



LAWS OF ALASKA

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Source

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Chapter No.

64

AN ACT

Establishing certain areas as marine park units of the Alaska state park system; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 10

Approved by the Governor: July 15, 1983
Actual Effective Date: July 16, 1983

AN ACT

Establishing certain areas as marine park units of the
Alaska state park system; and providing for an effective
date.

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

ARTICLE 17. ALASKA MARINE PARKS.

Sec. 41.20.530. DECLARATION OF PURPOSE. (a) The purpose of
AS 41.20.530 - 41.20.536 is to establish, subject to valid existing
rights, the state-owned or acquired land and water described in
AS 41.20.534 as marine park units of the Alaska state park system.
The primary purposes in establishing the land and water areas de-
scribed in AS 41.20.534 as marine park units of the Alaska state park
system are to

- (1) maintain natural, cultural, and scenic values;
- (2) maintain fish and wildlife resources and lawful exist-
ing uses of these resources;
- (3) promote and support recreation and tourism in the
state.

(b) The land and water described in AS 41.20.534 is dedicated as
special purpose sites under art. VIII, sec. 7 of the state constitu-
tion.

Sec. 41.20.532. DESIGNATION OF MANAGEMENT RESPONSIBILITY. (a)
The state land and water described in AS 41.20.534 is assigned to the
Department of Natural Resources for control, maintenance, and

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development consistent with the purposes and provisions of AS 41.20.-530 - 41.20.536.

(b) The Department of Fish and Game is responsible for the management of fish and game resources on the state land and water described in AS 41.20.534 consistent with the purposes of AS 41.20.-530 - 41.20.536. The Department of Fish and Game shall give written notice to and consult with the Department of Natural Resources before adoption of regulations governing fish and game management in a marine park unit of the Alaska state park system.

(c) The Department of Natural Resources shall develop a management plan for each marine park unit of the Alaska state park system to determine the specific purposes and uses for the unit. The commissioner of natural resources shall give written notice and consult with the Department of Fish and Game, proximately located municipalities of the state, proximately located private landowners, the United States Forest Service, organizations concerned with conservation, recreation, and tourism, and other interested parties during the preparation of a management plan for a marine park unit of the Alaska state park system.

(d) The commissioner of natural resources may not restrict the exercise of fishing, hunting, or trapping rights permitted under law or under a regulation of the Board of Fisheries or the Board of Game within a marine park unit of the Alaska state park system.

(e) The commissioner of natural resources shall allow the development of aquaculture facilities within a marine park unit of the Alaska state park system under terms and conditions that ensure that the development is compatible with AS 41.20.530 - 41.20.536.

(f) The commissioner of natural resources may enter into a cooperative agreement for

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(1) the management of a marine park unit of the Alaska state park system with a federal agency, a municipality of the state, or a proximately located private landowner for a purpose stated under AS 41.20.020(7); or

(2) the management of proximately located federal, municipal, or private land as part of a marine park unit of the Alaska state park system.

(g) In the management of a marine park unit of the Alaska state park system the commissioner of natural resources shall consult and cooperate with a Native corporation that owns an historical or cultural site granted under sec. 14(h)(1) of the Alaska Native Claims Settlement Act (43 U.S.C. sec. 1613(h)(1)) and that is proximately located to a marine park unit of the Alaska state park system. In the management of a marine park unit of the Alaska state park system the commissioner of natural resources shall address the potential conflicts with the cultural and historical values of land granted to a Native corporation under sec. 14(h)(1) of the Alaska Native Claims Settlement Act and shall provide for appropriate protection to these values.

(h) Nothing in AS 41.20.530 - 41.20.536 precludes the use of or access to privately owned land or mineral claims and leases. The commissioner of natural resources shall permit adequate and feasible access across state land within a marine park unit of the Alaska state park system to and from private land within or outside a unit. In the granting of such access the commissioner of natural resources may adopt reasonable regulations to protect the natural and other values of the marine park unit lands and water.

Sec. 41.20.534. DESIGNATED LAND AND WATER. The state-owned land and water and that land and water acquired by the state in the future

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lying within the following described parcels is designated as marine park units of the Alaska state park system:

(1) Bettles Bay

Township 10 North, Range 6 East, Seward Meridian

Section 12: S1/2SW1/4, SW1/4SE1/4

Section 13: NW1/4, W1/2NE1/4, N1/2SW1/4, NW1/4SE1/4

Section 14: N1/2SE1/4, S1/2NE1/4, NE1/4NE1/4

(2) Oliver Inlet

Township 43 South, Range 68 East, Copper River Meridian

Section 28: SW1/4

Section 32: E1/2E1/2

Section 33: NW1/4, W1/2SW1/4

(3) Sawmill Bay

Township 9 South, Range 9 West, Copper River Meridian

Section 22: E1/2SE1/4, SW1/4SE1/4

Section 23: SW1/4, S1/2NW1/4, NE1/4NW1/4, W1/2NE1/4

Section 26: W1/2

Section 27: E1/2, S1/2SW1/4

Section 28: E1/2SE1/4

Section 33: NE1/4NE1/4

Section 34: N1/2, SE1/4, N1/2SW1/4, SE1/4SW1/4

Section 35: W1/2

Township 10 South, Range 9 West, Copper River Meridian

Section 3: N1/2NE1/4

(4) Shoup Bay

Township 8 South, Range 7 West, Copper River Meridian

Section 30: W1/2W1/2

Section 31: W1/2W1/2

Township 8 South, Range 8 West, Copper River Meridian

Section 25: All

Section 26: All

Section 27: E1/2

Section 34: E1/2

Section 35: All

Section 36: All

Township 9 South, Range 8 West, Copper River Meridian

Section 1: N1/2NW1/4

Section 2: N1/2

Section 3: All

(5) South Esther Island

Township 8 North, Range 8 East, Seward Meridian

Section 3: W1/2, W1/2SE1/4, SW1/4NE1/4

Section 4: E1/2E1/2, SW1/4SE1/4

Section 5: E1/2SW1/4, SW1/4SW1/4, SE1/4NW1/4

Section 6: E1/2SW1/4, S1/2SE1/4, NW1/4SE1/4

Section 7: N1/2NE1/4, SE1/4NE1/4

Section 8: E1/2, NW1/4, N1/2SW1/4, SE1/4SW1/4

Section 9: All

Section 10: N1/2NW1/4, SW1/4NW1/4

Section 16: N1/2

Section 17: NE1/4, E1/2NW1/4

Township 9 North, Range 8 East, Seward Meridian

Section 33: SW1/2NW1/4, SW1/4NE1/4, E1/2SW1/4, W1/2-
SE1/4

(6) Surprise Cove

Township 8 North, Range 6 East, Seward Meridian

Section 21: SE1/4, E1/2SW1/4

Section 22: SE1/4, S1/2SW1/4, SE1/4NE1/4

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Section 23: W1/2SW1/4, SW1/4NW1/4

Section 26: W1/2W1/2

Section 27: All

Section 28: S1/2, NE1/4, E1/2NW1/4

Section 29: SE1/4SE1/4

Section 34: N1/2N1/2

Section 35: NW1/4NW1/4

(7) Chilkat Islands

Township 32 South, Range 60 East, Copper River Meridian

Section 22: SE1/4

Section 23: All

Section 26: All

Section 27: All

Section 34: All

Section 35: All

Township 33 South, Range 61 East, Copper River Meridian

Section 4: All

Section 5: All

Section 8: All

Section 9: All

Section 16: All

(8) Ziegler Cove

Township 9 North, Range 6 East, Seward Meridian

Section 25: SW1/4, W1/2SE1/4

Section 26: E1/2

Section 36: N1/2N1/2

(9) Horseshoe Bay

Township 1 South, Range 9 East, Seward Meridian

Section 32: SE1/4

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Township 2 South, Range 9 East, Seward Meridian

Section 4: S1/2SW1/4 excluding amended Iron Mountain
Lode No. 2 and Iron Mountain Lode

Section 5: All

Section 8: N1/2 excluding Iron Mountain Lode No. 11
and Iron Mountain Lode No. 10

Section 9: NW1/4NW1/4 excluding amended Iron Mountain
Lode No. 2 and Iron Mountain Lode

(10) Sullivan Island

Township 34 South, Range 60 East, Copper River Meridian

Section 12: SE1/4

Township 34 South, Range 61 East, Copper River Meridian

Section 7: All

Section 18: All

Section 19: All

Section 30: All

(11) Shelter Island

Township 39 South, Range 64 East, Copper River Meridian

Section 29: All

Section 31: All

Section 32: All

Section 33: All

(12) Saint James Bay

Township 37, Range 62 East, Copper River Meridian

Section 27: All

Section 28: All

Section 29: All

Section 30: SE1/4, SE1/4SW1/4

Section 31: E1/2NW1/4, NE1/4SW1/4, E1/2

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Section 32: All

Section 33: All

Section 34: All

Section 35: W1/2

Township 38 South, Range 62 East, Copper River Meridian

Section 2: W1/2

Section 3: All

Section 4: All

Section 5: All

Section 6: NE1/4, E1/2SE1/4

Section 8: N1/2, NE1/4SW1/4, SE1/4

Section 9: All

Section 10: All

Section 11: W1/2

Section 14: NW1/4

Section 15: N1/2

Section 16: N1/2

Section 17: N1/2NE1/4, SE1/4NE1/4

Sec. 41.20.536. COMPATIBILITY OF USES. (a) The commissioner of natural resources may prohibit or restrict by regulation except as provided in AS 41.20.532(d) incompatible uses within the state-owned land and water described in AS 41.20.534.

(b) Discharge of a firearm is permitted in state-owned land and water described in AS 41.20.534 unless the land or water is closed by regulation of the commissioner of natural resources for public safety purposes.

(c) Nothing in AS 41.20.530 - 41.20.536 prohibits the Department of Fish and Game from engaging in rehabilitation, enhancement, and development under AS 16.05.092 within an area described in

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AS 41.20.534.

(d) Reasonable access shall be permitted to and across a marine park unit of the Alaska state park system for lawful hunting, fishing, trapping and recreational purposes.

(e) The Department of Public Safety and the Department of Fish and Game shall be allowed reasonable access for fish and game management, research, and enforcement purposes.

* Sec. 2. This Act takes effect immediately in accordance with AS 01.-10.070(c).