

**HOUSE BILL NO. 308**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVE GARA**

**Introduced: 5/8/03**

**Referred: Community and Regional Affairs, Resources**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act related to exchanging public land for privately held riverbank and stream bank**  
2 **lands."**

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

4 **\* Section 1.** AS 16.05 is amended by adding a new section to read:

5 **Sec. 16.05.096. Identification of privately held land along fishing river**  
6 **and stream banks.** (a) The commissioner shall identify undeveloped privately  
7 owned land along rivers and streams that support sport fish in significant numbers or  
8 of significant size, beginning with those parcels along rivers and streams that are  
9 within five miles walking distance of a public road. In this subsection,

10 (1) "significant numbers" means in sufficient numbers to support

11 (A) a pleasurable catch and release fishery; or

12 (B) a commercial or subsistence fishery;

13 (2) "significant size" means at least as large as the average for an adult  
14 fish of the species in Alaska.

1 (b) The commissioner shall classify each parcel identified under (a) of this  
 2 section based on the degree to which acquisition of the parcel would enhance public  
 3 access to a desirable fishing area as either a highly desirable, moderately desirable, or  
 4 not moderately desirable public access location, based on the relative size and  
 5 numbers of wild fish in the river or stream and whether development of the parcel  
 6 would have a detrimental impact on fishing access at that river or stream.

7 (c) The commissioner shall provide a list of the parcels identified and their  
 8 classification to the commissioner of natural resources.

9 \* **Sec. 2.** AS 38.50 is amended by adding a new section to read:

10 **Sec. 38.50.015. Exchange for river and stream bank property.** The  
 11 commissioner shall endeavor to exchange public land for the privately held land  
 12 identified by the commissioner of fish and game under AS 16.05.096. The  
 13 commissioner shall consider the classification of each parcel by the Department of  
 14 Fish and Game and, in negotiating for or arranging an exchange, give priority to land  
 15 likely to be developed in the near future if the land remains in private ownership. The  
 16 commissioner shall first endeavor to obtain by exchange land in the following  
 17 drainages:

18 (1) Anchor River;

19 (2) Deep Creek, adjacent to Ninilchik;

20 (3) all streams and rivers that intersect the George Parks Highway  
 21 between miles 50 and 150 that support fish of significant size, as that term is defined  
 22 in AS 16.05.096(a); and

23 (4) all land that is

24 (A) adjacent to a highly desirable fishing area;

25 (B) likely to be developed in the near future; and

26 (C) located within two miles of a public road.