effective date for the CS is updated to be July 1, 2018 (Section. 50, Page 40, Line 19).

2. Clarifying Purpose of State Game Refuges and Critical Habitat Areas:

-Section. 1 of the CS, a new section (Page 1, Line 11 to Page 2, Line 2), updates the language in AS 16.20.020 (Purpose of State Game Refuges) that the purpose of state game refuges are "to **conserve** [PROTECT] and preserve the natural habitat and game population in certain designated areas of the state."

-Section. 41 of the CS, a new section (Page 32, Lines 15-19), updates the language in AS 16.20.500 (Purpose of State Critical Habitat Areas) that the purpose of state critical habitat areas are "to **conserve** [PROTECT] and preserve habitat areas especially crucial to the perpetuation of fish and wildlife, and to restrict all other uses not compatible with that primary purpose."

3. Renaming Certain State Game Refuges:

State game refuges which allow hunting are renamed "Game Refuges and Hunting Preserves." No other changes are made to the legislative language for the game refuges.

- a) Anchorage Coastal Wildlife Refuge is renamed "Anchorage Coastal Wildlife Refuge and Hunting Preserve." Conforming references found:
 - a. Section. 6 (Page 6, Line 31 to Page 10, Line 15)

- b) Palmer Hay Flats State Game Refuge is renamed "Palmer Hay Flats State Game Refuge and Hunting Preserve." Conforming references found:
 - a. Section. 7 (Page 10, Line 16 to Page 12, Line 29)
 - b. Section. 8 (Page 12, Line 30 to Page 13, Line 4)
 - c. Section. 9 (Page 13, Line 5 to Page 13, Line 11)
 - d. Section. 10 (Page 13, Line 12 to Page 13, Line 28)

- c) Yakataga State Game Refuge is renamed "Yakataga State Game Refuge and Hunting Preserve." Conforming references found:
 - a. Section. 11 (Page 13, Line 29 to Page 15, Line 26)
 - b. Section. 12 (Page 15, Line 27 to Page 16, Line 5)
 - c. Section. 13 (Page 16, Line 6 to Page 16, Line 12)
 - d. Section. 14 (Page 16, Line 13 to Page 16, Line 17)
 - e. Section. 15 (Page 16, Line 18 to Page 16, Line 25)
 - f. Section. 16 (Page 16, Line 26 to Page 17, Line 1)
 - g. Section. 17 (Page 17, Line 2 to Page 17, Line 4)

- d) Mendenhall Wetlands State Game Refuge is renamed "Mendenhall Wetlands State Game Refuge and Hunting Preserve." Conforming references found:
 - a. Section. 18 (Page 17, Line 5 to Page 18, Line 7)
 - b. Section. 19 (Page 18, Line 8 to Page 18, Line 13)
 - c. Section. 20 (Page 18, Line 14 to Page 18, Line 20)
 - d. Section. 21 (Page 18, Line 21 to Page 20, Line 5)

- e) Susitna Flats State Game Refuge is renamed "Susitna Flats State Game Refuge and Hunting Preserve." Conforming references found:
 - a. Section. 22 (Page 20, Line 6 to Page 20, Line 14)
 - b. Section. 23 (Page 20, Line 15 to Page 20, Line 20)
 - c. Section. 24 (Page 20, Line 21 to Page 20, Line 26)
 - d. Section. 25 (Page 20, Line 27 to Page 21, Line 3)

- f) Minto Flats State Game Refuge is renamed "Minto Flats State Game Refuge and Hunting Preserve." Conforming references found:
 - a. Section. 26 (Page 21, Line 4 to Page 27, Line 2)
 - b. Section. 27 (Page 27, Line 3 to Page 27, Line 10)
 - c. Section. 28 (Page 27, Line 11 to Page 27, Line 15)
 - d. Section. 29 (Page 27, Line 16 to Page 27, Line 19)
 - e. Section. 30 (Page 27, Line 20 to Page 27, Line 24)
 - f. Section. 31 (Page 27, Line 25 to Page 27, Line 30)
 - g. Section. 32 (Page 27, Line 31 to Page 28, Line 5)

- g) Trading Bay State Game Refuge is renamed "Trading Bay State Game Refuge and Hunting Preserve." Conforming references found:
 - a. Section. 33 (Page 28, Line 6 to Page 29, Line 2)
 - b. Section. 34 (Page 29, Line 3 to Page 29, Line 11)
 - c. Section. 35 (Page 29, Line 12 to Page 29, Line 17)
 - d. Section. 36 (Page 29, Line 18 to Page 29, Line 23)
 - e. Section. 37 (Page 29, Line 24 to Page 29, Line 31)
 - f. Section. 38 (Page 30, Line 1 to Page 30, Line 5)

- h) Creamer's Field Migratory Waterfowl Refuge is renamed "Creamer's Field Migratory Waterfowl Refuge and Hunting Preserve." Conforming references found:
 - a. Section. 39 (Page 30, Line 6 to Page 32, Line 7)
 - b. Section. 40 (Page 32, Line 8 to Page 32, Line 14)

*Transition Language: A new Section. 49 (Page 40, Lines 12-18) is added, clarifying the Departments of Natural Resources and Fish and Game will update physical signage and literally on an as-needed basis, and not specifically because of Sections. 6-40 (renaming the refuges). The transition language clarifies the Departments of Natural Resources and Fish and Game should update the digital publications to reflect the changes in Sections. 6-40.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

April 4, 2018

SUBJECT: Drafting notes for CSHB 130()
(Work Order No. 30-GH1871\D)

TO: Senator Cathy Giessel
Attn: Akis Gialopsos

FROM: Alpheus Bullard *TLAB*
Legislative Counsel

This memorandum accompanies the bill described above. I have one comment.

As you requested, this version of the bill amends the names of a number of state wildlife refuges to retitile them as "refuges and hunting preserve(s)." While hunting, to greater and lesser degrees, is allowed in all the affected refuges, please note that the bill does not amend any of the substantive provisions governing hunting in these areas.

If you have questions, please do not hesitate to contact me.

TLAB:mlp
18-223.mlp

Attachment

FISCAL NOTE

STATE OF ALASKA
2018 LEGISLATIVE SESSION

Bill Version HB 130
Fiscal Note Number _____
() Publish Date _____

Identifier (file name) HB130-DFG-WC-01-11-18 Dept. Affected Fish and Game
Title GAME REFUGE/CRIT HABITAT AREA BOUNDARIES Appropriation Wildlife Conservation
Allocation Wildlife Conservation
Sponsor HOUSE RULES BY REQUEST OF THE GOVERNOR
Requester Senate Resources Committee OMB Component Number 473

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	FY19	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY19 Request	FY20	FY21	FY22	FY23	FY24
OPERATING EXPENDITURES	FY19	FY19	FY20	FY21	FY22	FY23	FY24
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE		(Thousands of Dollars)						
		FY19	FY19	FY20	FY21	FY22	FY23	FY24
1002	Federal Receipts							
1003	GF Match							
1004	GF							
1005	GF/Prgm (DGF)							
1007	I/A Rcpts (Other)							
1037	GF/MH (UGF)							
	TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS								
		FY19	FY19	FY20	FY21	FY22	FY23	FY24
Full-time								
Part-time								
Temporary								

CHANGE IN REVENUES		FY19	FY19	FY20	FY21	FY22	FY23	FY24
1250	UGF Revenue (UGF)							
1251	Non-UGF Revenue							
	TOTAL CHANGE IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY18) operating costs 0.0 (separate supplemental appropriation required)
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY19) costs 0.0 (separate capital appropriation required)
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended, or repealed? n/a Discuss details in analysis section.

Why this fiscal note differs from previous version/comments (if initial version, please note as such)

Fiscal note does not differ from initial version, but is updated for 2018 fiscal note form to include FY24 projections.

Prepared by Morgan Foss, Special Assistant to the Commissioner
Division Office of the Commissioner
Approved by Carol Petraborg, Director
Agency Division of Administrative Services

Phone (907) 465-6137
Date/Time 1/11/18 2:30 PM
Date 1/11/2018

FISCAL NOTE ANALYSIS

**STATE OF ALASKA
2018 LEGISLATIVE SESSION**

BILL NO. HB 130

Analysis

There are no additional costs associated with these changes as management of the additional or shifted lands falls within the normal scope of work. The department already manages these lands under a management right assigned by the Department of Natural Resources. These changes will streamline operations, allowing for more effective management actions.

There will be zero fiscal impact to the department.

FISCAL NOTE

STATE OF ALASKA
2018 LEGISLATIVE SESSION

Bill Version HB 130
 Fiscal Note Number _____
 () Publish Date _____

Identifier (file name) HB130-DFG-HAB-01-11-18 Dept. Affected Fish and Game
 Title GAME REFUGE/CRIT HABITAT AREA BOUNDARIES Appropriation Statewide Support Services
 Allocation Habitat
 Sponsor HOUSE RULES BY REQUEST OF THE GOVERNOR
 Requester Senate Resources Committee OMB Component Number 486

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	FY19 Appropriation Requested	Included in Governor's FY19 Request	Out-Year Cost Estimates					
			FY19	FY20	FY21	FY22	FY23	FY24
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants, Benefits								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

	FY19	FY19	FY20	FY21	FY22	FY23	FY24
1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Prgm (DGF)							
1007 I/A Rcpts (Other)							
1037 GF/MH (UGF)							
	0.0	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS

	FY19	FY19	FY20	FY21	FY22	FY23	FY24
Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES	FY19	FY19	FY20	FY21	FY22	FY23	FY24
1250 UGF Revenue (UGF)							
1251 Non-UGF Revenue							
TOTAL CHANGE IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated **SUPPLEMENTAL (FY18) operating costs** 0.0 (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated **CAPITAL (FY19) costs** 0.0 (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
 If yes, by what date are the regulations to be adopted, amended, or repealed? n/a Discuss details in analysis section.

Why this fiscal note differs from previous version/comments (if initial version, please note as such)

Fiscal note does not differ from initial version, but is updated for the 2018 fiscal note form to include FY24 projections.

Prepared by Morgan Foss, Special Assistant to the Commissioner
 Division Office of the Commissioner
 Approved by Carol Petraborg, Director
 Agency Division of Administrative Services

Phone (907) 465-6137
 Date/Time 1/11/18 2:30 PM
 Date 1/11/2018

FISCAL NOTE ANALYSIS

**STATE OF ALASKA
2018 LEGISLATIVE SESSION**

BILL NO. HB 130

Analysis

This bill will correct errors and properly describe areas intended for habitat protection; eliminate the confusing patchwork of land status within these refuges and critical habitat areas; create contiguous, inclusive boundaries that better reflect the original intent of the designations; remove lands inadvertently included in critical habitat areas that were not appropriate for habitat protections, and eliminate permitting requirements for such lands; and clarify management and enforcement of the applicable statutes and regulations governing the subject special areas.

The division does not anticipate any additional costs as management of the additional or shifted lands falls within our normal scope of work.



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Fish and Game

OFFICE OF THE COMMISSIONER
Headquarters Office

1255 West 8th Street
P.O. Box 115526
Juneau, Alaska 99811-5526
Main: 907.465.4100
Fax: 907.465.2332

January 12, 2018

The Honorable Cathy Giessel
Senate Resources Committee
State Capitol Building, Room 427
Juneau, AK 99801

Dear Madame Chair Giessel:

On behalf of Governor Bill Walker, the Department of Fish and Game (ADF&G) respectfully requests HB 130 "An Act relating to the Izembek State Game Refuge, Cape Newenham State Game Refuge, Palmer Hay Flats State Game Refuge, Port Moller Critical Habitat Area, Egegik Critical Habitat Area, Pilot Point Critical Habitat Area, Fox River Flats Critical Habitat Area, Kachemak Bay Critical Habitat Area, and Dude Creek Critical Habitat Area; and providing for an effective date," be scheduled for a hearing in the Senate Resources Committee at your earliest convenience.

The purpose of this legislation is to: 1) correct boundary description errors and properly describe areas intended for habitat protection, 2) eliminate the confusing patchwork of land status within these refuges and critical habitat areas, 3) create contiguous, inclusive boundaries that better reflect the original intent of the designations, and 4) remove lands inadvertently included in critical habitat areas that were not appropriate for habitat protections, and eliminate permitting requirements for such lands.

In accordance with your hearing request requirements, we are submitting the following enclosures for your review:

1. HB 130 Sponsor Statement
2. HB 130 Sectional Analysis
3. HB 130 Version A (current bill version)
4. Current fiscal notes:
 - a. ADF&G – Division of Wildlife Conservation
 - b. ADF&G – Division of Habitat
5. Letters of support
 - a. Alaska Waterfowl Association
 - b. Alaskans for Palmer Hay Flats
 - c. Aleutians East Borough
 - d. Friends of Glacier Bay

- e. Friends of Kachemak Bay State Park
 - f. Kachemak Bay Water Trail
 - g. Kachemak Bay Conservation Society
 - h. The Nature Conservancy
6. Additional documents
- a. ADF&G Maps of Special Areas Boundary Changes
 - b. Gustavus City Council Resolution regarding Dude Creek

The department would appreciate the use of Information Services equipment for the purpose of displaying maps of boundary changes:

- Laptop connectivity for ADF&G laptop
- A projector and screen for map presentation

Administration personnel assigned to HB 130 include:

- Morgan Foss, Legislative Liaison, Office of the Commissioner
 - (907) 465-6137, morgan.foss@alaska.gov

Your favorable consideration of this request is appreciated. If you need any additional information, please contact Morgan Foss, Legislative Liaison, at (907) 465-6137 or morgan.foss@alaska.gov.

Sincerely,



Sam Cotten
Commissioner

cc: Darwin Peterson, Legislative Director, Office of the Governor

Enclosures

**CITY OF GUSTAVUS, ALASKA
RESOLUTION CY16-14**

**A RESOLUTION BY THE GUSTAVUS CITY COUNCIL IN SUPPORT OF A BOUNDARY
ADJUSTMENT TO THE DUDE CREEK CRITICAL HABITAT AREA**

WHEREAS, in 2004, The Nature Conservancy (TNC) purchased several tracts of land in the Gustavus area from the Alaska Mental Health Trust, three parcels of which lie adjacent to the Dude Creek Critical Habitat Area (CHA), and

WHEREAS, these three parcels, comprising 1,279.09 acres (Tracts A and B of Gustavus Flats, Trust Land Survey No. 2004-01, 1,279.09 acres and portions of Sec 14, T 40 S, R 58 E, CRM 160 acres) were conveyed to the Alaska Department of Natural Resources, under an agreement that the lands would be included in the CHA, and

WHEREAS, changes to the boundaries of a CHA requires an act of the State legislature according to the terms mentioned above, and

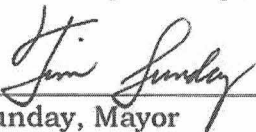
WHEREAS, the Gustavus City Council (Council), by Resolution CY-15-33, has endorsed the present Dude Creek Management Plan, which sets out the management strategy for the CHA, and

WHEREAS, the lands in these parcels are wholly suited for management of a sort outlined in the CHA Management Plan,

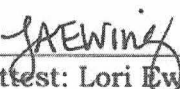
NOW THEREFORE BE IT RESOLVED, that the Council supports the extension of the CHA to include TNC tracts A and B, and 160 acres of Sec 14, T 40 S, per agreement with the State Department of Natural Resources, and

BE IT FURTHER RESOLVED, that the Council requests the Legislature and Governor to take the requisite action to formally accept these lands and adjust the CHA boundaries appropriately.

PASSED and APPROVED by the Gustavus City Council, this 14th day of November, 2016, and effective upon adoption.



Tim Sunday, Mayor



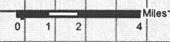
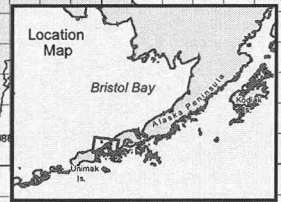
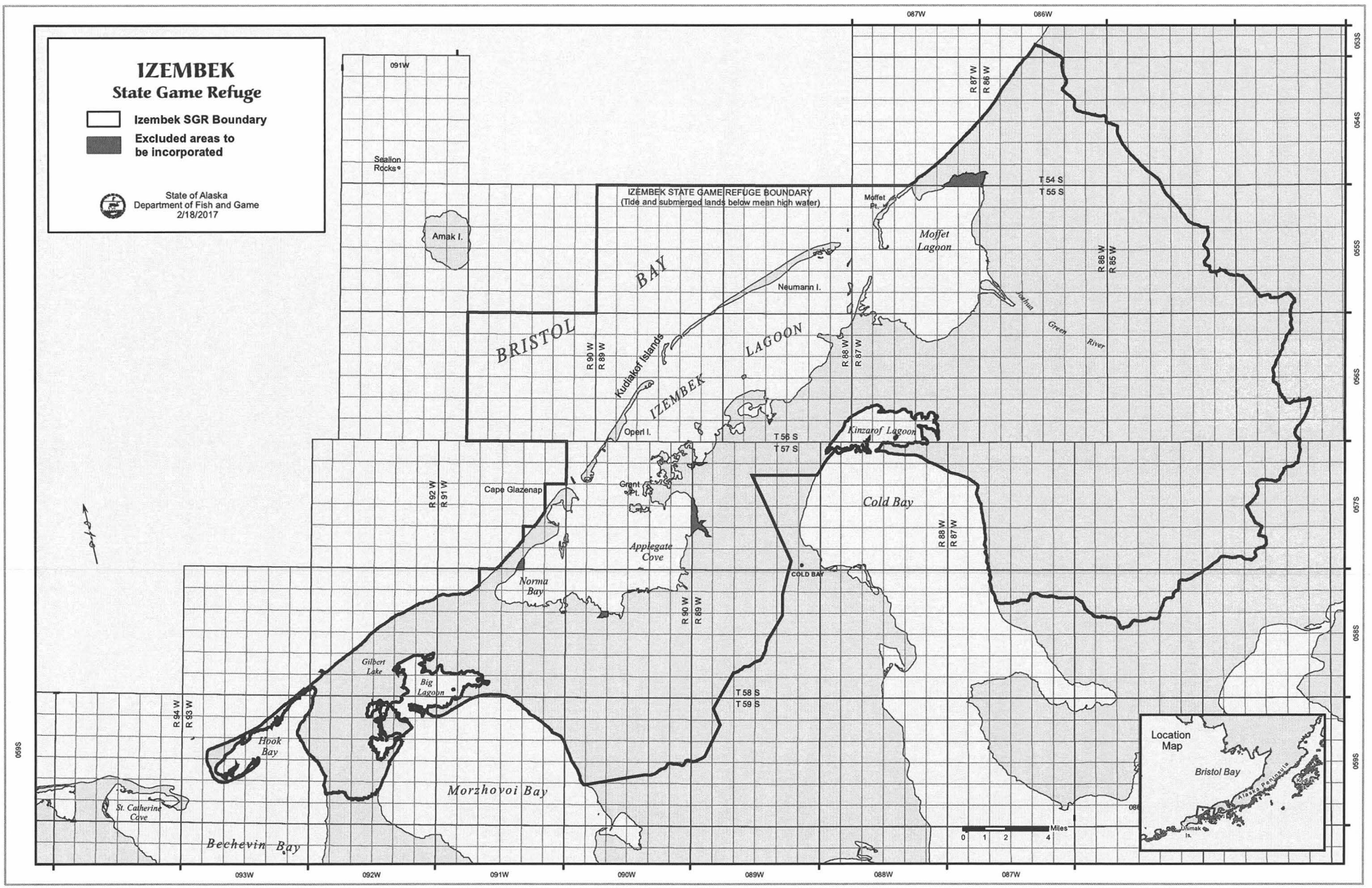
Attest: Lori Ewing, City Clerk/Treasurer

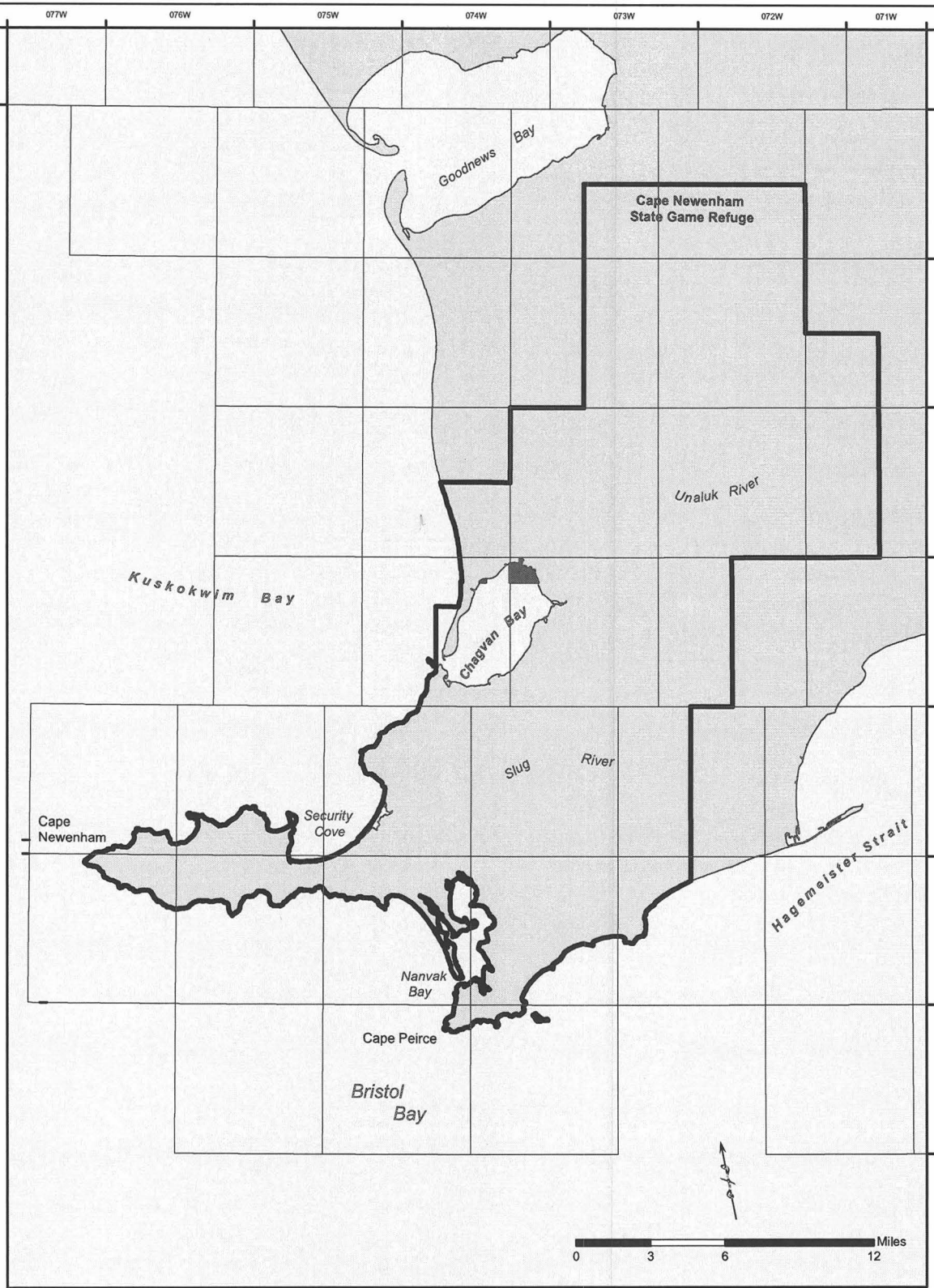
IZEMBEK State Game Refuge

-  Izembek SGR Boundary
-  Excluded areas to be incorporated





State of Alaska
Department of Fish and Game
2/18/2017

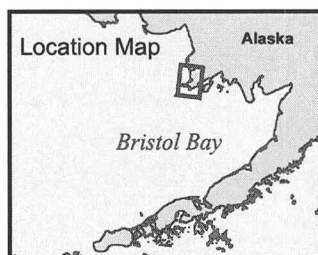




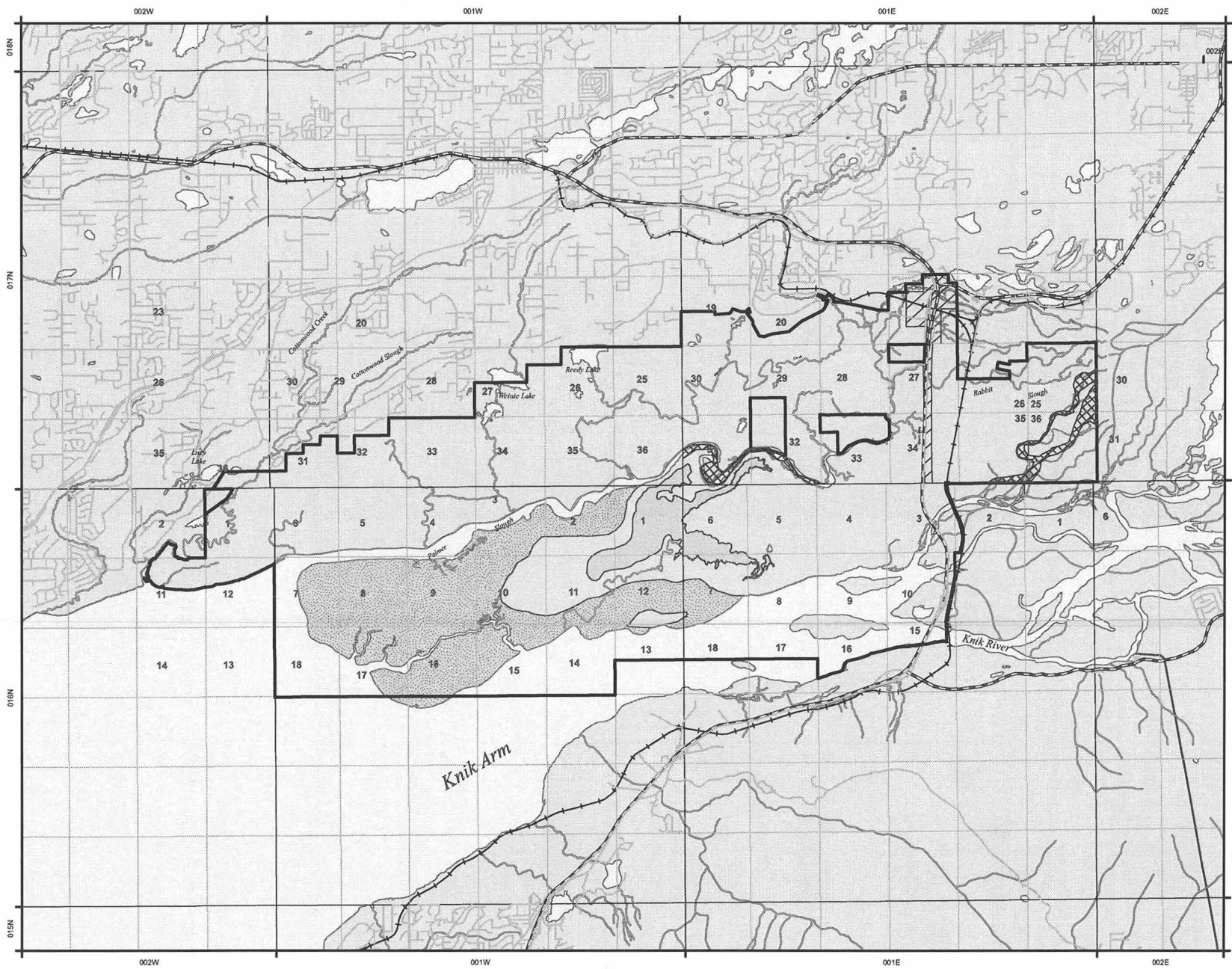
Cape Newenham State Game Refuge

Legend




-  Cape Newenham SGR Boundary
-  Excluded areas to be incorporated

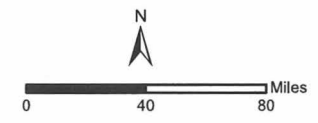


State of Alaska
Department of Fish and Game
2/18/2017

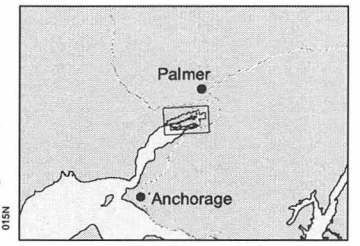


Palmer Hay Flats State Game Refuge

-  State Game Refuge Boundary
16.20.032(A)
-  Transportation and Utility Corridor
16.20.032(E)
Excluded from refuge jurisdiction
-  Excluded areas to be incorporated



Map Produced by Alaska Department of Fish & Game Division of Sport Fish
2/18/2017



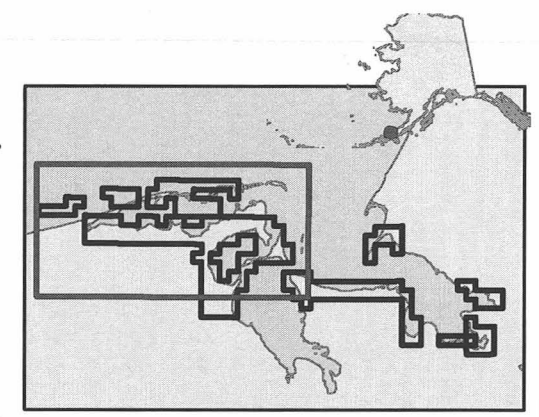
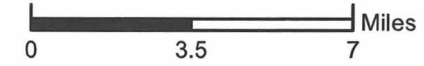
Port Moller Critical Habitat Boundary



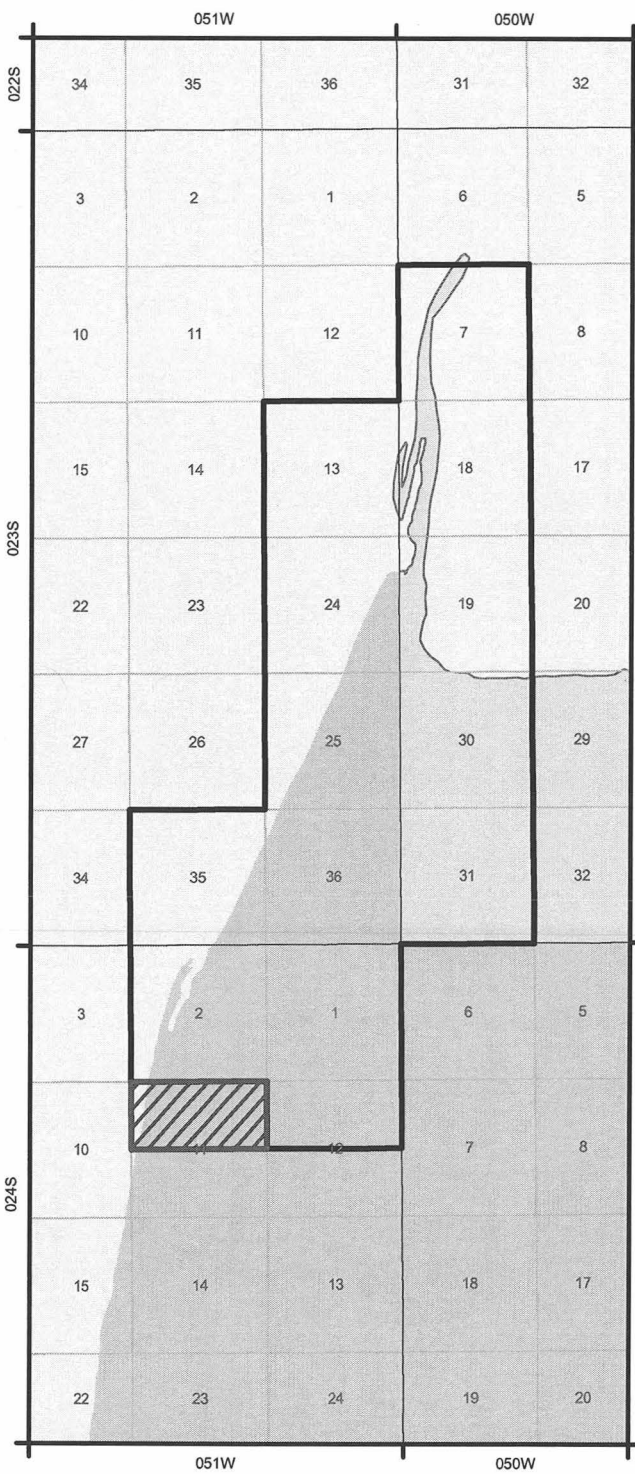
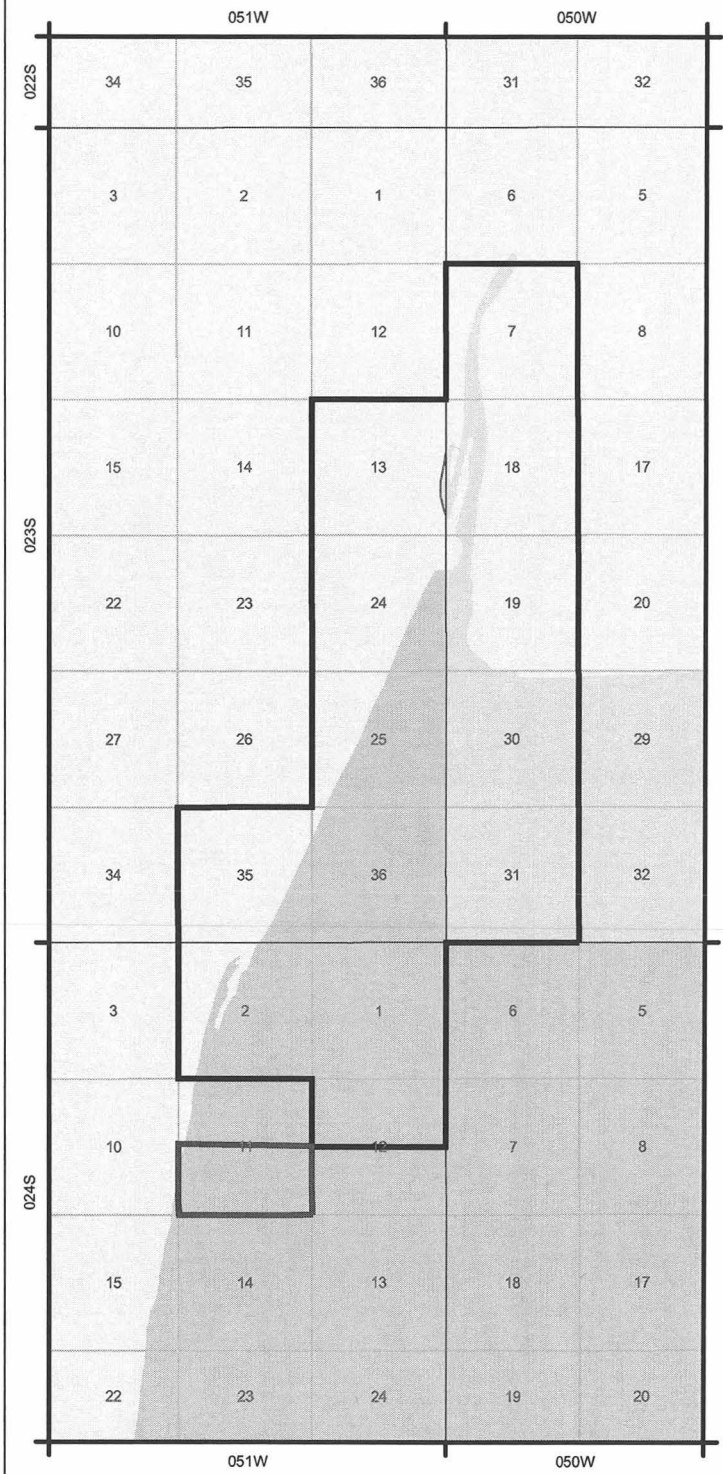
- Existing Boundary
- Incorrect Boundary
- Fixed Boundary

Land Status







- Federal
- Native Corp
- Private
- State
- Native Allotment

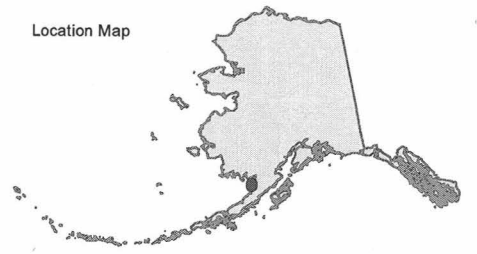
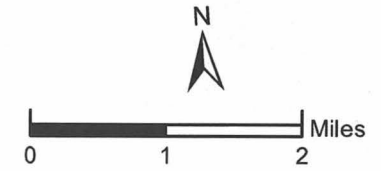


State of Alaska
Department of Fish and Game
2/18/2017



Egegik Critical Habitat Boundary



-  Existing Boundary
-  Incorrect Boundary
-  Fixed Boundary
- Land Status**
-  Federal
-  Native Corp
-  State

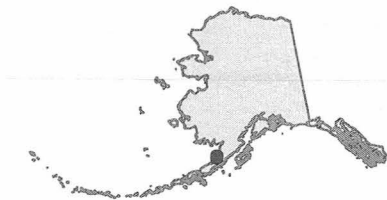
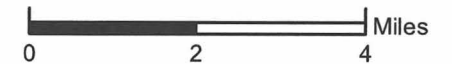


State of Alaska
Department of Fish and Game
 Date: 2/18/2017

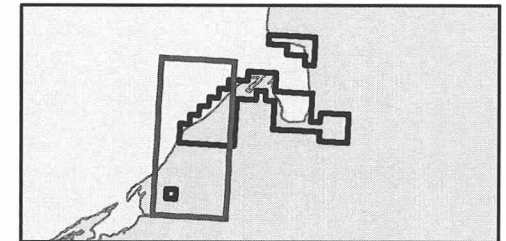
Pilot Point Critical Habitat Boundary

-  Existing Boundary
-  Incorrect Boundary
-  Fixed Boundary

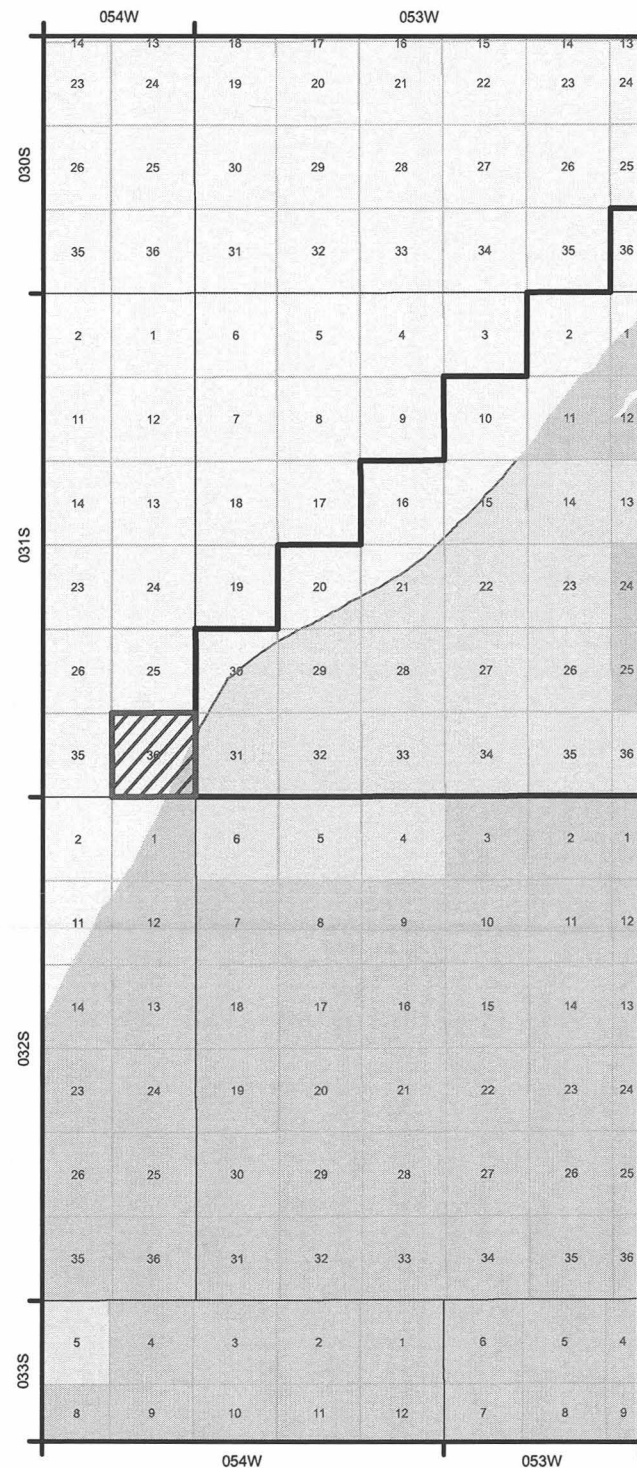
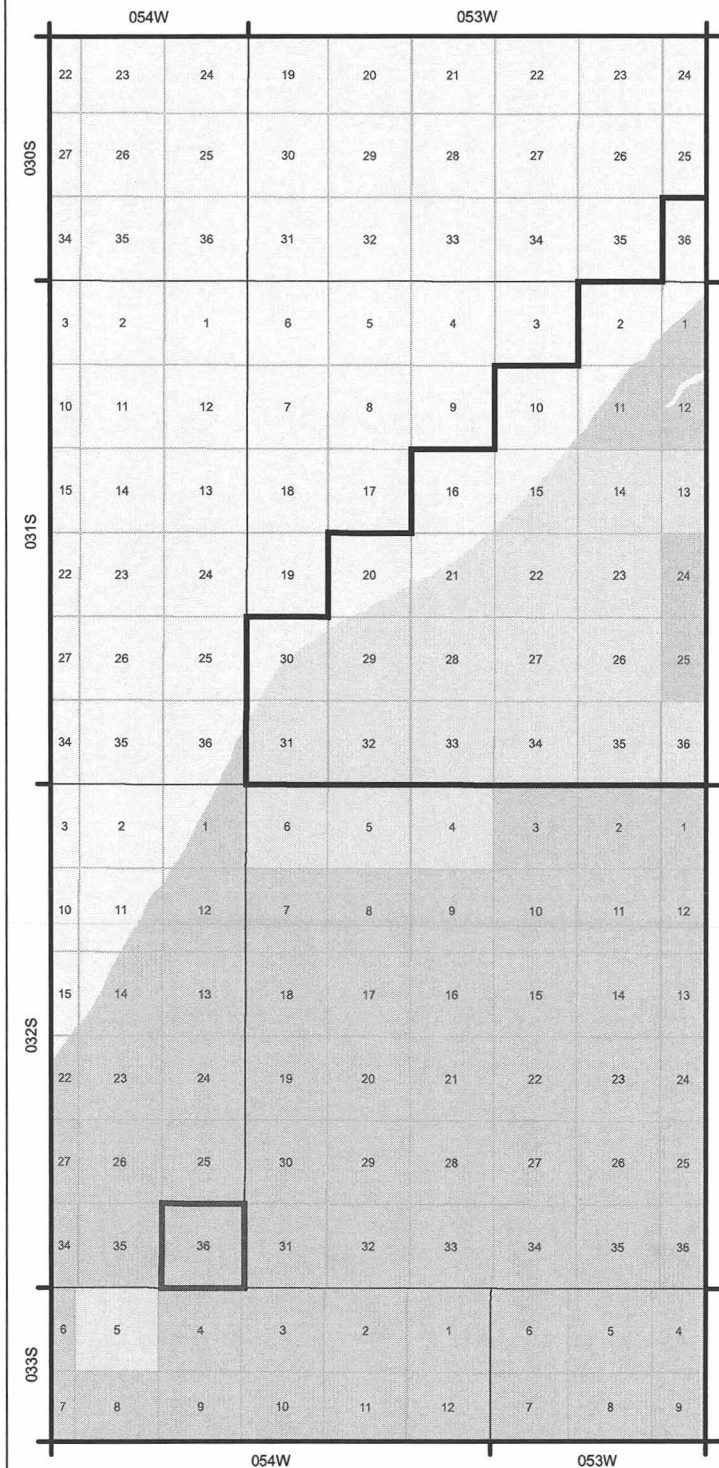
- Land Status
-  Native Corp
 -  State



Location Map





State of Alaska
Department of Fish and Game
Date: 2/18/2017



Fox River Flats Critical Habitat Area

Legend

-  Statutory CHA Boundary
-  Potential areas of tide and submerged lands for inclusion in the CHA

Land Estate

State Lands

-  State
-  Grazing Lease
-  P & C Lease

Private Lands

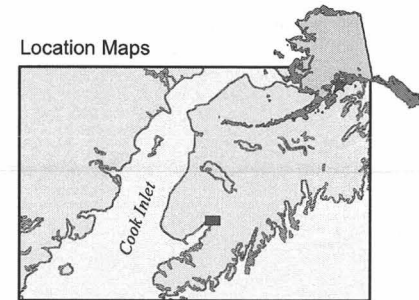
-  Private

Federal Lands

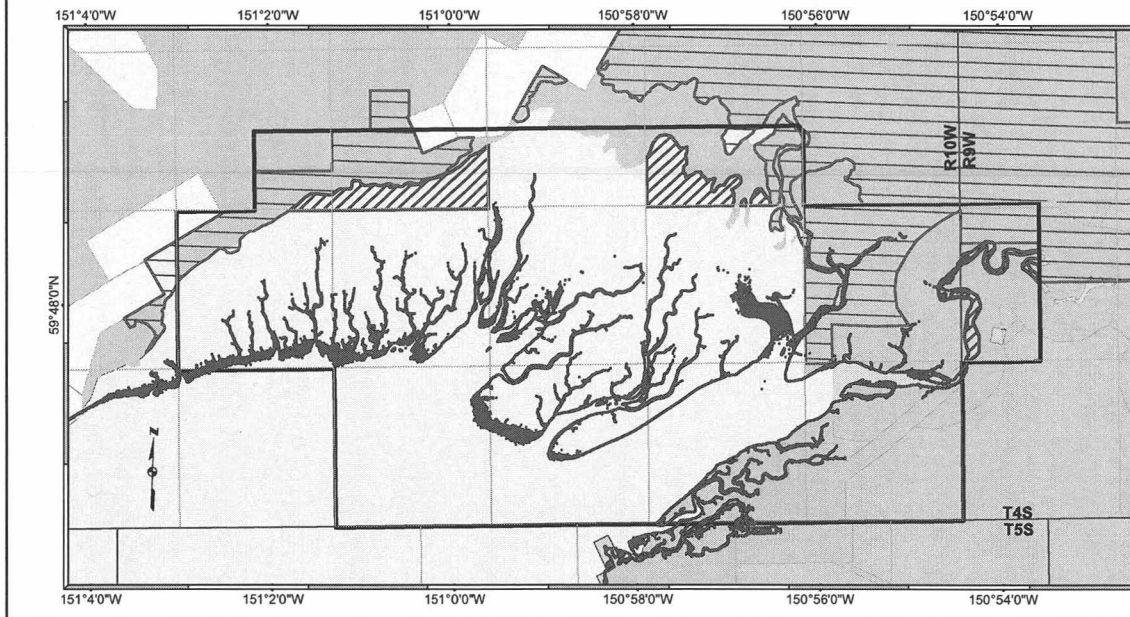
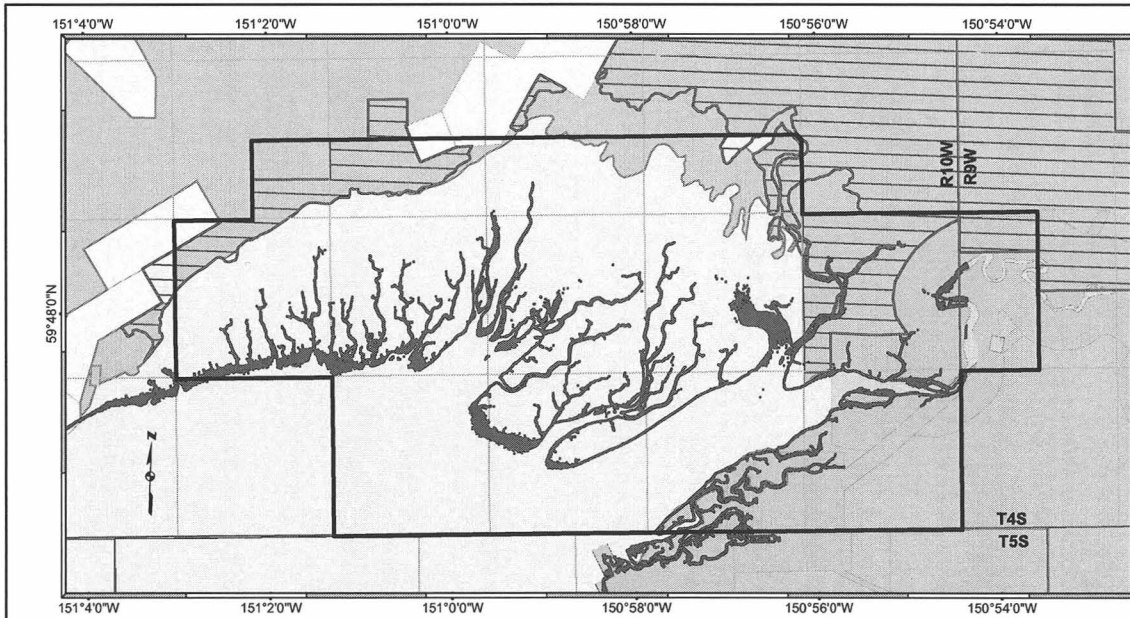
-  BLM

 17.6 ft Tidal Contour
at 1 meter intervals (mean high tide)

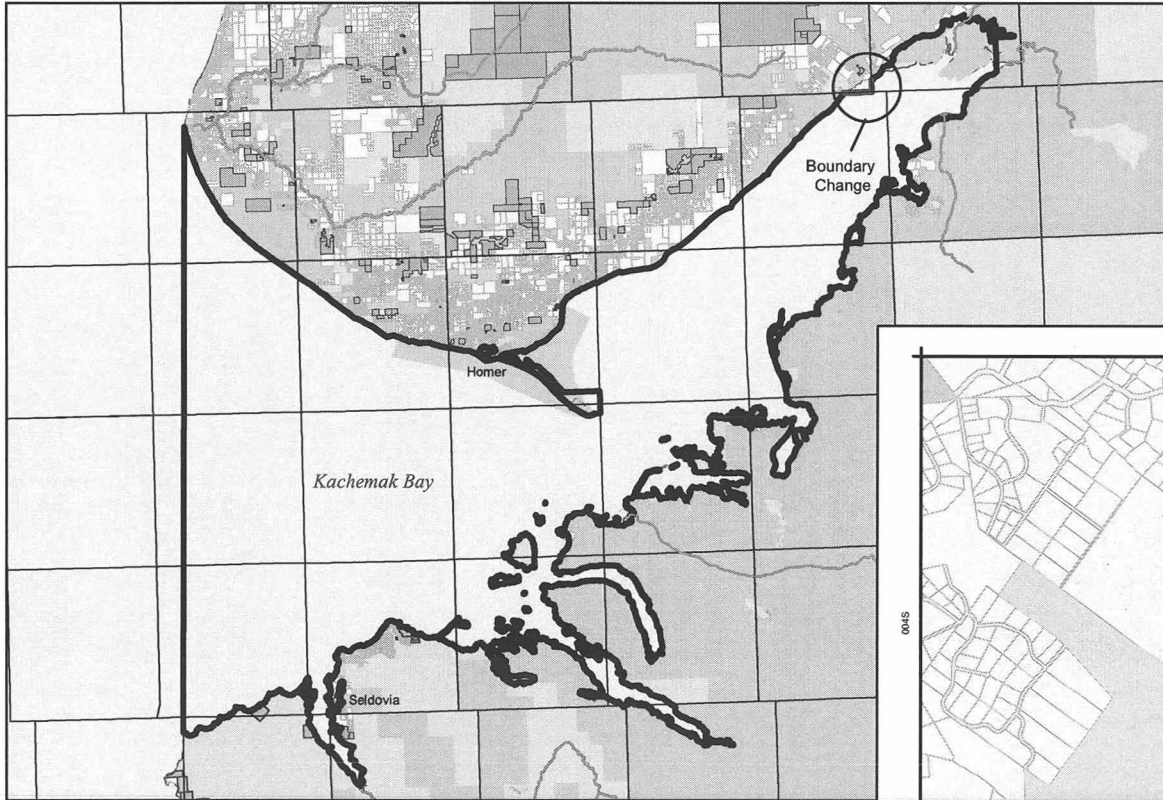
Location Maps



State of Alaska
Department of Fish and Game
2/18/2017

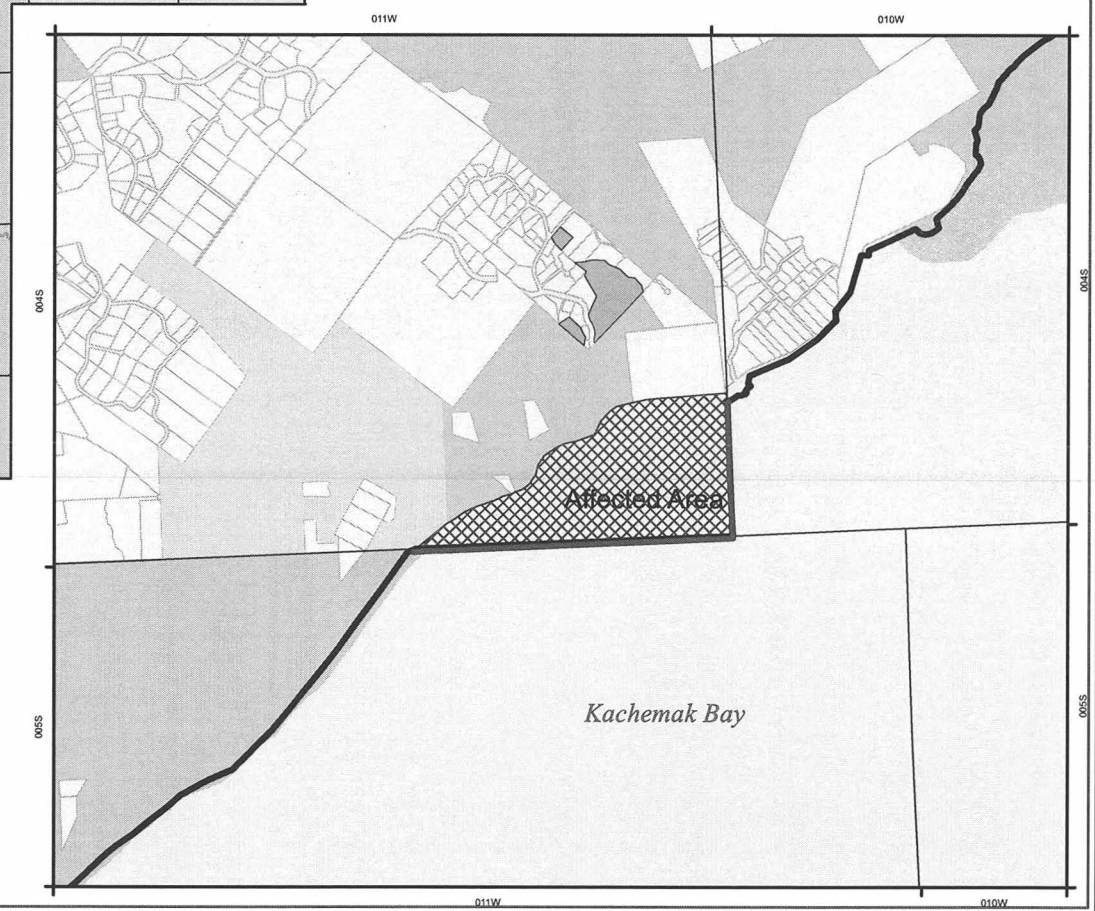


Kachemak Bay Critical Habitat Area

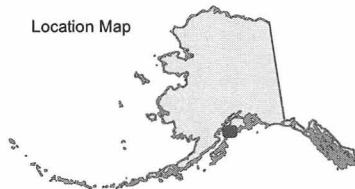


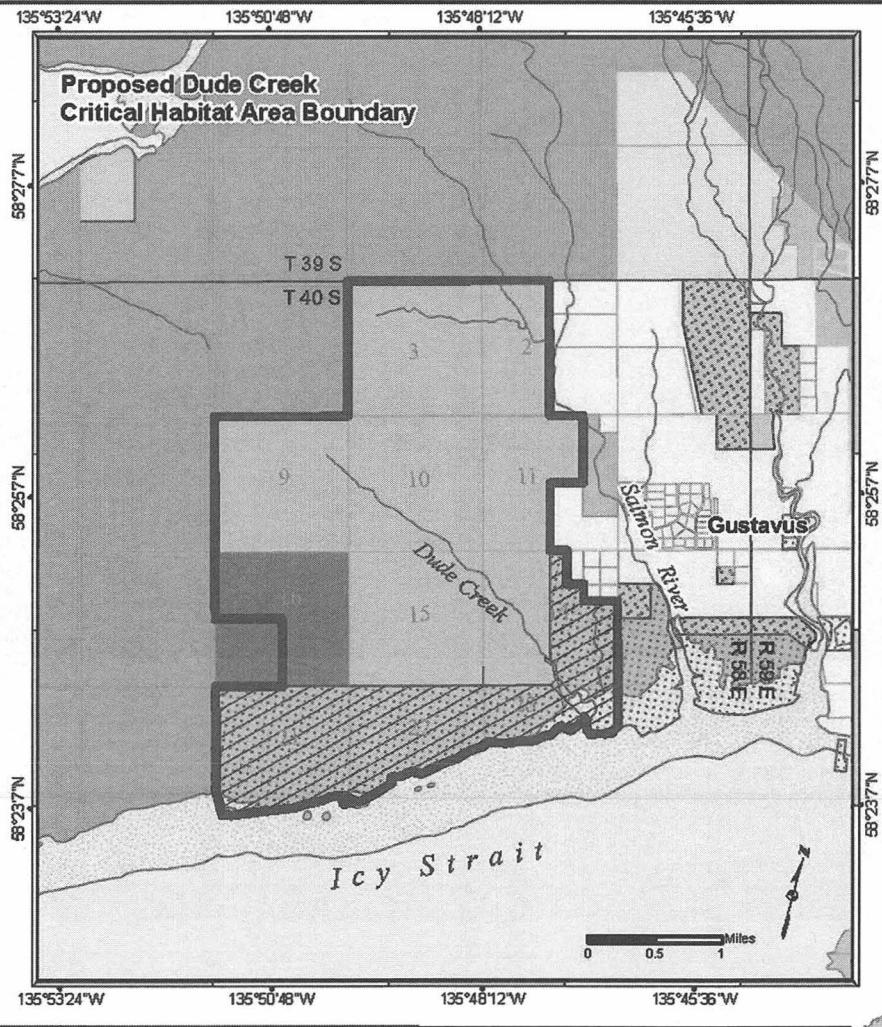
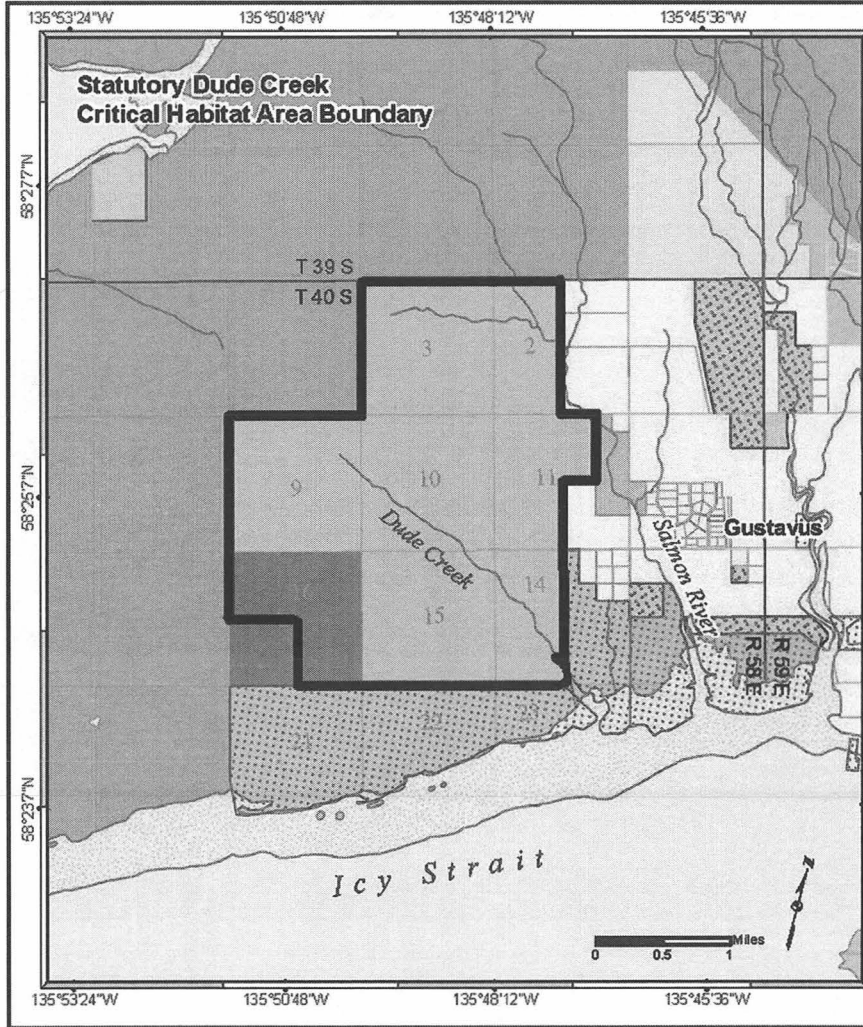
- Existing CHA Boundary
- Incorrect CHA Boundary
- Corrected Area

- | State Lands | Other Lands |
|-------------|-------------|
| BLM | Private |
| State | Borough |
| | Native |



Map Produced by Alaska Department
of Fish & Game Sport Fish Division
Date: 2/18/2017



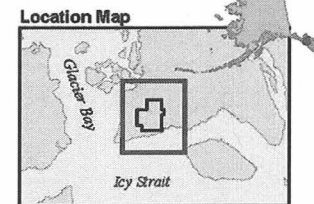


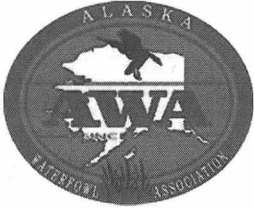
Dude Creek Critical Habitat Area

- | | |
|-------------------------|--------------------------|
| Federal Lands | Private Lands |
| ■ National Park Service | ■ Native |
| ■ USFWS | ■ Native Allotment |
| State Lands | ■ Private |
| ■ State | ■ The Nature Conservancy |
| ■ Mental Health | |
| ■ School Trust | |
| ■ Management Rights | |

- Stutory CHA Boundary
- Proposed Dude Creek CHA Boundary
- ▨ Affected Lands

State of Alaska
Department of Fish and Game
8/26/2014





Alaska Waterfowl Association

Letter of Support for Bill HB NO 130/SB NO 61

2/28/2017

To Whom it May Concern

Alaska Waterfowl Association is dedicated to helping conservation, preservation, and the protection of Alaska's Waterfowl and Wetlands.

HB 130/SB 61 is a simple request to help preserve, protect and correct technical errors that were initially made when the refuge's boundary descriptions were drafted. A technical error, that needs to be corrected ensuring the future of this habitat.

This Bill will ultimately reinstate the initial intent of the refuges without encroaching on personnel or private citizens. By adding hundreds of acres back to the refuges, you ensure this receives the proper management needed to sustain and maintain habitat protection. It also clarifies who will manage the land ensuring the proper regulations govern such care. This alleviates multiple organizations and allows Alaska Department of Fish and Game to do their job with a little outside coordination as possible.

Alaska Waterfowl Association supports HB130/SB61 and all request to correct the refuge boundaries mentioned.

These refuges are extremely important for all wildlife that inhabits them. Alaska needs to preserve all of its valuable resources for generations to come.

A handwritten signature in cursive script, appearing to read "Hugh Clark".

Hugh Clark

President

Alaska Waterfowl Association Inc.



Alaskans for Palmer Hay Flats

Dedicated to responsible use and enjoyment of
Palmer Hay Flats State Game Refuge

Rep. Mark Neuman
Interdepartmental Mail Stop: 3100
State Capitol, Juneau, AK 99801-1182

3 April 2017

Dear Rep. Mark Neuman,

Alaskans for Palmer Hay Flats State Game Refuge (APH), a 501(c)(3) non-profit and the "friends group" supporting the state managed Palmer Hay Flats State Game Refuge, is providing its full support for HB 130/SB 61 which corrects the exclusion of lands once submerged by the Matanuska River channels and Wasilla Slough providing contiguous state managed lands.

APH was formed in 2005 with an initial goal of cleaning and improving public access sites to the refuge. After twelve years and several thousand hours of volunteer effort, hundreds of thousands in grants and donations, and assistance and direction from Alaska Department of Fish and Game refuge managers, access sites to the Palmer Hay Flats State Game Refuge have become places of beauty and educational opportunity. This effort has been a long and challenging process fighting issues of vandalism while educating the public.

One of the challenges for refuge management has been the questionably illegal and damaging incursion by wheeled vehicles into the refuge through these excluded corridors. We believe that incorporating all lands currently or once submerged by constantly changing waterways will help provide consistency in management and enforcement efforts and help maintain the value and health of these rich wetlands.

We write this letter in knowledge of a desire by the Department of Fish and Game to make this boundary change. APH fully supports their intent. We look forward to seeing this legislation enacted. Thank you.

Sincerely yours,

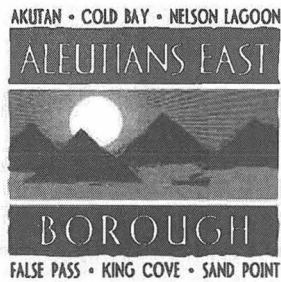
Michelle Davis
President APH Board of Directors

Cc: Senators Shelley Hughes, David Wilson and Peter Micciche
Representatives Cathy Tilton, DeLena Johnson, David Eastman, Colleen Sullivan-Leonard and
George Rauscher
Bruce Dale, Director Wildlife Conservation

"Alaskans for Palmer Hay Flats is dedicated to conserving the natural and cultural resources of Palmer Hay Flats State Game Refuge by fostering stewardship through public awareness, recreation, education and enhancement projects." ~ our mission statement

4900 E Palmer-Wasilla Hwy., Ste 106, Wasilla, AK 99654 tele: (907) 357-8711 fax: (907) 357-8713

website: www.PalmerHayFlats.org
email: palmerhayflats@gmail.com



February 21, 2017

Co-Chair Representative Andy Josephson
Co-Chair Representative Geran Tarr
House Resources Committee
Alaska State Legislature

Re: Comment in Support of HB 130

Dear Co-Chairs Representative Josephson and Representative Tarr,

The Aleutians East Borough, a 2nd Class Borough of the State of Alaska, is situated on the western portion of the Alaska Peninsula, and includes the easternmost Aleutian Islands. Our communities include Nelson Lagoon, Cold Bay, False Pass, Akutan, King Cove and Sand Point.

Our staff has reviewed the language in HB 130, related to the Izembek State Game Refuge and the Port Moller Critical Habitat Area located within the Borough. We find that the proposed boundary corrections are necessary to the practical management and accurate depiction of these land areas.

We respectfully request that your committee support this important legislation. Thank you for the opportunity to comment. Please contact me if you have any questions.

Sincerely,

Rick Gifford
Borough Administrator

Cc: Speaker Bryce Edgmon

**Friends of Glacier Bay
PO Box 135
Gustavus, Alaska 99826
February 19, 2017**

To Whom It May Concern
Alaska Department of Fish and Game
Via email: tammy.massie@alaska.gov

Subject: Friends of Glacier Bay Supports Adoption of HB130/SB61 Expanding the Dude Creek CHA

Friends of Glacier Bay (FOGB) supports the adoption of HB130/SB61 to expand the boundary of the Dude Creek CHA to include lands purchased by The Nature Conservancy from the Mental Health Lands Trust (MHLT) and returned to the State of Alaska specifically for inclusion in the boundaries of the CHA.

Friends of Glacier Bay is a non-governmental organization, centered in Gustavus, serving as a forum for the discussion, education and action on issues affecting Glacier Bay National Park and Preserve. The Dude Creek CHA borders on Glacier Bay National Park. The critical Sandhill crane wetland habitat protected by the CHA actually extends beyond the original CHA boundary into the Park and also onto the State lands to be added to the CHA by this bill. The FOGB board met recently in Gustavus and directed the FOGB President to communicate its support for the inclusion of the former MHLT lands into the CHA. The official addition of the donated lands will provide for uniform management of the expanded CHA by ADF&G under the recently adopted CHA management plan. FOGB understands that the management rationale for the CHA differs from that for the adjacent National Park. However, the CHA rationale is compatible with that of the neighboring Park lands in supporting the needs of wildlife ranging across the broader landscape.

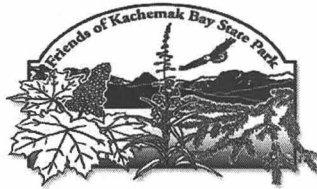
FOGB appreciates that the Gustavus City Council has also supported by resolution the proposed addition to the CHA, which lies between the existing CHA and the Icy Passage beach. Gustavus residents enjoy using these lands for recreation such as hiking, bird-watching, and hunting, and hope that they remain available for such public enjoyment, compatible with the primary goal of preserving wildlife habitat.

Please register the enthusiastic support of Friends of Glacier Bay for the adoption of HB130/SB61. We appreciate the opportunity to comment and to help move this appropriate wild land designation forward for the benefit of wildlife and of present and future human generations.

Sincerely,

Michael S. Taylor

Michael S. Taylor
President, Friends of Glacier Bay



95 Sterling Highway, Suite 2, Homer, Alaska 99603

A non-profit organization dedicated to enhancing, preserving and protecting the resources of Kachemak Bay State Park.

February 26, 2017

To Whom It May Concern:

The Friends of Kachemak Bay State Park strongly supports moving HB 130 and SB 61 forward through committees and on to the House and Senate Floor. These bills have no fiscal note so there will no hardship to the state's budget.

This legislation will correct the boundaries of 8 refuges & critical habitat areas as they were laid out in the original enabling legislation and add acreage to Dude Creek Critical Habitat Area with land acquired from the Nature Conservancy.

The Homer area residents and visitors to Kachemak Bay greatly appreciate and enjoy the Critical Habitat Areas in our vicinity and throughout the state of Alaska. It is important to establish the true boundaries of these areas and ensure they are protected for future generations.

Thank you for your service in this challenging time and we hope that these bills can be moved forward this session.

Respectfully

Friends of Kachemak Bay State Park

Mako Haggerty, President



Kachemak Bay Conservation Society

3734 Ben Walters Ln, Homer, AK 99603

907 235.8214

kbayconservation@gmail.com

February 26, 17

To Whom It May Concern:

The Kachemak Bay Conservation Society, which represents approximately 60 members, strongly supports moving HB130 and SB61 forward through committees and on to the House and Senate Floor. These bills have no fiscal note so there will no hardship to the state's budget.

This legislation will correct the boundaries of 8 refuges & critical habitat areas as they were laid out in the original enabling legislation and add acreage to Dude Creek Critical Habitat Area with land acquired from the Nature Conservancy.

The Homer area residents and visitors greatly appreciate and enjoy the Critical Habitat Areas in our vicinity and throughout the state of Alaska. It is important to establish the true boundaries of these areas and ensure they are protected for future generations.

Thank you for your service in this challenging time and we hope that these bills can be moved forward this session.

Respectfully,

Kachemak Bay Conservation Society

Roberta Highland, President

The Kachemak Bay Conservation Society's mission is to protect the environment of the Kachemak Bay region and greater Alaska by encouraging sustainable use and stewardship of natural resources through advocacy, education, information, and collaboration.



95 Sterling Highway, Suite 2, Homer, Alaska 99603

Website: <http://www.kachemakbaywatertrail.org/>

Email address: kbwt@homer.alaska.org

February 26, 2017 To

Whom It May Concern:

The Kachemak Bay Water Trail Steering Committee strongly supports moving HB 130 and SB 61 forward through committees and on to the House and Senate Floor.

These bills have no fiscal note so there will be no hardship to the state's budget.

This legislation will correct the boundaries of 8 refuges & critical habitat areas as they were laid out in the original enabling legislation and add conservation land to the Dude Creek Critical Habitat Area that was acquired from the Nature Conservancy.

Recreationalist and Water Trail users greatly appreciate and enjoy the Critical Habitat Areas in our vicinity and throughout the state of Alaska. It is important to establish the true boundaries of these areas and ensure they are protected for future generations.

Thank you for your service in this challenging time and we hope that these bills can be moved forward this session.

Respectfully,
Kachemak Bay Water Trail Steering Committee

Robert Archibald, co-chair
Dave Brann, co-chair



The Nature Conservancy Alaska Program
715 L Street
Suite 100
Anchorage, AK 99501

nature.org/alaska
907-276-3133

17 February 2017

To Whom It May Concern:

The Nature Conservancy fully supports expanding the boundary of the Dude Creek Critical Habitat Area (DCCHA). The land encompassed by the proposed expansion was purchased by The Nature Conservancy in 2004. The property was then deeded to the Department of Natural Resources for eventual inclusion within the (DCCHA).

As part of the Gustavus Forelands Preserve, The Nature Conservancy owns and manages parcels adjacent to the DCCHA. The Conservancy's management objectives for the Gustavus Preserve were modeled after Fish and Game's management of the DCCHA. Preserving wildlife habitat and welcoming hunting, hiking, and other public uses are goals shared by both The Nature Conservancy and Fish and Game.

Sincerely,

A handwritten signature in cursive script that reads "Randall H. Hagenstein".

Randall H. Hagenstein, Alaska Director

Homer, AK 99603

Members
Senate Resources Committee
Alaska State Legislature
Juneau AK

Dear Committee Members:

I fully support HB 130, which will make critical amendments to many of our state game refuges and critical habitat areas. The typographical errors and accidental omissions need to be corrected. This bill will do that.

Also, the special area near Gustavus, wetlands purchased by The Nature Conservancy to be added to the Dude Creek Critical Habitat Area should be completed to honor the intent of the citizens that made this happen.

This bill should be passed as soon as possible to fix these important oversights.

Thank you.

Sincerely,

Nina Faust

*Protecting the integrity & biological diversity of the Anchorage
Coastal Wildlife Refuge....*



**FRIENDS OF
THE
ANCHORAGE
COASTAL
WILDLIFE
REFUGE (FAR)**

PO Box 220196
Anchorage, AK
99522-0196

Phone: 907-248-2503
Fax: 907-248-3159
email: bc@farak.org

The Honorable Senator Cathy Giessel, Chair
The Honorable Senator John Coghill, Vice Chair
State Capitol Room 427
House Resources Standing Committee
Juneau, AK 99801

Via email: Senator.Cathy.Giessel@akleg.gov Senator.John.Coghill@akleg.gov
Senator.Natasha.vonImhof@akleg.gov Senator.Bert.Stedman@akleg.gov
Senator.Kevin.Meyer@akleg.gov Senator.Bill.Wielechowski@akleg.gov
Senator.Click.Bishop@akleg.gov

Subject: FAR's Testimony to Senate in Support of HB 130

2018 February 2

Dear Senators Giessel, Coghill and Whom it May Concern:

I write on behalf of Friends of the Anchorage Coastal Wildlife Refuge (FAR) with full support for HB 130, brought forward by Governor Walker, to help clarify uncertain boundaries, help avoid conflicts, & make management by the Alaska Department of Fish & Game more straightforward. FAR is a 501 c-3 nonprofit organization in good standing with the IRS and the State of Alaska comprised of citizens and professionals. Our mission is to preserve the integrity and biological diversity of the Anchorage Coastal Wildlife Refuge (ACWR). This easily damaged subarctic saltmarsh system supports an unusual diversity of plants, birds, mammals and invertebrates, and is of continental conservation significance. The proximity of the refuge to Alaska's largest city makes it important for public education and enjoyment but also makes it highly vulnerable. We appreciate this chance to comment regarding HB 130, the actions of which are long overdue. It is in all our best interest for the State to facilitate a clear & strong management system for the health of these public lands & the wildlife they support for the benefit of not only ourselves, but for future generations.

The Anchorage Coastal Wildlife Refuge is but one of 32 Alaska State Refuges, Sanctuaries, and Critical Habitat Areas and is managed by the Alaska Department of Fish and Game (ADF&G). This bill proposes amendments to the statutory boundary descriptions of nine of these Special Areas (Izembek, Cape Newenham & Palmer Hay Flats refuges, & for Port Moller, Egegik, Pilot Point, Fox River Flats, & Dude Creek & Kachemak Bay critical habitat areas). It is very important for cooperative management between agencies, landowners, & others, that boundaries are clear. While errors & minor oversights persist clear discussions & decisions are difficult if not impossible. FAR appreciates and supports this needed housekeeping action to ameliorate consistency across cohesive lands areas for the good of these valuable public lands & to maximize rapport with agencies, land owners, & others who need to cooperate from time to time in their respective responsibilities.

Thank you for considering this matter & helping to correct inadvertent, but long-standing errors by moving forward with HB 130.

Barbara Švarný Carlson,
Barbara Švarný Carlson,
President & Executive Director

HB 130 passed the House last spring on a nearly unanimous vote, and is now being considered in the Senate. On Friday February 2 the Senate Resources Committee will hold a public hearing on the bill.

If passed, HB 130 will:

1. Correct typographical errors in the legal descriptions made in the original 1970's statutes for Port Moller, Egegik and Pilot Point critical habitat areas (all in Bristol Bay on the Alaska Peninsula);
2. Add relatively small areas within the external boundary that were presumably inadvertently omitted from Izembek, Cape Newenham and Palmer Hay Flats state game refuges; and Fox River Flats and Kachemak Bay critical habitat areas; and
3. Add approximately 1,400 acres of wetlands to the Dude Creek Critical Habitat Area (Gustavus) that were purchased by The Nature Conservancy and donated to the state for purposes of habitat conservation and adding to the CHA.

My hope is to see this bill passed out of the Senate Resources Committee as it is and then on to a floor vote.

Thank you,
Connie Markis
Anchorage, Alaska

Dear Senate Resources Committee -

I am writing in support of HB 130, regarding the boundaries of several Alaska State Game Refuges and Critical Habitat Areas. These are all existing State Game Refuges and Critical Habitats, and this legislation is being sponsored by the Governor. HB 130 is necessary to correct mistakes in previous legal descriptions and clean up/adjust some specific boundaries. It is important for you to approve this bill as it will:

- 1) Correct typographical errors in the legal descriptions made in the original 1970's statutes for Port Moller, Egegik and Pilot Point critical habitat areas (all in Bristol Bay on the Alaska Peninsula);
2. Add relatively small areas within the external boundary that were presumably inadvertently omitted from Izembek, Cape Newenham and Palmer Hay Flats state game refuges; and Fox River Flats and Kachemak Bay critical habitat areas; and
3. Add approximately 1,400 acres of wetlands to the Dude Creek Critical Habitat Area (Gustavus) that were purchased by The Nature Conservancy and donated to the state for purposes of habitat conservation and as an addition to the existing Critical Habitat Area.

In this time of a state budget deficit, It is important to note that the state's analysis shows there will be zero fiscal impact to the Alaska Department of Fish and Game (the agency charged with managing these areas) due to passage of this bill. Management of the additional or shifted lands falls within the normal scope of their work, and may represent increased efficiency for the Department. In fact, the benefits provided by this bill seem likely to result in some administrative cost savings as the bill is intended to:

"correct errors and properly describe areas intended for habitat protection; eliminate the confusing patchwork of land status within these refuges and critical habitat areas; create contiguous, inclusive boundaries that better reflect the original legislative intent of the designations; remove lands inadvertently included in critical habitat areas that were not appropriate for habitat protections, and eliminate permitting requirements for such lands; and clarify management and enforcement of the applicable statutes and regulations governing the subject special areas."

I also expect that you will affirm the existing purposes of our State Game Refuges and Critical Habitat Areas. Those provide for the fair and equitable use of these areas while ensuring the fish and wildlife resources they support will be sustained for future generations of Alaskans.

Thank you for your attention to my comments.

Sincerely,

Ann Rappoport

Anchorage, AK 99516

**ADF&G Habitat Permit Denials in Special Areas
2012 through 2018**

1. May 2013 Denial

Clam Gulch Critical Habitat Area includes tidelands and submerged lands along the coast from Cape Kasilof to Happy Valley on the Kenai Peninsula. The Clam Gulch State Recreation Area (managed by DNR Parks) is on the adjacent uplands.

Project Proposal:

Small Scale Placer Mining using a suction dredge with a 36 hp motor with a 6inch nozzle to suction beach material to a depth of 24 inches, and then wash it through a sluice box and re-deposit it in tidal area, during a May through November work period.

Justification for Denial:

This CHA has been one of Alaska's most popular and most productive areas for the production and harvest of razor clams. Use of suction dredge would have removed clams from beds and damaged shells of clams due to strength of motor, resulting in direct loss of harvestable and breeding populations. (Clam gathering for research purposes is limited to below 8 hp motors to avoid clam mortalities. Harvest of clams for personal use with motorized suction dredges is prohibited.) Suspension of fine grained material in water column from dredging and sluicing could interfere with breeding and transport of larval clams. Re-depositing and settling of dredged material could bury/ smother clams in adjacent areas of beach. Peak use by clam diggers and other recreational use of the CHA occurs during the summer months.

2. February 2013 Denial

Susitna Flats State Game Refuge (extends west along Cook Inlet from Point Mackenzie area towards Beluga around the Little Susitna, Susitna River, and Beluga Rivers).

Project proposal:

Applicant requested to use a large 8 wheeled Argo (over 1,000 lbs.) to access recreational ice fishing spots in the refuge.

Plan/regulation:

The off-road use of small vehicle weighing less than 1,000 pounds (i.e. snow machines and ATVs) on all refuge lands in winter is permitted provided adequate snow and frozen ground persists. Individual authorizations for vehicles over 1,000 lbs (off road use) are limited to instances where there is a demonstrable need with no feasible alternative.

Justification for Denial:

Feasible alternatives existed and there was no demonstrable need for that size vehicle for recreational use.

- The General Permit for the SGR already authorized access to the specific fishing locations with smaller vehicles, which the applicant had previously used.
- The General Permit for the SGR already authorized access with larger vehicles (under 10,000lbs) along the ENSTAR right of way and frozen river surfaces in the SGR.
- Alternative ice fishing locations exist outside the refuge.

3. 2010 Appeal

A visually impaired hunter requested post-project and continued use authorization for a permanent structure (tree stand) and trail clearing to support the assistance he needed to use his bear bait station. New, permanent structures for exclusive use in the refuge are not typically allowed under the Susitna Flats SGR management plan.

A denial was issued by staff and was appealed by the applicant. The denial was overturned by Commissioner and a permit was eventually issued for the requested activity. This occurred 7 years ago, so this was not included in our original statistics.

The Department of Fish and Game has prepared the following responses to questions that Senate Resources Committee members asked in the February 2nd hearing on Special Areas Management and HB 130. Please let me know if I can provide any additional information or clarification on these or other items.

Provide a list of special areas that abut or overlap federal lands:

The following is a general summary of the land management purposes and intents for the federal lands types abutting state Special Areas. A side-by-side comparison of federal lands vs. state Special Areas for location specific rules will require a more comprehensive review.

1. Alaska Special Areas abutting federally managed forests, refuges, and parks:
 - o Izembek State Game Refuge: overlays and abuts Izembek National Wildlife Refuge
 - o Cape Newenham State Game Refuge: overlays and abuts Togiak National Wildlife Refuge
 - o Walrus Islands State Game Sanctuary: abuts Togiak National Wildlife Refuge
 - o Port Heiden and Port Moller Critical Habitat Areas: abuts Alaska Peninsula National Wildlife Refuge

 - o Redoubt Bay Critical Habitat Area: abuts Lake Clark National Park
 - o Dude Creek Critical Habitat Area: abuts Glacier Bay National Park

- o McNeil State Game Refuge: abuts Katmai National Park and Preserve
- o McNeil State Game Sanctuary: abuts Katmai National Park and Preserve

- o Stan Price State Game Sanctuary: abuts Tongass National Forest
- o Copper River Delta Critical Habitat Area: overlays and intermingled with Chugach National Forest

- a) National Wildlife Refuges (NWR) abuts five state Special Areas. The stated purpose of the NWR system in Alaska is to “administer a national network of lands and waters for the conservation, management and where appropriate, restoration of the fish, wildlife and plant resources and their habitats within the United States for the benefit of present and future generations of Americans”.

The statutory purpose of Alaska’s state game refuges is to “protect and preserve the natural habitat and game population in certain designated areas of the state” (AS 16.20.020); while that of Critical Habitat Areas is “to protect and preserve habitat areas especially crucial to the perpetuation of fish and wildlife, and to restrict all other uses not compatible with that primary purpose” (AS 16.20.500); and that of state sanctuaries is to protect wildlife populations and habitats (AS 16.20.090 – 16.20.162).

National Wildlife Refuges and state Special Areas are managed similarly in that they are typically open to most public uses including hunting, trapping, fishing, subsistence activities and other recreational uses (although hunting and trapping are limited or prohibited by state statute or Alaska Board of Game regulations in some state sanctuaries and refuges).

The primary difference between state and federal management of these areas are the types and numbers of commercial and public uses allowed based on an identified level of protection each area receives.

Additionally, the federal Wilderness land designation may restrict the types of activity that can occur in the federal areas.

b) National Parks or Preserves abut four state Special Areas. The mission of the National Park Service is “to preserve unimpaired the natural and cultural resources and values of the national park system for the enjoyment, education, and inspiration of this and future generations.” Management of these federal areas varies dependent on their enabling legislation, management plans and other actions. National Park areas in general tend to be managed with an intent to maintain natural processes. Hunting, trapping and fishing are permitted in Lake Clark National Park and in Katmai National Preserve; while hunting and trapping are prohibited in Glacier Bay and Katmai National Parks. Land use activities can be more restrictive in national park areas and even more so in federally designated wilderness areas within the national parks.

c) National Forest Areas abut or overlap two state Special Areas and both are managed cooperatively through a Memorandum of Agreement (MOA) between the state and federal agencies. The Copper River Delta is open to traditional activities including hunting, trapping, fishing and subsistence activities; while the Stan Price sanctuary and surrounding national forest lands are closed to brown bear hunting through Alaska Board of Game regulations. Through the MOAs for these two areas, they are managed similarly for public and other uses.

Provide a summary of permit denials that occurred over the past five years:

*Please see attached Denial Summary document.

How will landowners and users be notified of changes if this legislation passes?

The department does not have an established process for notifying adjoining land owners of boundary adjustments, simply because this boundaries are so seldom adjusted. The majority of adjoining land is state or federal; there are few adjoining private land owners where the boundaries are being changed, and no private lands are being incorporated into the boundaries. The public have potentially been notified through the legislative process of the proposed changes; plus the Gustavus City Council passed their resolution concerning the additions to Dude Creek so presumably they have some sort of public process. We will update our online land status maps and other information, and make efforts to contact affected parties.

How do special areas impact hunting, trapping, or fishing regulations?

The department does not in any way regulate hunting, trapping, or fishing through Special Area designation or management. The allocative responsibility lies with the Board of Fish and the Board of Game, though there is one special area that has been closed to all hunting and trapping by the legislature through statute. That is the McNeil River Sanctuary AS 16.20.162(b).

Again, please let me know if there is any additional information that I can provide. We're happy to answer any questions relating to Special Areas management or House Bill 130.

Best regards,

Morgan L. Foss

Legislative Liaison

Office of the Commissioner

Alaska Department of Fish & Game