



LAWS OF ALASKA

1976

Source

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Chapter No.

255

AN ACT

Creating the Trading Bay State Game Refuge.

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

* Section 1. AS 16.20 is amended by adding new sections to read:

Sec. 16.20.034. TRADING BAY STATE GAME REFUGE. (a)
The following state-owned land, including tide and submerged land, and all land, including tide and submerged land, acquired in the future by the state lying within the parcels described in this subsection is established as the Trading Bay State Game Refuge:

- (1) Township 9 North, Range 13 West, Seward
Meridian Sections 6 - 7
- (2) Township 9 North, Range 14 West, Seward
Meridian Sections 1 - 4, E1/2 5, 8 - 12, W1/2 13, 14 - 17, E1/2 19, 20 - 22, W1/2 23, W1/2 27, 28 - 30
- (3) Township 9 North, Range 15 West, Seward
Meridian Sections W1/2 1, 2 - 4, 9 - 11, W1/2 12 and 13, 14 - 16, 19 - 23, W1/2 24, 26 - 28, 31 - 35
- (4) Township 10 North, Range 13 West, Seward
Meridian Sections 1 - 12, 14 - 22, 28 - 32
- (5) Township 10 North, Range 14 West, Seward

- Meridian Sections 1 - 18, E1/2 19, 20 - 29, 32 - 36
- (6) Township 10 North, Range 15 West, Seward
Meridian Sections 1 - 12, 14 - 23, 26 - 35
- (7) Township 11 North, Range 13 West, Seward
Meridian Sections SW1/4 3, 4 - 10, SW1/4 11; W1/2, SW1/4 13; 14 - 23; W1/2, SE1/4, W1/2 NE1/4, SE1/4 NE1/4 24; 25 - 36
- (8) Township 11 North, Range 14 - 15 West, Seward
Meridian Sections 1 - 36
- (9) Township 12 North, Range 13 West, Seward
Meridian Sections 19, 29 - 33
- (10) Township 12 North, Range 14 West, Seward
Meridian Sections 23 - 26, 31 - 33, 36

(b) The Trading Bay State Game Refuge is established to protect the following:

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

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

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

(d) Land selected by a borough within the area described in (a) of this section shall be included in the Trading Bay State Game Refuge, subject to borough approval. If the borough relinquishes the selection of these lands, the selected lands become part of the Trading Bay State Game Refuge.

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

(f) Egress and ingress to and from private property within the parcels described in (a) of this section shall be allowed through access corridors established through agreement between the Department of Natural Resources, the Department of Fish and Game, and the private property owners involved. The establishment of a refuge under this section does not impair or alter existing rights of access to set net site leases.

(g) The establishment of a refuge under this section does not impair or alter existing rights of a borough or city to select state land under AS 29.18.190 - 29.18.200.

(h) Land within existing and applied for highway, pipeline, and railway rights-of-way, as of the effective date of this Act, are excluded from the land described in (a) of this section; however, when these interests revert to the state, the land shall be included within the Trading Bay State Game Refuge.

(i) The Department of Natural Resources shall adopt regulations governing the issuance of permits for seasonal cabins or shelters within the refuge. The department shall issue a permit to owners of cabins or shelters existing on the day this Act becomes law. Use permits shall be for a period not to exceed five years and shall be renewable.

(j) Any lands conveyed to Cook Inlet Region, Inc. by the state under the terms of the Cook Inlet land exchange are excluded from the refuge.