

HOUSE BILL NO. 213

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

BY REPRESENTATIVES TILTON, Neuman, Hughes, Talerico

Introduced: 1/19/16
Referred: Resources

A BILL

FOR AN ACT ENTITLED

1 "An Act requiring the commissioner of natural resources to make specific, detailed
2 written findings before restricting or prohibiting a traditional means of access to state
3 land, water, or land and water for a traditional outdoor activity; and requiring certain
4 public notice of a proposed restriction or prohibition of a traditional means of access to
5 state land, water, or land and water for a traditional outdoor activity."

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

7 * **Section 1.** AS 38.04.200(a) is amended to read:

8 (a) The commissioner may not manage state land, water, or land and water so
9 that a traditional means of access for traditional outdoor activities is restricted for the
10 purpose of protecting aesthetic values of the land, water, or land and water or is
11 prohibited unless **the commissioner makes specific, detailed written findings that**
12 the restriction or prohibition is

13 (1) for an area of land, water, or land and water that encompasses 640

1 contiguous acres or less;

2 (2) temporary in nature and effective cumulatively less than eight
3 months in a three-year period;

4 (3) for the protection of public safety and public or private property;

5 (4) for the development of natural resources and a reasonable
6 alternative for the traditional means of access across the land, water, or land and water
7 for traditional outdoor activities on other land, water, or land and water is available
8 and approved by the commissioner; or

9 (5) authorized by act of the legislature.

10 * **Sec. 2.** AS 38.05.945(a) is amended to read:

11 (a) This section establishes the requirements for notice given by the
12 department for the following actions:

13 (1) classification or reclassification of state land under AS 38.05.300
14 and the closing of land to mineral leasing or entry under AS 38.05.185;

15 (2) zoning of land under applicable law;

16 (3) issuance of a

17 (A) preliminary written finding under AS 38.05.035(e)(5)(A)
18 regarding the sale, lease, or disposal of an interest in state land or resources for
19 oil and gas, or for gas only, subject to AS 38.05.180(b);

20 (B) written finding for the sale, lease, or disposal of an interest
21 in state land or resources under AS 38.05.035(e)(6), except a lease sale
22 described in AS 38.05.035(e)(6)(F) for which the director must provide
23 opportunity for public comment under the provisions of that subparagraph;

24 (4) a competitive disposal of an interest in state land or resources after
25 final decision under AS 38.05.035(e);

26 (5) a preliminary finding under AS 38.05.035(e) concerning sites for
27 aquatic farms and related hatcheries;

28 (6) a decision under AS 38.05.132 - 38.05.134 regarding the sale,
29 lease, or disposal of an interest in state land or resources;

30 **(7) a restriction or prohibition of a traditional means of access to**
31 **state land, water, or land and water for traditional outdoor activities for the**

1 **purpose of protecting aesthetic values of the land, water, or land and water under**
2 **AS 38.04.200.**