

SENATE BILL NO. 197

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

BY SENATOR HUGGINS

Introduced: 5/8/05

Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act creating the Knik River Public Use Area."**

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

3 * **Section 1.** AS 41.23 is amended by adding new sections to article 1 to read:

4 **Sec. 41.23.180. Purpose of AS 41.23.180 - 41.23.210.** The purpose of
5 AS 41.23.180 - 41.23.210 is to establish the area described in AS 41.23.210 as the
6 Knik River Public Use Area. The Knik River Public Use Area is established to

7 (1) provide an area for public use as an off-road motorized vehicle
8 recreation area;

9 (2) protect and maintain migratory waterfowl nesting areas, habitats
10 for moose, Dall sheep, and brown bear, and other fish and wildlife habitat so that
11 traditional public use of fish and wildlife populations may continue;

12 (3) perpetuate and enhance public enjoyment of fish and wildlife in
13 their natural habitat through off-road vehicle recreation, fishing, hunting, trapping,
14 viewing, and photography;

15 (4) perpetuate and enhance general public recreation in a quality

1 environment;

2 (5) perpetuate and enhance additional public uses described in the
3 Susitna Area Plan;

4 (6) allow public access for miners and owners of private property in
5 the off-road area of the Knik River Valley; and

6 (7) allow additional public uses of the area determined to be
7 compatible with (1) - (6) of this section.

8 **Sec. 41.23.190. Management.** (a) The commissioner is responsible for the
9 management of the surface and subsurface estate within the Knik River Public Use
10 Area consistent with the purposes of AS 41.23.180.

11 (b) The commissioner of fish and game, the Board of Fisheries, and the Board
12 of Game are responsible for the management of fish and game resources and public
13 use of fish and wildlife in the Knik River Public Use Area consistent with the purposes
14 of AS 41.23.180.

15 (c) The Knik River Public Use Area may not be managed as a unit of the state
16 park system.

17 (d) With the assistance of the United States Army Corps of Engineers, the
18 commissioner shall identify wetland areas within the Knik River Public Use Area and
19 shall adopt regulations providing for the protection and use of the wetland areas.

20 **Sec. 41.23.200. Incompatible uses.** (a) Except as provided in this section,
21 the commissioner may prohibit or restrict uses determined to be incompatible with the
22 purposes of the Knik River Public Use Area under AS 41.23.180 within the state-
23 owned land and water described in AS 41.23.210.

24 (b) Nothing in AS 41.23.180 - 41.23.210 prohibits the Department of Fish and
25 Game from engaging in rehabilitation, enhancement, and development of fish and
26 wildlife habitat within an area described in AS 41.23.210 that is consistent with the
27 purposes stated in AS 41.23.180.

28 (c) The commissioner may not restrict lawful fishing, hunting, or trapping
29 rights allowed under a regulation of the Board of Fisheries or the Board of Game
30 within the Knik River Public Use Area.

31 (d) The commissioner shall allow the Knik River Public Use Area to be used

1 for activities involving all-terrain vehicles, aircraft, watercraft, airboats,
 2 snowmobiling, horseback riding, hiking, bicycling, dog sledding, cross-country skiing,
 3 skijoring, camping, hunting, fishing, wildlife viewing, photography, and, where
 4 permitted, mineral exploration and mining.

5 (e) The commissioner shall allow for the use of existing off-road motor
 6 vehicle trails in existence at the time the Knik River Public Use Area is established
 7 and shall develop new trails for motorized and nonmotorized use to disperse users
 8 throughout a larger area and to accommodate increased use of the public use area.

9 (f) The commissioner may not restrict the use of weapons, including firearms,
 10 within the Knik River Public Use Area except in sites of high public use such as picnic
 11 areas, boat ramps, camping grounds, and parking areas when the commissioner
 12 determines that the use of weapons constitutes a threat to public safety.

13 **Sec. 41.23.210. Knik River Public Use Area.** Subject to valid existing rights
 14 and the receipt of state title, the vacant and unappropriated state-owned land and water
 15 and the state land and water acquired in the future that lie within the boundaries
 16 described in this section are designated as the Knik River Public Use Area, are
 17 reserved for all uses compatible with their primary function as public use land, and are
 18 assigned to the department for control and management:

19 (1) Township 15 North, Range 4 East, Seward Meridian;

20 (2) Township 15 North, Range 5 East, Seward Meridian;

21 (3) Township 15 North, Range 6 East, Seward Meridian;

22 (4) Township 15 North, Range 7 East, Seward Meridian

23 Section 3: NW1/4NW1/4

24 Section 4: N1/2NE1/4, N1/2NW1/4

25 Section 5: N1/2NE1/4, NW1/4

26 Section 6: SW1/4SE1/4, N1/2SE1/4, SW1/4, N1/2

27 Section 7: SW1/4NW1/4, N1/2NW1/4;

28 (5) Township 16 North, Range 2 East, Seward Meridian

29 Section 1: Portions located below the ordinary high water of
 30 Knik River

31 Section 2: Portions located below the ordinary high water of

1 Knik River
2 Section 3: Portions located below the ordinary high water of
3 Knik River;
4 (6) Township 16 North, Range 3 East, Seward Meridian
5 Sections 1 - 3
6 Section 4: Portions located below the ordinary high water of
7 Knik River
8 Section 5: Portions located below the ordinary high water of
9 Knik River
10 Section 6: Portions located below the ordinary high water of
11 Knik River
12 Section 9: Portions located below the ordinary high water of
13 Knik River
14 Section 10: Portions located below the ordinary high water of
15 Knik River
16 Sections 11 - 13
17 Section 14: Portions located below the ordinary high water of
18 Knik River
19 Section 23: Portions located below the ordinary high water of
20 Knik River
21 Section 24: Portions located below the ordinary high water of
22 Knik River;
23 (7) Township 16 North, Range 4 East, Seward Meridian;
24 (8) Township 16 North, Range 5 East, Seward Meridian;
25 (9) Township 16 North, Range 6 East, Seward Meridian;
26 (10) Township 16 North, Range 7 East, Seward Meridian
27 Section 6: NW1/4SE1/4, S1/2SE1/4, W1/2
28 Section 7
29 Sections 17 - 20
30 Section 28: NW1/4SW1/4, S1/2SW1/4
31 Sections 29 - 32

- 1 Section 33: S1/2NE1/4, SE1/4, W1/2
- 2 Section 34: SE1/4SW1/4, W1/2SW1/4;
- 3 (11) Township 17 North, Range 2 East, Seward Meridian
- 4 Section 36: Portions located below the ordinary high water of
- 5 Knik River;
- 6 (12) Township 17 North, Range 3 East, Seward Meridian
- 7 Sections 1 - 5
- 8 Sections 9 - 16
- 9 Section 17: S1/2
- 10 Sections 20 - 29
- 11 Section 31: NE1/4NE1/4, S1/2NE1/4, SE1/4, SW1/4 located
- 12 below the ordinary high water of Knik River
- 13 Sections 32 - 36;
- 14 (13) Township 17 North, Range 4 East, Seward Meridian;
- 15 (14) Township 17 North, Range 5 East, Seward Meridian;
- 16 (15) Township 17 North, Range 6 East, Seward Meridian;
- 17 (16) Township 18 North, Range 6 East, Seward Meridian.