

SENATE BILL NO. 70

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 3/6/15

Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to exceptions from designation as a special purpose site under art.**
2 **VIII, sec. 7 of the Constitution of the State of Alaska for portions of Denali State Park,**
3 **Captain Cook State Recreation Area, Nancy Lake State Recreation Area, and Willow**
4 **Creek State Recreation Area to allow leasing a right-of-way for a natural gas pipeline."**

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

6 * **Section 1.** AS 41.21 is amended by adding a new section to read:

7 **Sec. 41.21.153. Certain land excepted.** (a) Notwithstanding
8 AS 41.21.020(a)(6), 41.21.150, or 41.21.151, state-owned land in the following
9 described parcels may be leased in accordance with AS 38.35 (Right-of-Way Leasing
10 Act) for the purpose of construction and operation of a natural gas pipeline from the
11 North Slope:

12 (1) Township 29 North, Range 5 West, Seward Meridian

13 Section 4: N1/2, SW1/2

14 Section 7: E1/2, SW1/4

1 Section 8: N1/2, SW1/4
 2 Section 9: NW1/4
 3 Section 18: E1/2
 4 Section 19: E1/2
 5 Section 30: E1/2
 6 Section 31: E1/2
 7 Section 32: SW1/4;
 8 (2) Township 30 North, Range 5 West, Seward Meridian
 9 Section 2: NW1/4
 10 Section 3
 11 Section 9
 12 Section 10: NW1/4
 13 Section 16: NW1/4
 14 Section 17: E1/2
 15 Section 20: E1/2
 16 Section 21: W1/2
 17 Section 28: W1/2
 18 Section 33;
 19 (3) Township 31 North, Range 4 West, Seward Meridian
 20 Section 1: NW1/4
 21 Section 2: N1/2, SW1/4
 22 Section 3: SE1/4
 23 Section 9: SE1/4
 24 Section 10
 25 Section 11: W1/2
 26 Section 14: NW1/4
 27 Section 15: NE1/4
 28 Section 16: N1/2, SW1/4
 29 Section 17: SE1/4
 30 Section 19: NE1/4, S1/2
 31 Section 20: N1/2, SW1/4

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

(8) Township 33 North, Range 3 West, Seward Meridian

Section 36: S1/2.

(b) The department shall manage any state-owned land described in this section and within the exterior boundaries of Denali State Park as part of Denali State Park until the land is leased under AS 38.35. State-owned land described in this section will revert to Denali State Park upon release of the land from a right-of-way through termination of the lease or otherwise and upon satisfaction of the lessee's obligations to restore and revegetate the land.

(c) Any right-of-way lease issued under AS 38.35 across land described in this section and within the exterior boundaries of Denali State Park must

(1) reserve to the state the interests necessary to provide for public access by foot, snow machine, dog sled, and other traditional means of access along and across the leased corridor;

(2) preserve to the maximum extent practicable the recreational, scenic, cultural, historical, and habitat values consistent with the leasehold's location within the exterior boundaries of Denali State Park; and

(3) provide for termination of the lease if commercial operation of the pipeline has not begun five years after the effective date of the lease.

(d) AS 38.35.130 does not apply to land within the exterior boundaries of Denali State Park.

(e) A natural gas pipeline right-of-way lease may not be issued across land described in this section unless the lease becomes effective before January 1, 2020.

* **Sec. 2.** AS 41.21 is amended by adding a new section to read:

Sec. 41.21.426. Certain land excepted. (a) Notwithstanding AS 41.21.020(a)(6), 41.21.410 - 41.21.425, or regulation issued implementing AS 41.21.420, state-owned land in the following described parcels may be leased in accordance with AS 38.35 (Right of Way Leasing Act) for the purpose of construction and operation of a natural gas pipeline from the North Slope:

Township 8 North, Range 10 West, Seward Meridian

Section 3: SE1/4

Section 9: SE1/4

1 Section 10: N1/2, SW1/4, W1/2 SE1/4

2 Section 16: N1/2, SW1/4

3 Section 17: S1/2.

4 (b) The department shall manage any state-owned land described in this
5 section and within the exterior boundaries of Captain Cook State Recreation Area as
6 part of Captain Cook State Recreation Area until the land is leased under AS 38.35.
7 State-owned land described in this section will revert to Captain Cook State
8 Recreation Area upon release of the land from a right-of-way through termination of
9 the lease or otherwise and upon satisfaction of the lessee's obligations to restore and
10 revegetate the land.

11 (c) Any right-of-way lease issued under AS 38.35 across land described in this
12 section and within the exterior boundaries of Captain Cook State Recreation Area
13 must

14 (1) reserve to the state the interests necessary to provide for public
15 access by foot, snow machine, dog sled, and other traditional means of access along
16 and across the leased corridor;

17 (2) preserve to the maximum extent practicable the recreational,
18 scenic, cultural, historical, and habitat values consistent with the leasehold's location
19 within the exterior boundaries of Captain Cook State Recreation Area; and

20 (3) provide for termination of the lease if commercial operation of the
21 pipeline has not begun five years after the effective date of the lease.

22 (d) AS 38.35.130 does not apply to land within the exterior boundaries of
23 Captain Cook State Recreation Area.

24 (e) A natural gas pipeline right-of-way lease may not be issued across land
25 described in this section unless the lease becomes effective before January 1, 2020.

26 * **Sec. 3.** AS 41.21 is amended by adding a new section to read:

27 **Sec. 41.21.466. Certain land excepted.** (a) Notwithstanding
28 AS 41.21.020(a)(6) or 41.21.450 - 41.21.465, state-owned land in the following
29 described parcels may be leased in accordance with AS 38.35 (Right-of-Way Leasing
30 Act) for the purpose of construction and operation of a natural gas pipeline from the
31 North Slope:

(1) Township 18 North, Range 5 West, Seward Meridian

Section 10: E1/2

Section 11: NW1/4

Section 15: NW1/4

Section 16: SE1/4

Section 21: W1/2;

(2) Township 19 North, Range 5 West, Seward Meridian

Section 35: SW1/4.

(b) The department shall manage any state-owned land described in this section and within the exterior boundaries of Nancy Lake State Recreation Area as part of Nancy Lake State Recreation Area until the land is leased under AS 38.35. State-owned land described in this section will revert to Nancy Lake State Recreation Area upon release of the land from a right-of-way through termination of the lease or otherwise and upon satisfaction of the lessee's obligations to restore and revegetate the land.

(c) Any right-of-way lease issued under AS 38.35 across land described in this section and within the exterior boundaries of Nancy Lake State State Recreation Area must

(1) reserve to the state the interests necessary to provide for public access by foot, snow machine, dog sled, and other traditional means of access along and across the leased corridor;

(2) preserve to the maximum extent practicable the recreational, scenic, cultural, historical, and habitat values consistent with the leasehold's location within the exterior boundaries of Nancy Lake State Recreation Area; and

(3) provide for termination of the lease if commercial operation of the pipeline has not begun five years after the effective date of the lease.

(d) AS 38.35.130 does not apply to land within the exterior boundaries of Nancy Lake State Recreation Area.

(e) A natural gas pipeline right-of-way lease may not be issued across land described in this section unless the lease becomes effective before January 1, 2020.

* **Sec. 4.** AS 41.21 is amended by adding a new section to read:

1 **Sec. 41.21.496. Certain lands excepted.** (a) Notwithstanding
 2 AS 41.21.020(a)(6) or 41.21.491 - 41.21.495, state-owned land in the following
 3 described parcels may be leased in accordance with AS 38.35 (Right-of-Way Leasing
 4 Act) for the purpose of construction and operation of a natural gas pipeline from the
 5 North Slope: the East 1/2 of Section 2, Township 19 North, Range 5 West, Seward
 6 Meridian and the East 1/2 of Section 35, Township 20 North, Range 5 West, Seward
 7 Meridian.

8 (b) The department shall manage any state-owned land described in this
 9 section and within the exterior boundaries of Willow Creek State Recreation Area as
 10 part of Willow Creek State Recreation Area until the land is leased under AS 38.35.
 11 State-owned land described in this section will revert to Willow Creek State
 12 Recreation Area upon release of the land from a right-of-way through termination of
 13 the lease or otherwise and upon satisfaction of the lessee's obligations to restore and
 14 revegetate the land.

15 (c) Any right-of-way lease issued under AS 38.35 across land described in this
 16 section and within the exterior boundaries of Willow Creek State Recreation Area
 17 must

18 (1) reserve to the state the interests necessary to provide for public
 19 access by foot, snow machine, dog sled, and other traditional means of access along
 20 and across the leased corridor;

21 (2) preserve to the maximum extent practicable the recreational,
 22 scenic, cultural, historical, and habitat values consistent with the leasehold's location
 23 within the exterior boundaries of Willow Creek State Recreation Area; and

24 (3) provide for termination of the lease if commercial operation of the
 25 pipeline has not begun five years after the effective date of the lease.

26 (d) AS 38.35.130 does not apply to land within the exterior boundaries of
 27 Willow Creek State Recreation Area.

28 (e) A natural gas pipeline right-of-way lease may not be issued across land described in this
 29 section unless the lease becomes effective before January 1, 2020.