

HOUSE BILL NO. 139

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE TALERICO

Introduced: 3/6/15
Referred:

A BILL

FOR AN ACT ENTITLED

1 **"An Act allowing the Alaska Gasline Development Corporation, or a subsidiary of the**
2 **corporation, to build, operate, and maintain a gas pipeline within the boundaries of the**
3 **Susitna Flats State Game Refuge, the Minto Flats State Game Refuge, the Captain Cook**
4 **State Recreation Area, the Nancy Lake State Recreation Area, the Willow Creek State**
5 **Recreation Area, and the Denali State Park."**

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

7 *** Section 1.** AS 16.20.036(e) is amended to read:

8 (e) The state may not acquire by eminent domain privately owned land within
9 state-owned land specified in (a) of this section for inclusion in the Susitna Flats State
10 Game Refuge. The Department of Natural Resources may adopt, in accordance with
11 AS 44.62 (Administrative Procedure Act), zoning regulations governing privately
12 owned land within the Susitna Flats State Game Refuge, only to the extent that these
13 regulations may ensure [INSURE] compatibility with the construction, operation,

1 **and maintenance of a gas pipeline by the Alaska Gasline Development**
 2 **Corporation established under AS 31.25.010, or a subsidiary of the corporation**
 3 **established under AS 31.25.120, and the** intended use of the refuge.

4 * **Sec. 2.** AS 16.20.036 is amended by adding new subsections to read:

5 (h) Notwithstanding (b) of this section, the department shall permit a gas
 6 pipeline right-of-way and any easements and access corridors required by the Alaska
 7 Gasline Development Corporation established under AS 31.25.010, or a subsidiary of
 8 the corporation established under AS 31.25.120, to construct, operate, and maintain a
 9 gas pipeline within the Susitna Flats State Game Refuge.

10 (i) In this section, "gas pipeline" has the meaning given in AS 31.25.390.

11 * **Sec. 3.** AS 16.20.037(c) is amended to read:

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

16 * **Sec. 4.** AS 16.20.037(g) is amended to read:

17 (g) The Department of Fish and Game and the Department of Natural
 18 Resources shall exercise their respective authorities over the Minto Flats State Game
 19 Refuge consistent with a management plan prepared by the Department of Fish and
 20 Game in consultation with the Department of Natural Resources. **The management**
 21 **plan prepared under this subsection shall provide for the construction, operation,**
 22 **and maintenance of a gas pipeline by the Alaska Gasline Development**
 23 **Corporation established under AS 31.25.010, or a subsidiary of the corporation**
 24 **established under AS 31.25.120, and shall, when the information is available,**
 25 **identify the actual locations of the gas pipeline right-of-way, easements, and**
 26 **access corridors permitted by the Department of Fish and Game.**

27 * **Sec. 5.** AS 16.20.037 is amended by adding new subsections to read:

28 (i) Notwithstanding (b) of this section, the department shall permit a gas
 29 pipeline right-of-way and easements and access corridors required by the Alaska
 30 Gasline Development Corporation established under AS 31.25.010, or a subsidiary of
 31 the corporation established under AS 31.25.120, to construct, operate, and maintain a

1 gas pipeline within the Minto Flats State Game Refuge.

2 (j) In this section, "gas pipeline" has the meaning given in AS 31.25.390.

3 * **Sec. 6.** AS 31.25.080(a) is amended to read:

4 (a) In addition to other powers granted in this chapter, the corporation may

5 (1) determine the form of ownership and the operating structure of an
6 in-state natural gas pipeline developed by the corporation and may enter into
7 agreements with other persons for joint ownership, joint operation, or both of an in-
8 state natural gas pipeline or an Alaska liquefied natural gas project;

9 (2) plan, finance, construct, develop, acquire, maintain, and operate a
10 pipeline system and other transportation mechanism, including pipelines, compressors,
11 storage facilities, and other related facilities, equipment, and works of public
12 improvement, in the state to facilitate production, transportation, and delivery of
13 natural gas or other related natural resources to the point of consumption or to the
14 point of distribution for consumption;

15 (3) lease or rent facilities, structures, and properties;

16 (4) exercise the power of eminent domain and file a declaration of
17 taking under AS 09.55.240 - 09.55.460 to acquire land or an interest in land,
18 **including private land or an interest in private land within the Susitna Flats State**
19 **Game Refuge under AS 16.20.036, the Minto Flats State Game Refuge under**
20 **AS 16.20.037, the Captain Cook State Recreation Area under AS 41.21.415, the**
21 **Nancy Lake State Recreation Area under AS 41.21.455, the Willow Creek State**
22 **Recreation Area under AS 41.21.491, and the Denali State Park under**
23 **AS 41.21.151**, that is necessary for an in-state natural gas pipeline or an Alaska
24 liquefied natural gas project; the exercise of powers by the corporation under this
25 paragraph may not exceed the permissible exercise of the powers by the state;

26 (5) acquire, by purchase, lease, or gift, land, structures, real or personal
27 property, an interest in property, a right-of-way, a franchise, an easement, or other
28 interest in land, or an interest in or right to capacity in a pipeline system determined to
29 be necessary or convenient for the development, financing, construction, or operation
30 of an in-state natural gas pipeline project or an Alaska liquefied natural gas project or
31 part of an in-state natural gas pipeline project or an Alaska liquefied natural gas

1 project;

2 (6) transfer or otherwise dispose of all or part of an in-state natural gas
3 pipeline project, an Alaska liquefied natural gas project, or an interest in an asset of
4 the corporation;

5 (7) elect to provide transportation of natural gas as a contract carrier,
6 common carrier, or otherwise;

7 (8) provide light, water, security, and other services for property of the
8 corporation;

9 (9) conduct hearings to gather and develop data consistent with the
10 purpose and powers of the corporation;

11 (10) advocate for new pipeline capacity before the Federal Energy
12 Regulatory Commission;

13 (11) make and execute agreements, contracts, and other instruments
14 necessary or convenient in the exercise of the powers and functions of the corporation
15 under this chapter, including a contract with a person, firm, corporation, governmental
16 agency, or other entity;

17 (12) sue and be sued in its own name;

18 (13) adopt an official seal;

19 (14) adopt bylaws for the regulation of its affairs and the conduct of its
20 business and adopt regulations and policies in connection with the performance of its
21 functions and duties;

22 (15) employ fiscal consultants, engineers, attorneys, appraisers, and
23 other consultants and employees that may, in the judgment of the corporation, be
24 required and fix and pay their compensation from funds available to the corporation;

25 (16) procure insurance against a loss in connection with its operation;

26 (17) borrow money as provided in this chapter to carry out its
27 corporate purposes and issue its obligations as evidence of borrowing;

28 (18) include in a borrowing the amounts necessary to pay financing
29 charges, to pay interest on the obligations, and to pay the interest, consultant, advisory,
30 and legal fees, and other expenses that are necessary or incident to the borrowing;

31 (19) receive, administer, and comply with the conditions and

1 requirements of an appropriation, gift, grant, or donation of property or money;

2 (20) do all acts and things necessary, convenient, or desirable to carry
3 out the powers expressly granted or necessarily implied in this chapter;

4 (21) invest or reinvest, subject to its contracts with noteholders and
5 bondholders, money or funds held by the corporation, including funds in the in-state
6 natural gas pipeline fund (AS 31.25.100) and the Alaska liquefied natural gas project
7 fund (AS 31.25.110), in obligations or other securities or investments in which banks
8 or trust companies in the state may legally invest funds held in reserves or sinking
9 funds or funds not required for immediate disbursement, and in certificates of deposit
10 or time deposits secured by obligations of, or guaranteed by, the state or the United
11 States;

12 (22) enter into, as it determines to be necessary or appropriate, any
13 swap or hedge, cap, or other contract providing for payments based on levels of or
14 changes in interest rates or indices or in the cost or price of any commodity, supply, or
15 expense expected to be used or incurred in connection with the acquisition,
16 construction, or operation of any facility or property owned, leased, or operated by the
17 corporation, or an option with respect to any of the foregoing;

18 (23) except as provided in (g) of this section, acquire an ownership or
19 participation interest in an Alaska liquefied natural gas project, natural gas treatment
20 facilities, natural gas pipeline facilities, liquefaction facilities, marine terminal
21 facilities related to the infrastructure of an Alaska liquefied natural gas project, or an
22 entity or joint venture that has an ownership interest in or is engaged in the planning,
23 financing, acquisition, maintenance, construction, and operation of an Alaska liquefied
24 natural gas project;

25 (24) after consultation with the commissioner of revenue and the
26 commissioner of natural resources, enter into contracts relating to an Alaska liquefied
27 natural gas project, including contracts for services related to operation, marketing,
28 transportation, gas treatment, marine terminal operation, or liquefaction.

29 * **Sec. 7.** AS 41.21.150 is amended to read:

30 **Sec. 41.21.150. Purpose of AS 41.21.150 - 41.21.152. Except as provided in**
31 **AS 41.21.151(b), the** [THE] purpose of AS 41.21.150 - 41.21.152 is to restrict state-

1 owned land and water described in AS 41.21.151 to use as a state park. Under
 2 AS 38.05.300, state land, water, or land and water containing more than 640 acres may
 3 be closed to multiple use only by act of the legislature. Because the area described in
 4 AS 41.21.151 exceeds 640 acres, AS 41.21.150 - 41.21.152 are intended to provide for
 5 the closing of the described land and water to multiple use in conformity with
 6 AS 38.05.300, **except as provided in AS 41.21.151(b)**, and its designation as a
 7 special purpose area in **accordance** [ACCORD] with art. VIII, sec. 7, [OF THE]
 8 Constitution of the State of Alaska.

9 * **Sec. 8.** AS 41.21.151 is amended to read:

10 **Sec. 41.21.151. Denali State Park established.** The state-owned land and
 11 water and that acquired in the future by the state lying within the parcels described in
 12 this section are designated as the Denali State Park. **Except as provided in (b) of this**
 13 **section, this** [THIS] land and water is reserved from all uses incompatible with its
 14 primary function as park area. Land covered by AS 41.21.150 - 41.21.152 is that
 15 within the following described parcels:

16 (1) Township 29N Range 6W, Range 5W, and that portion of Range
 17 4W lying north and west of the Alaska Railroad right-of-way; Township 30N Range
 18 5W and that portion of Range 3W and 4W lying north and west of the Alaska Railroad
 19 right-of-way; Township 31N Range 5W, Range 4W and that portion of Range 3W and
 20 Range 2W lying north and west of the Alaska Railroad right-of-way; Township 32N
 21 Range 4W, Range 3W and that portion of Range 2W lying north and west of the
 22 Alaska Railroad right-of-way; and Township 33N Range 4W, Range 3W and that
 23 portion of Range 2W lying west of the Alaska Railroad right-of-way, all in the Seward
 24 Meridian;

25 (2) Township 29N, Range 7W; Sections 1-27 and 34-36, Township
 26 29N, Range 8W; containing approximately 42,240 acres, all in the Seward Meridian.

27 * **Sec. 9.** AS 41.21.151 is amended by adding new subsections to read:

28 (b) Notwithstanding AS 41.21.150 and (a) of this section, the department shall
 29 permit a gas pipeline right-of-way and any easements and access corridors required by
 30 the Alaska Gasline Development Corporation established under AS 31.25.010, or a
 31 subsidiary of the corporation established under AS 31.25.120, to construct, operate,

1 and maintain a gas pipeline within the Denali State Park. The construction, operation,
2 and maintenance of a gas pipeline under this subsection is not an incompatible use.

3 (c) In this section, "gas pipeline" has the meaning given in AS 31.25.390.

4 * **Sec. 10.** AS 41.21.410 is amended to read:

5 **Sec. 41.21.410. Purpose of AS 41.21.410 - 41.21.425. Except as provided in**
6 **AS 41.21.415(b), the** [THE] purpose of AS 41.21.410 - 41.21.425 is to empower the
7 governor to restrict **state-owned** [STATE OWNED] land and water described in
8 AS 41.21.415 to use as a public recreation area. Under AS 38.05.300, state land,
9 water, or land and water containing more than 640 acres may be closed to multiple
10 purpose use only by act of the legislature. Because the area described in AS 41.21.415
11 exceeds 640 acres, AS 41.21.410 - 41.21.425 are intended to provide for the closing of
12 the described land and water to multiple purpose use in conformity with
13 AS 38.05.300, **except as provided in AS 41.21.415(b),** and its subsequent designation
14 as a special purpose site in accordance with article VIII, sec. 7, of the Constitution of
15 the State of Alaska.

16 * **Sec. 11.** AS 41.21.415 is amended by adding new subsections to read:

17 (b) Notwithstanding AS 41.21.410 and a proclamation by the governor under
18 (a) of this section that reserves all or a part of the area from uses incompatible with the
19 area's function as public recreation land and water, the commissioner shall permit a
20 gas pipeline right-of-way and any easements and access corridors required by the
21 Alaska Gasline Development Corporation established under AS 31.25.010, or a
22 subsidiary of the corporation established under AS 31.25.120, to construct, operate,
23 and maintain a gas pipeline within the Captain Cook State Recreation Area. The
24 construction, operation, and maintenance of a gas pipeline under this subsection is not
25 an incompatible use.

26 (c) In this section, "gas pipeline" has the meaning given in AS 31.25.390.

27 * **Sec. 12.** AS 41.21.450 is amended to read:

28 **Sec. 41.21.450. Purpose of AS 41.21.450 - 41.21.465. Except as provided in**
29 **AS 41.21.455(c), the** [THE] purpose of AS 41.21.450 - 41.21.465 is to restrict state-
30 owned land and water within the boundaries described in AS 41.21.455 to use as a
31 public recreation area. Under the provisions of AS 38.05.300, state land, water, or land

1 and water containing more than 640 acres may be closed to multiple purpose use only
 2 by act of the legislature. Inasmuch as the area described in AS 41.21.455 exceeds 640
 3 acres, AS 41.21.450 - 41.21.465 are intended to except the area described from the
 4 provisions of AS 38.05.300, **except as provided in AS 41.21.455(c)**.

5 * **Sec. 13.** AS 41.21.455(a) is amended to read:

6 (a) **Except as provided in (c) of this section, the** [THE] presently state-
 7 owned land and water and all that acquired in the future by the state, lying within the
 8 following described boundary, are hereby designated as the Nancy Lake State
 9 Recreation Area, are reserved from all uses incompatible with their primary function
 10 as public recreation land, and are assigned to the department for control, development,
 11 and maintenance:

12 Beginning at the brass capped monument marking the one quarter corner
 13 position, common to Section 34 and Section 35, Township 19 North, Range 5 West,
 14 Seward Meridian, Alaska, which is the true point of beginning; thence easterly along
 15 the 1/4 line of Section 35 to the west shore of an unnamed lake; thence meandering
 16 said lake clockwise in a northerly and southerly direction to a point where said
 17 meanders intersect the east-west 1/4 line of Section 35; thence easterly along the 1/4
 18 line of Section 35 to the west shore of an unnamed lake; thence meandering said lake
 19 clockwise in a northerly and easterly direction to a point where said meanders intersect
 20 the east-west 1/4 line of Section 35; thence easterly along the 1/4 line of Section 35 to
 21 the 1/4 corner position common to Section 35 and Section 36; thence southerly along
 22 the section line common to Sections 35 and 36 to the common corner between
 23 Sections 35 and 36, Township 19 North, Range 5 West, Seward Meridian and Sections
 24 1 and 2, Township 18 North, Range 5 West, Seward Meridian; thence easterly along
 25 the common line between said Sections 1 and 36 to the common corner of Section 1,
 26 Township 18 North, Range 5 West and Section 36, Township 19 North, Range 5 West
 27 and Section 31, Township 19 North, Range 4 West and Section 6, Township 18 North,
 28 Range 4 West; thence easterly along the common line between said Sections 31 and 6
 29 to the 1/4 corner position common to Sections 31 and 6; thence northerly along the 1/4
 30 line of Section 31 to the C 1/4 corner positions; thence easterly along the 1/4 line of
 31 Section 31 and Section 32 to the C 1/4 corner position of Section 32, Township 19

1 North, Range 4 West; thence northerly along the 1/4 line of Section 32 and Section 29
2 to the C-N-S 1/64th corner position of Section 29, Township 19 North, Range 4 West;
3 thence easterly along the N-S 1/64th line of said Section 29 to the N-S 1/64th corner
4 position common to Section 29 and Section 28; thence southerly along the east section
5 line of Section 29 and Section 32 to the S-N-N 1/256th corner position of said Section
6 32; thence westerly along the S-N-N 1/256th line to the SE-NE-NE 1/256th corner
7 positions; thence southerly along the E-E-E 1/256th line to the NE-SE-NE 1/256th
8 corner position; thence easterly along the N-S-N 1/256th line to the N-S-N 1/256th
9 corner position; thence southerly along the east boundary of Section 32 to the S-N
10 1/64th corner position of said Section 32; thence westerly along the S-N 1/64th line to
11 the C-E-SE-NE 1/256th corner position; thence southerly along the E-E-E 1/256th line
12 to the north shore of Nancy Lake; thence meandering said lake clockwise in an
13 easterly, northerly, and southerly direction to a point where said meander line
14 intersects the north line of Section Lot 41, Section 33, Township 19 North, Range 4
15 West; thence easterly along said north line to the NE corner of said Lot 41; thence
16 southerly along the east line of said Lot 41 to the north shore of Nancy Lake; thence
17 meandering said lake in an easterly, northerly, southerly, and westerly direction to a
18 point where said meander line intersects the east line of Section Lot 54, Section 33,
19 Township 19 North, Range 4 West; thence southerly along said east line of said Lot 54
20 to the east shore of Nancy Lake; thence meandering said lake in an easterly, northerly,
21 southerly, and westerly direction to a point where said meander line intersects the N-
22 N-N 1/256th line of Section 4, Township 18 North, Range 4 West; thence westerly
23 along said N-N-N 1/256th line to the NE-NW-NW 1/256th corner position; thence
24 southerly along the E-W-W 1/256th line to the SE-NW-NW 1/256th corner position;
25 thence easterly along the S-N-N 1/256th line to the C-S-N-NW 1/256th corner
26 position; thence along the W 1/16th line to the C-W 1/16th corner position; thence
27 westerly along the 1/4 line to the 1/4 corner position common to Section 4 and Section
28 5; thence southerly along the east section line of Sections 5, 8, 17, 20, 29, 32, and 5, to
29 the section corner common to Sections 4, 5, 8, and 9, Township 17 North, Range 4
30 West; thence westerly along the section line common to Section 5 and Section 8 to the
31 E 1/16th corner position; thence southerly along the E 1/16th line to the SE 1/16th

1 corner position of said Section 8; thence westerly along the S 1/16th line to the C-S
2 1/16th corner position of Section 7, Township 17 North, Range 4 West; thence
3 northerly along the 1/4 line to the C 1/4 corner position of Section 6, Township 17
4 North, Range 4 West; thence westerly along the 1/4 line of said Section 6 to the east
5 shore of Butterfly Lake; thence meandering said lake clockwise in a southerly,
6 northerly, and westerly direction to a point on the west shore of Butterfly Lake where
7 said meander line intersects the north section line of Section 1, Township 17 North,
8 Range 5 West; thence westerly along the north section line of Section 1 and Section 2
9 to the point of intersection with line 9-10 of U.S. Survey No. 4638; thence south to
10 Corner No. 4, Lot 3 of said U.S. Survey No. 4638; thence west along the north line of
11 said Lot 3 to the point of intersection with the north-south section line common to
12 Section 2 and Section 3; thence northerly along the west section line of Sections 2, 35,
13 and 26, to the point of intersection with line 3-4 of U.S. Survey No. 3869, Township
14 18 North, Range 5 West; thence west along said line 3-4 of U.S. Survey No. 3869 to
15 the point of intersection with the E 1/16th line of Section 27; thence northerly along
16 said E 1/16th line to the point of intersection with line 1-2 of U.S. Survey No. 3869;
17 thence west along said line 1-2 to Corner No. 1 of said U.S. Survey No. 3869; thence
18 N 20 to 06' E along line 2-3 of Lot 31, U.S. Survey No. 3868 for a distance of 268.62
19 ft. to Corner No. 2 of said Lot 31; thence N 69 54' W along line 1-2 of said Lot 31, to
20 the east shore of Red Shirt Lake; thence meandering said lake clockwise in a
21 southerly, westerly, easterly, and northerly direction to a point where said meander
22 line intersects line 3-4 of Lot 3, U.S. Survey No. 3868; thence west along said line 3-4
23 to Corner No. 3 of Lot 3, U.S. Survey No. 3868; thence south along line 2-3 of said
24 Lot 3 to the point of intersection with the east-west section line common to Section 21
25 and Section 28, Township 18 North, Range 5 West; thence westerly along said section
26 line to the section corner position common to Sections 20, 21, 28, and 29, Township
27 18 North, Range 5 West; thence northerly along the section line common to Section 20
28 and Section 21 to the section corner position common to Sections 16, 17, 20, and 21;
29 thence easterly along the section line common to Section 16 and Section 21 to the 1/4
30 corner position common to said Sections 16 and 21; thence northerly along the 1/4 line
31 of Section 16 to the C 1/4 corner position of said Section 16; thence easterly along the

1 1/4 line of Section 16 to the 1/4 corner position common to Section 15 and Section 16;
 2 thence northerly along the section line common to Section 15 and Section 16 to the
 3 section corner position common to Sections 9, 10, 15, and 16; thence easterly along
 4 the section line common to Section 10 and Section 15 to the 1/4 corner position
 5 common to said Sections 10 and 15; thence northerly along the 1/4 line of Section 10
 6 to the 1/4 corner position common to Section 3 and Section 10; thence easterly along
 7 the section line common to Sections 3 and 10 to the section corner position common to
 8 Sections 2, 3, 10, and 11; thence northerly along the section line common to Section 2
 9 and Section 3, Township 18 North, Range 5 West, and Section 34 and Section 35,
 10 Township 19 North, Range 5 West to the brass capped monument marking the 1/4
 11 corner position common to said Sections 34 and 35, which is the true point of
 12 beginning.

13 * **Sec. 14.** AS 41.21.455 is amended by adding new subsections to read:

14 (c) Notwithstanding AS 41.21.450 and (a) of this section, the department shall
 15 permit a gas pipeline right-of-way and any easements and access corridors required by
 16 the Alaska Gasline Development Corporation established under AS 31.25.010, or a
 17 subsidiary of the corporation established under AS 31.25.120, to construct, operate,
 18 and maintain a gas pipeline within the Nancy Lake State Recreation Area. The
 19 construction, operation, and maintenance of a gas pipeline under this subsection is not
 20 an incompatible use.

21 (d) In this section, "gas pipeline" has the meaning given in AS 31.25.390.

22 * **Sec. 15.** AS 41.21.491 is amended by adding new subsections to read:

23 (e) Notwithstanding (c) of this section, the commissioner shall permit a gas
 24 pipeline right-of-way and any easements and access corridors required by the Alaska
 25 Gasline Development Corporation established under AS 31.25.010, or a subsidiary of
 26 the corporation established under AS 31.25.120, to construct, operate, and maintain a
 27 gas pipeline within the Willow Creek State Recreation Area. The construction,
 28 operation, and maintenance of a gas pipeline under this subsection is not an
 29 incompatible use.

30 (f) In this section, "gas pipeline" has the meaning given in AS 31.25.390.

31 * **Sec. 16.** AS 41.21.493 is amended to read:

1 **Sec. 41.21.493. Comprehensive management plan.** The commissioner shall
 2 develop and adopt a comprehensive management plan for the Willow Creek State
 3 Recreation Area with the concurrence of the Matanuska-Susitna Borough. **The**
 4 **management plan prepared under this section must provide for the construction,**
 5 **operation, and maintenance of a gas pipeline by the Alaska Gasline Development**
 6 **Corporation established under AS 31.25.010, or a subsidiary of the corporation**
 7 **established under AS 31.25.120, and must, when the information is available,**
 8 **identify the actual locations of the gas pipeline right-of-way, easements, and**
 9 **access corridors permitted by the commissioner.**

10 * **Sec. 17.** AS 41.21.494 is amended to read:

11 **Sec. 41.21.494. Regulations.** The commissioner shall adopt regulations under
 12 AS 44.62 (Administrative Procedure Act) that are necessary to achieve the purposes of
 13 AS 41.21.491 - 41.21.495 and to implement the plan adopted under AS 41.21.493.
 14 The regulations must

- 15 (1) designate incompatible uses and prohibit or restrict them;
 16 (2) allow road, railroad, and utility crossing of Willow Creek so as to
 17 minimize disturbance to the river's habitat and scenic and recreation values;
 18 (3) allow fishery rehabilitation or enhancement practices under terms
 19 that are compatible with AS 41.21.491 - 41.21.495;
 20 (4) allow the legal taking of fur-bearing animals; [AND]
 21 (5) allow for hunting, except where it must be prohibited for reasons of
 22 public safety; **and**

23 **(6) allow for the construction, operation, and maintenance of a gas**
 24 **pipeline by the Alaska Gasline Development Corporation established under**
 25 **AS 31.25.010, or a subsidiary of the corporation established under AS 31.25.120.**

26 * **Sec. 18.** AS 41.21.494 is amended by adding a new subsection to read:

- 27 (b) In this section, "gas pipeline" has the meaning given in AS 31.25.390.