

CS FOR SENATE BILL NO. 190(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 1/21/04

Referred: Resources

Sponsor(s): SENATOR WAGONER

A BILL

FOR AN ACT ENTITLED

1 **"An Act adding certain state-owned land and water to the Kenai River Special**
2 **Management Area; relating to the mineral estate of the state-owned land and water in**
3 **the Kenai River Special Management Area; relating to the Kenai River Special**
4 **Management Area advisory board; and providing for an effective date."**

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

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

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

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

12 (L) Other Lower River Land

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

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

1 Township 5 North, Range 10 West, Seward Meridian

2 Section 6: Lot 8

3 Section 7: Lots 5 - 7, 15

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

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

7 Government Lots 4 - 7, 10 - 13

8 NE1/4SW1/4

9 E1/2NW1/4

10 Section 19:

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

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

16 Beginning at the section corner common to
17 Sections 19, 20, 29, and 30, Township 5 North,
18 Range 10 West, Seward Meridian, traverse west
19 along the section line common to Sections 19 and
20 30 a distance of 1320 feet, thence north along the
21 1/16 section line a distance of 1420 feet to Corner
22 No. 1 and the point of beginning, thence west 100
23 feet to Corner No. 2, thence north to the thalweg
24 of the Kenai River and Corner No. 3, thence east
25 along the thalweg of the Kenai River to the point
26 of intersection with 1/16 section line and Corner
27 No. 4, thence south along the 1/16 section line to
28 Corner No. 1, and the point of beginning, located
29 in the Kenai Recording District, as may be
30 modified by a record of survey accepted by the
31 state

1 Lot 16

2 **Section 30: Tracts A, J, and K, Channel Shores**
 3 **Subdivision, Plat No. 85-102**

4 **Section 31: Lots 2, 3, and 11, excluding the following**
 5 **subdivisions, as shown in record of survey no. 96-7:**
 6 **Halcyon Subdivision, Lot 1, Block 1, plat of survey**
 7 **no. K-1706; Halcyon Subdivision Lot 5, Block 1,**
 8 **plat of survey no. 73-9; Halcyon Subdivision plat of**
 9 **survey no. 76-75; Halcyon Subdivision Addition No.**
 10 **4, plat of survey no. 77-47; Halcyon Subdivision**
 11 **Addition No. 5, plat of survey no. 77-82; Halcyon**
 12 **Subdivision No. 3, plat of survey no. 78-25; Halcyon**
 13 **Subdivision Amended Plat Lot 1-B, Block 1, plat of**
 14 **survey no. 78-96; Halcyon Subdivision Addition No.**
 15 **7, plat of survey no. 79-155; Halcyon Subdivision**
 16 **Addition No. 8, plat of survey no. 83-174; Halcyon**
 17 **Subdivision Addition No. 9, plat of survey no. 84-**
 18 **47; Halcyon Subdivision No. 10, plat of survey no.**
 19 **84-244; Halcyon Subdivision No. 9, plat of survey**
 20 **no. 86-98RS; Halcyon Subdivision No. 9, plat of**
 21 **survey no. 86-99RS; Halcyon Subdivision No. 11,**
 22 **plat of survey no. 92-41; Halcyon Subdivision No. 8**
 23 **Amended, plat of survey no. 92-72; and Halcyon**
 24 **Subdivision No. 12, plat of survey no. 93-8; and**
 25 **excluding that portion of Government Lot 3 east of**
 26 **Daisy Drive conveyed by warranty deed recorded**
 27 **March 10, 1989, in book 343, page 15, Kenai**
 28 **Recording Office.**

29 **Section 32: Lot 1-B-1, ASLS No. 97-25, a subdivision**
 30 **of Lot 1-B, Fisherman's Square Subdivision,**
 31 **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.

1 * **Sec. 3.** AS 41.21.502(c) is amended to read:

2 (c) **The mineral estate in the state-owned land and water described in (a)**
 3 **of this section is open to** [EXCEPT FOR] oil and gas leasing under AS 38.05.180.
 4 **The** [, THE] mineral estate in the **state-owned** [STATE-OWNED] land and water
 5 described in (a) of this section is closed to mineral entry under AS 38.05.181 -
 6 38.05.275.

7 * **Sec. 4.** AS 41.21.510(b) is amended to read:

8 (b) The advisory board appointed under this section shall be representative of
 9 user groups, resident property owners, municipalities **adjacent to the Kenai River** [,
 10 AGENCIES OF THE STATE AND FEDERAL GOVERNMENTS], and other interest
 11 groups. **An employee, elected official, or other representative of a federal or state**
 12 **government may be appointed to the advisory board as an ex officio member**
 13 **serving without a vote.** A majority of the **voting** members of the advisory group
 14 shall be residents of the Kenai Peninsula Borough.

15 * **Sec. 5.** This Act takes effect immediately under AS 01.10.070(c).