

**CS FOR HOUSE BILL NO. 165(RES)**

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

**BY THE HOUSE RESOURCES COMMITTEE**

**Offered: 4/5/01**  
**Referred: Rules**

**Sponsor(s): REPRESENTATIVES LANCASTER, Scalzi**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the Kenai River Special Management Area; and providing for an**  
2 **effective date."**

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

4 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
5 to read:

6 PURPOSE. The purpose of this Act is to further the implementation of the Kenai  
7 River Comprehensive Management Plan by making additions of certain state-owned land and  
8 water as described in this Act to the Kenai River Special Management Area.

9 \* **Sec. 2.** AS 41.21.502(a)(4)(L) is amended to read:

(L) Other Lower River Land

**Township 5 North, Range 9 West, Seward Meridian**

**Section 22: Lots 4, 9, 10, NE1/4SW1/4**

Township 5 North, Range 10 West, Seward Meridian

Section 6: Lot 8

Section 7: Lots 5 - 7, 15

Section 18: Lots 1, 2, 4 - 6,

Tract A, Larry's Fishing Hole Subdivision, Plat  
No. 90-42

Government Lots 4 - 7, 10 - 13

NE1/4SW1/4

E1/2NW1/4

Section 19:

Tracts A and B, Timberland Terrace Phase 1  
Subdivision, Plat 97-26

Lot 4, Kobylarz Subdivision, according to the  
official plat filed under Plat No. 92-24, Kenai  
Recording Office

Beginning at the section corner common to  
Sections 19, 20, 29, and 30, Township 5 North,  
Range 10 West, Seward Meridian, traverse west  
along the section line common to Sections 19 and  
30 a distance of 1320 feet, thence north along the  
1/16 section line a distance of 1420 feet to Corner  
No. 1 and the point of beginning, thence west 100  
feet to Corner No. 2, thence north to the thalweg  
of the Kenai River and Corner No. 3, thence east  
along the thalweg of the Kenai River to the point  
of intersection with 1/16 section line and Corner  
No. 4, thence south along the 1/16 section line to  
Corner No. 1, and the point of beginning, located  
in the Kenai Recording District, as may be  
modified by a record of survey accepted by the  
state

Lot 16

Section 30: Tracts A, J, and K, Channel Shores

**Subdivision, Plat No. 85-102**

**Section 31: Lots 2, 3, and 11, excluding the following subdivisions, as shown in record of survey no. 96-7: Halcyon Subdivision, Lot 1, Block 1, plat of survey no. K-1706; Halcyon Subdivision Lot 5, Block 1, plat of survey no. 73-9; Halcyon Subdivision plat of survey no. 76-75; Halcyon Subdivision Addition No. 4, plat of survey no. 77-47; Halcyon Subdivision Addition No. 5, plat of survey no. 77-82; Halcyon Subdivision No. 3, plat of survey no. 78-25; Halcyon Subdivision Amended Plat Lot 1-B, Block 1, plat of survey no. 78-96; Halcyon Subdivision Addition No. 7, plat of survey no. 79-155; Halcyon Subdivision Addition No. 8, plat of survey no. 83-174; Halcyon Subdivision Addition No. 9, plat of survey no. 84-47; Halcyon Subdivision No. 10, plat of survey no. 84-244; Halcyon Subdivision No. 9, plat of survey no. 86-98RS; Halcyon Subdivision No. 9, plat of survey no. 86-99RS; Halcyon Subdivision No. 11, plat of survey no. 92-41; Halcyon Subdivision No. 8 Amended, plat of survey no. 92-72; and Halcyon Subdivision No. 12, plat of survey no. 93-8; and excluding that portion of Government Lot 3 east of Daisy Drive conveyed by warranty deed recorded March 10, 1989, in book 343, page 15, Kenai Recording Office.**

**Section 32: Lot 1-B-1, ASLS No. 97-25, a subdivision of Lot 1-B, Fisherman's Square Subdivision, Addition No. 1, within the W1/2SW1/4;**

**Section 33: Lot 6-B, Mullen Homestead River Addition Phase 1, Plat No. 97-89;**

**Section 34: Lot 7, NE1/4SE1/4**

Township 5 North, Range 11 West, Seward Meridian

Section 1: **Lots 9 and [LOT] 10**

**Section 11: Tract A-1A, Cone Tracts; Lot 3, excluding that portion north of the south right-of-way boundary of the Beaver Loop Road and all land west of and including the Cone Tracts A-1A and A-1B Subdivision and SE1/4NW1/4, and the N1/2NW1/4, excluding that portion of the south right-of-way boundary of the Beaver Loop Road and all land west of and including the Cone Tracts A-1A and A-1B Subdivision**

Section 12: Lots 1 - 3, 7 - 10, 13

N1/2SE1/4

SE1/4NE1/4

NE1/4SW1/4

**N1/2SW1/4SE1/4**

Section 13: Lot 1

SW1/4NW1/4

Section 14: Lots 2, 7

Section 16: Lots 1 - 10

SE1/4

NW1/4NW1/4

SE1/4SW1/4.

**Section 24: That portion of Lot 11 within LSH 148**

**Section 25: Lot 3**

**Section 36: That strip of land between the line of ordinary high water of the Kenai River and EPF 21-11, Block 1**

\* **Sec. 3.** AS 41.21.502(a) is amended by adding new paragraphs to read:

(5) all state-owned land in the Seward Recording District that is

1 located in the following parcels:

2 (A) Cooper Landing

3 Township 5 North, Range 3 West, Seward Meridian

4 Section 28: Tract B of ASLS 91-6

5 Lot 3 of USS 2523

6 That portion of Tract A of USS 5105 lying between  
7 Lot 4 of USS 2523 and Tract A of USS 2361 and  
8 the south boundary of the Sterling Highway

9 That portion of Tract A of USS 5105 lying south of  
10 USS 3306, north and west of USS 2524, east of  
11 USS 2524, west of USS 2523, and south of Bean  
12 Creek Road

13 That portion of Tract A of USS 5105 lying south and  
14 west of USS 3306, north and west of USS 2524, and  
15 north and west of ASLS 81-197

16 That portion of Tract B of USS 5105 lying south of  
17 the Kenai River and north of the Sterling Highway  
18 right-of-way

19 Section 29: Tract B of ASLS 91-6

20 That portion of Tract A of USS 5105 lying south of  
21 Bean Creek right-of-way excluding ASLS 96-6

22 That portion of Tract A of USS 5105 lying south and  
23 west of USS 3306 and south and west of ASLS 81-  
24 183

25 Tract D of USS 5105

26 Lot 5 of USS 2527

27 Section 30: Tract E

28 That portion of Tract B of USS 5105 within the  
29 SE1/4SE1/4SE1/4, NE1/4SE1/4SW1/4

30 That portion of Tract B of USS 5105 within the  
31 S1/2SE1/4 lying north of the Kenai River excluding

1 USS 1442 E1/2NE1/4NW1/4, W1/2W1/2,  
2 W1/2E1/2W1/2

3 Section 31: Lots 1, 12

4 That portion of Tract B of USS 5105 within the  
5 NE1/4NE1/4 lying south of the Kenai River and  
6 north of the Sterling Highway

7 Section 32: That portion of Tract B of USS 5105 within  
8 the NW1/4NW1/4 lying south of the Kenai River and  
9 north of the Sterling Highway

10 Township 5 North, Range 4 West, Seward Meridian

11 Section 35: That portion of USS 1559 within the N1/2  
12 and lying north of the Kenai River

13 That portion of the E1/2NE1/4 lying north and east of  
14 USS 3392, south of the Kenai River, and north of  
15 the Sterling Highway

16 That portion of the S1/2N1/2NE1/4 and that portion  
17 of the E1/2E1/2NW1/4 lying south of the Kenai  
18 River

19 That portion of the S1/2NE1/4 lying south of the  
20 Kenai River, excluding USS 3392

21 Section 36: Lot 1 of USS 7286

22 That portion of the N1/2 lying between the south  
23 bank of the Kenai River and the north side of the  
24 Sterling Highway right-of-way

25 That portion of the N1/2S1/2NE1/4 and  
26 NE1/4SE1/4NW1/4 lying south of the Sterling  
27 Highway

28 That portion of the N1/2 lying north of the Kenai  
29 River

30 (B) Kenai Lake

31 Township 3 North, Range 1 East, Seward Meridian

1 Section 7: SW1/4, lying north and west of USS 9002,  
 2 excluding USS 1774  
 3 Township 4 North, Range 1 West, Seward Meridian  
 4 Section 22: S1/2S1/2  
 5 Section 23: S1/2S1/2, excluding USS 7391  
 6 Section 25: Lot 8  
 7 Section 26: N1/2, excluding USS 7391  
 8 Section 27: N1/2, excluding USS 2065  
 9 Township 4 North, Range 2 West, Seward Meridian  
 10 Section 6: Lots 1 and 2, excluding ASLS 85-399, and  
 11 that portion conveyed under ADL 201307  
 12 Tract D of ASLS 85-339  
 13 Section 18: Lots 1 - 3  
 14 Section 19: NW1/4, NE1/4SW1/4, SW1/4SE1/4 lying  
 15 south and west of Kenai Lake  
 16 Section 30: NE1/4, E1/2SE1/4 lying south and west of  
 17 Kenai Lake  
 18 Section 31: E1/2NE1/4  
 19 Section 32: Lots 1 - 3, SW1/4NW1/4, W1/2SW1/4,  
 20 SE1/4SW1/4  
 21 Township 4 North, Range 3 West, Seward Meridian  
 22 Section 1: Tract D of ASLS 85-339, Lots 2 - 4,  
 23 W1/2SW1/4  
 24 Section 2: Lot 1, W1/2NE1/4, SE1/4NE1/4, E1/2SE1/4  
 25 Section 12: Lots 1 - 4, W1/2W1/2, SE1/4SW1/4  
 26 Section 13: Lots 1, 2, SW1/4NE1/4, E1/2NW1/4,  
 27 NW1/4SE1/4, E1/2SE1/4  
 28 Township 5 North, Range 2 West, Seward Meridian  
 29 Section 31: Tracts A, B, C, and D of ASLS 85-339  
 30 Township 5 North, Range 3 West, Seward Meridian  
 31 Section 25: That portion of Tract A of USS 5105 lying

1 south of the Sterling Highway right-of-way  
2 Section 26: That portion of Tract A of USS 5105 lying  
3 south of the Sterling Highway right-of-way, excluding  
4 PLO 829  
5 Section 27: That portion of Tract A of USS 5105 lying  
6 south of the Sterling Highway right-of-way and west  
7 of USS 2521 Tract A  
8 That portion of Tract A of USS 5105 lying south of  
9 the Sterling Highway right-of-way and west of USS  
10 2934 and south and east of ASLS 80-103  
11 Section 34: That portion of Tract B of USS 5105 lying  
12 east of ASLS 79-126 and between the north side of  
13 Snug Harbor Road and the south side of Kenai Lake  
14 Section 36: Tracts B and E of ASLS 85-339  
15 That portion of Tract A of USS 5105 within the  
16 NW1/4 lying south and west of the Sterling  
17 Highway right-of-way, excluding ASLS 85-339  
18 (C) Quartz Creek Lowlands  
19 Township 5 North, Range 2 West, Seward Meridian  
20 Section 15: S1/2N1/2  
21 Section 16: S1/2N1/2, NE1/4NW1/4, NW1/4NE1/4  
22 excluding Unit 408A of the Kenai Area Plan, N1/2S1/2  
23 (D) Cooper Lake  
24 Township 3 North, Range 2 West, Seward Meridian  
25 Section 6: Lots 1 - 3, NE1/4, E1/2NW1/4,  
26 NE1/4SW1/4, N1/2SE1/4  
27 Township 3 North, Range 3 West, Seward Meridian  
28 Section 1: Lots 1 - 4, E1/2NE1/4, NE1/4SE1/4  
29 Township 4 North, Range 2 West, Seward Meridian  
30 Section 31: W1/2E1/2, E1/2SE1/4  
31 Township 4 North, Range 3 West, Seward Meridian

1 Section 36: All  
2 (E) Upper and Lower Trail Lakes  
3 Township 4 North, Range 1 East, Seward Meridian  
4 Section 6: Lots 1 - 6, 8, 9, SE1/4SW1/4, SW1/4SE1/4  
5 Section 7: Lots 1, 2, 5, 6, NW1/4NE1/4, NE1/4NW1/4  
6 Section 18: Lots 1 - 3  
7 Township 4 North, Range 1 West, Seward Meridian  
8 Section 1: Lots 1, 4 - 8, and that portion of Lot 3 within  
9 the SE1/4  
10 Section 12: Lots 1 - 4, 7, 8, 11, 12, Those portions of  
11 Lots 5 and 6 as shown on state status plats  
12 Section 13: Tract B of ASLS 86-6  
13 Lot 1  
14 That portion of USS 1778 and USS 7391 lying within  
15 the N1/2SE1/4  
16 Township 5 North, Range 1 East, Seward Meridian  
17 Section 5: S1/2SW1/4  
18 Section 7: Lot 1, SE1/4 of Lot 2, Lots 5, 7, 9 - 14  
19 Section 8: N1/2NW1/4  
20 Section 18: Lots 2 - 7  
21 Section 19: Lot 2  
22 Section 31: That portion within the W1/2 of Lots 1, 2, 5  
23 Lot 6  
24 Township 5 North, Range 1 West, Seward Meridian  
25 Section 13: Lots 1 - 4, E1/2NE1/4NE1/4,  
26 S1/2SW1/4NE1/4, NW1/4SE1/4  
27 Section 22: Lot 2, S1/2NE1/4SE1/4  
28 Section 23: S1/2 of Lot 1, Lots 2 - 5, S1/2SE1/4NW1/4  
29 Section 24: Lots 1 - 3, 6 - 8, portions of Lots 4 and 5 as  
30 shown on state status plats  
31 Section 25: Lots 1, 2, 6 - 9, 14

1 Tract I of USS 2529  
 2 Block 7 of USS 2676  
 3 Section 26: That portion of Lot 2 USS 7371 within state  
 4 selection NFCG 192  
 5 Lot 3 of USS 7371  
 6 Section 27: Lot 1, NW1/4NE1/4  
 7 Section 36: Lot 4  
 8 Those portions of Lots 1, 5, and 6 excluding a  
 9 lakeshore buffer 200 feet from the line of ordinary  
 10 high water of Upper Trail Lake

11 (6) all state-owned shorelands and water known as Trail River and  
 12 Upper and Lower Trail Lakes within the following parcels:

13 Township 4 North, Range 1 East, Seward Meridian

14 Sections 6, 7, 18

15 Township 4 North, Range 1 West, Seward Meridian

16 Sections 1, 12, 13, 24, 25

17 Township 5 North, Range 1 East, Seward Meridian

18 Sections 7, 18, 19, 31

19 Township 5 North, Range 1 West, Seward Meridian

20 Sections 13, 22 - 27, 36

21 (7) all state-owned shorelands and water within the riparian corridor of  
 22 the state-owned land 200 feet landward from the line of ordinary high water on each  
 23 side of each of the following waterways:

24 (A) Cooper Creek

25 Township 5 North, Range 3 West, Seward Meridian

26 Section 31

27 (B) Bean Creek

28 Township 5 North, Range 3 West, Seward Meridian

29 Sections 29, 30

30 (C) Shackelford Creek

31 Township 5 North, Range 3 West, Seward Meridian

1 Section 34  
 2 (D) Quartz Creek  
 3 Township 5 North, Range 2 West, Seward Meridian  
 4 Sections 19, 20, 29, 30  
 5 Township 5 North, Range 3 West, Seward Meridian  
 6 Section 36

7 (E) Daves Creek  
 8 Township 5 North, Range 2 West, Seward Meridian  
 9 Sections 19, 20

10 (F) Crescent Creek  
 11 Township 5 North, Range 2 West, Seward Meridian  
 12 Sections 29, 30

13 (G) Dry Creek  
 14 Township 5 North, Range 2 West, Seward Meridian  
 15 Sections 30, 31

16 \* **Sec. 4.** AS 41.21.502(a)(5) is amended by adding a new subparagraph to read:

17 (F) Additional Trail River lands  
 18 Township 4 North, Range 1 West, Seward Meridian  
 19 Section 13: Portions of lots 4, 5, and 7 that are east of  
 20 the Seward Highway right-of-way and west of Lower  
 21 Trail Lake; Portions of Lots 7, 8, and 9 that are within  
 22 the 200 feet of the Trail River ordinary high water line  
 23 or within the 100-year flood boundary for the river,  
 24 whichever is greater;  
 25 Section 24: Portions of lots 3, 4, 7, 8, and 11 within 200  
 26 feet of the Trail River ordinary high water line or  
 27 within the 100-year flood boundary for the river,  
 28 whichever is greater;  
 29 Lots 2, 5, and 10  
 30 Section 25: Portions of lots 3 and 5 that are within 200  
 31 feet of the Trail River and Kenai Lake ordinary high

1 water lines or within the 100-year flood boundary for  
 2 the river and lake, whichever is greater; in this  
 3 subparagraph, the 100-year flood boundary is that  
 4 shown on the Federal Emergency Management  
 5 Agency Flood Boundary and Floodway Map for this  
 6 area, dated May 19, 1981;

7 \* **Sec. 5.** AS 41.21.502(c) is amended to read:

8 (c) **The mineral estate in the state-owned land and water described in (a)**  
 9 **of this section is open to** [EXCEPT FOR] oil and gas leasing under AS 38.05.180.  
 10 **The** [, THE] mineral estate in the **state-owned** [STATE-OWNED] land and water  
 11 described in **(a)(1) - (4)** [(a)] of this section is closed to mineral entry under  
 12 AS 38.05.181 - 38.05.275.

13 \* **Sec. 6.** Sections 1, 2, 3, and 5 of this Act take effect immediately under AS 01.10.070(c).

14 \* **Sec. 7.** Section 4 of this Act takes effect on the date that the commissioner of natural  
 15 resources notifies the revisor of statutes and the lieutenant governor that the selection by the  
 16 Kenai Peninsula Borough of the land added to the Kenai River Special Management Area by  
 17 sec. 4 of this Act has been denied or relinquished under AS 29.65.