



# LAWS OF ALASKA

1978

Source

HCS CSSB 562(Rules) am H

Chapter No.

86

## AN ACT

Creating the Wood-Tikchik State Park; and providing for an effective date.

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

\* Section 1. AS 41.20 is amended by adding new sections to read:

#### ARTICLE 13. WOOD-TIKCHIK STATE PARK.

Sec. 41.20.460. DECLARATION OF PURPOSE. The purpose of secs. 460 - 490 of this chapter is to establish the state-owned land and water areas described in sec. 470 of this chapter as the Wood-Tikchik State Park. The primary purposes of creating the Wood-Tikchik State Park are to protect the area's fish and wildlife breeding and support systems and to preserve the continued use of the area for subsistence and recreational activities. The state park is also created to protect the area's recreational and scenic resources. Sections 460 - 490 of this chapter are intended to close the described land and water to multiple-purpose use in conformity with AS 38.05.300 and to dedicate them as a special purpose site in accordance with art. VIII, sec. 7 of the Constitution of the State of Alaska.

Sec. 41.20.470. DESIGNATED STATE LAND AND WATER. (a) The state-owned or acquired land and water lying within the following parcel, containing approximately 1,428,320 acres, is designated as the Wood-Tikchik State Park: beginning at the SE corner of T7S, R54W, S.M., which is the true point of beginning; thence westerly to the NE corner of T8S, R58W, S.M.; thence southerly to the SE corner of T8S, R58W, S.M.; thence westerly to the SW corner of T8S, R58W, S.M.; thence northerly to the NW corner of T5S, R58W, S.M.; thence westerly to the SW corner of Section 34, T4S, R58W, S.M.; thence northerly to the NE corner of Section 4, T1S, R58W, S.M.; thence westerly to the SW corner of T1N, R57W,

S.M.; thence northerly to the NW corner of T2N, R57W, S.M.; thence easterly to the NE corner of T2N, R57W, S.M.; thence northerly to the NW corner of T4N, R56W, S.M.; thence easterly to the SW corner of T5N, R55W, S.M.; thence northerly to the NW corner of T5N, R55W, S.M.; thence easterly to the NE corner of T5N, R55W, S.M.; thence southerly to the SE corner of T5N, R55W, S.M.; thence easterly to the NE corner of T4N, R54W, S.M.; thence southerly to the SE corner of T4N, R54W, S.M.; thence easterly to the NE corner of T3N, R53W, S.M.; thence southerly to the SE corner of T3N, R53W, S.M.; thence easterly to the NE corner of T2N, R52W, S.M.; thence southerly to the SW corner of T1N, R51W, S.M.; thence easterly to the NE corner of T1S, R52W, S.M.; thence southerly to the SE corner of T2S, R52W, S.M.; thence easterly to the NE corner of T3S, R51W, S.M.; thence southerly to the SE corner of T3S, R51W, S.M.; thence westerly to the NE corner of T4S, R53W, S.M.; thence southerly to the SE corner of T4S, R53W, S.M.; thence westerly to the NE corner of T5S, R53W, S.M.; thence southerly to the SE corner of T7S, R54W, S.M., which point is the true point of beginning.

(b) All or part of the state-owned or acquired land and water within the following adjacent parcel, containing approximately 126,720 acres may be added to the Wood-Tikchik State Park by proclamation of the governor: beginning at the SE corner of T7S, R54W, S.M., which point is the true point of beginning; thence southerly to the SE corner of T8S, R54W, S.M.; thence westerly to the NE corner of T9S, R55W, S.M.; thence southerly to the SE corner of the NE quarter of T9S, R55W, S.M.; thence westerly to the SW corner of the NW quarter of T9S, R57W, S.M.; thence northerly to the NW corner of T9S, R57W, S.M.; thence westerly to the SE corner of T8S, R58W, S.M.; thence northerly to the NE corner of T8S, R58W, S.M.; thence easterly to the SE corner of T7S, R54W, S.M., which point is the true point of beginning.

(c) Land lying within the parcels described in (a) or (b) of this section, upon which there are valid entries, or which is withdrawn for or selected by Native village or regional corporations under secs. 11, 12, and 14 of the Alaska Native Claims Settlement Act (P.L. 92-203; 85 Stat. 688; 43 U.S.C. 1601 et. seq.), is excepted from (a) and (b) of this section; however, if any land excepted under this subsection is subsequently relinquished to the state, it shall be included as part of the Wood-Tikchik State Park.

Sec. 41.20.480. DESIGNATION OF MANAGEMENT RESPONSIBILITY AND CRITERIA. (a) The land and water described in sec. 470 of this chapter is assigned to the Department of Natural Resources for control, maintenance and development consistent with the purposes and provisions of this chapter. The Department of Fish and Game is responsible for the management of fish and game resources in the Wood-Tikchik State Park, consistent with the purposes and provisions of this chapter.

(b) A seven-member Wood-Tikchik State Park Management Council is created and shall be appointed by the governor. Management council members may, subject to appropriations, receive the same per diem and travel expenses authorized for members of state boards. The governor shall appoint

one member of the council from three nominations submitted to him by each of the following:

- (1) the village council of Koliganek;
- (2) the village council of New Stuyahok;
- (3) the village council of Alegnagik;
- (4) the city council of Dillingham;
- (5) the Bristol Bay Native Association, Inc.;
- (6) the commissioner of natural resources;
- (7) the commissioner of fish and game;

(c) The Wood-Tikchik State Park Management Council shall develop a management plan for the park with the advice and assistance of the Department of Natural Resources. The management plan shall be presented at a public meeting before approval and implementation.

(d) The Department of Natural Resources shall consult with Department of Fish and Game and the management council before adoption of regulations governing the public use of the park. The Department of Fish and Game shall consult with the Department of Natural Resources and the management council before adoption of regulations governing fish and wildlife management in the park. No regulations may be adopted by either department without prior review at public hearings.

(e) The fish and wildlife habitat breeding areas in the Wood-Tikchik State Park shall be managed to sustain the fish and wildlife resources of the park in perpetuity.

Sec. 41.20.490. INCOMPATIBLE USES. (a) The land and water areas described in sec. 470 of this chapter are not open to mineral entry under AS 38.05.135 - 38.05.280.

(b) The regulations adopted under sec. 480(d) of this chapter shall recognize that the current practice of traditional subsistence and recreational activities includes the use of small outboard motors and snow machines. Reasonable access by aircraft for recreational purposes shall be permitted.

(c) Development and operation of a hydroelectric site at Lake Elva or Grant Lake is not considered an incompatible use.

(d) Development and operation of campsites on or adjacent to major spawning and breeding areas are incompatible uses unless it can be shown by a preponderance of evidence that the fishery and wildlife habitat and breeding areas will not be adversely affected to a significant degree by the development and operation.

\* Sec. 2. This Act takes effect immediately in accordance with AS 01.10.070(c).