

SENATE BILL NO. 108

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY SENATOR THOMAS

Introduced: 2/17/09

Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act creating the Stampede State Recreation Area."**

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

3 * **Section 1.** AS 41.21 is amended by adding new sections to article 4 to read:

4 **Sec. 41.21.401. Purpose of AS 41.21.401 - 41.21.407.** The purpose of
5 AS 41.21.401 - 41.21.407 is to establish the area described in AS 41.21.407 as the
6 Stampede State Recreation Area. The Stampede State Recreation Area is established
7 to

8 (1) perpetuate and enhance

9 (A) general public recreation;

10 (B) public enjoyment of fish and wildlife;

11 (2) protect and maintain fish and wildlife habitat so that traditional
12 public use of fish and wildlife populations may continue;

13 (3) provide an area for the public to enjoy the full spectrum of public
14 uses, including maintenance and enhancement of motorized and nonmotorized
15 recreational opportunities;

1 (4) allow

2 (A) continued motorized access for owners of private property
3 in the Stampede State Recreation Area; and

4 (B) additional public uses of the area determined by the
5 commissioner to be compatible with this section.

6 **Sec. 41.21.402. Management.** (a) The commissioner is responsible for the
7 management of the land and mineral estate within the Stampede State Recreation Area
8 consistent with the purposes of AS 41.21.401. After adequate public hearings and in
9 consultation with the Denali Borough Assembly, the commissioner may designate
10 incompatible uses and shall adopt and may revise a management plan for the
11 Stampede State Recreation Area.

12 (b) The commissioner of fish and game, the Board of Fisheries, and the Board
13 of Game are responsible for the management of fish and game resources and public
14 use of fish and wildlife in the Stampede State Recreation Area consistent with the
15 purposes of AS 41.21.401.

16 **Sec. 41.21.403. Incompatible uses.** (a) Except as provided in this section, the
17 commissioner may prohibit or restrict uses determined to be incompatible with the
18 purposes of the Stampede State Recreation Area under AS 41.21.401 within the state-
19 owned land and water described in AS 41.21.407.

20 (b) Nothing in AS 41.21.401 - 41.21.407 prohibits the Department of Fish and
21 Game from engaging in rehabilitation, enhancement, and development of fish and
22 wildlife habitat within an area described in AS 41.21.407 that is consistent with the
23 purposes stated in AS 41.21.401.

24 (c) The commissioner may not restrict

25 (1) lawful fishing, hunting, or trapping rights allowed under a
26 regulation of the Board of Fisheries or the Board of Game in the Stampede State
27 Recreation Area; or

28 (2) the use of weapons, including firearms, in the Stampede State
29 Recreation Area except in locations where the commissioner determines that the use
30 of weapons constitutes a threat to public safety.

31 (d) The commissioner shall

1 (1) allow the Stampede State Recreation Area to be used for activities
 2 compatible with the reasons for establishing the public recreation area in
 3 AS 41.21.401, including all-terrain vehicle use, watercraft use, snowmobiling,
 4 horseback riding, hiking, bicycling, dog sledding, cross-country skiing, skijoring,
 5 camping, hunting, fishing, wildlife viewing, and photography; and

6 (2) recognize the traditional use of existing motorized and
 7 nonmotorized uses in the area; reroute an existing trail to avoid sensitive habitat;
 8 conduct trail rehabilitation or reroute a trail to minimize damage; maintain and
 9 enhance motor vehicle options and opportunities; and provide for increased use of the
 10 public recreation area.

11 **Sec. 41.21.404. Purchase authorized; eminent domain prohibited.** The
 12 commissioner may acquire, by purchase in the name of the state, title to or interest in
 13 real property lying within the boundaries of the Stampede State Recreation Area. The
 14 state may not acquire by eminent domain privately owned land for inclusion in the
 15 Stampede State Recreation Area.

16 **Sec. 41.21.405. Stampede State Recreation Area.** The state-owned land and
 17 water, vacant and unappropriated, and all that acquired in the future by the state lying
 18 within the following parcels are designated as the Stampede State Recreation Area,
 19 reserved from all uses incompatible with their primary function as public recreation
 20 land, and assigned to the department for control, development, and maintenance:

21 (1) Township 12 South, Range 9 West, Fairbanks Meridian

22 Sections 3 - 10

23 Sections 15 - 22

24 Sections 27 - 34

25 (2) Township 12 South, Range 10 West, Fairbanks Meridian

26 Sections 1 - 36

27 (3) Township 12 South, Range 11 West, Fairbanks Meridian

28 Sections 1 - 36

29 (4) Township 13 South, Range 9 West, Fairbanks Meridian

30 Sections 3 - 10

31 (5) Township 13 South, Range 10 West, Fairbanks Meridian

- 1 Sections 1 - 6 excluding national park lands
- 2 Sections 7 - 12 excluding national park lands
- 3 (6) Township 13 South, Range 11 West, Fairbanks Meridian
- 4 Sections 1 - 6 excluding national park lands
- 5 Sections 7 - 12 excluding national park lands.