

CS FOR SENATE BILL NO. 70(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY THE SENATE RESOURCES COMMITTEE

Offered: 3/31/15

Referred: Finance

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to exceptions from designation as a special purpose site under art.**
2 **VIII, sec. 7 of the Constitution of the State of Alaska for portions of Denali State Park,**
3 **Captain Cook State Recreation Area, Nancy Lake State Recreation Area, and Willow**
4 **Creek State Recreation Area to allow leasing a right-of-way for a natural gas pipeline."**

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

6 *** Section 1.** AS 41.21 is amended by adding a new section to read:

7 **Sec. 41.21.153. Certain land excepted.** (a) Notwithstanding
8 AS 41.21.020(a)(6), 41.21.150, or 41.21.151, state-owned land in the following
9 described parcels, including land that would lie within the described parcels but for a
10 U.S. survey, may be leased in accordance with AS 38.35 (Right-of-Way Leasing Act)
11 for the purpose of construction and operation of a natural gas pipeline from the North
12 Slope:

13 (1) Township 29 North, Range 5 West, Seward Meridian

14 Section 4: N1/2, SW1/4

- 1 Section 7: E1/2, SW1/4
- 2 Section 8
- 3 Section 9: NW1/4
- 4 Section 18: E1/2
- 5 Section 19: E1/2
- 6 Section 30: E1/2
- 7 Section 31: E1/2
- 8 Section 32: W1/2;
- 9 (2) Township 30 North, Range 5 West, Seward Meridian
- 10 Section 2: NW1/4
- 11 Section 3
- 12 Section 8: E1/2
- 13 Section 9
- 14 Section 10: W1/2
- 15 Section 16: W1/2
- 16 Section 17: E1/2
- 17 Section 20: E1/2
- 18 Section 21: W1/2
- 19 Section 28
- 20 Section 33;
- 21 (3) Township 31 North, Range 4 West, Seward Meridian
- 22 Section 1: NW1/4, N1/2NE1/4
- 23 Section 2
- 24 Section 3: SE1/4
- 25 Section 9: SE1/4
- 26 Section 10
- 27 Section 11: W1/2
- 28 Section 14: NW1/4
- 29 Section 15: N1/2
- 30 Section 16
- 31 Section 17: S1/2

- 1 Section 19: NE1/4, S1/2
 2 Section 20: N1/2, SW1/4
 3 Section 30: N1/2;
 4 (4) Township 31 North, Range 5 West, Seward Meridian
 5 Section 24: SE1/4
 6 Section 25
 7 Section 26: E1/2
 8 Section 34: SE1/4
 9 Section 35
 10 Section 36: NW1/4;
 11 (5) Township 32 North, Range 2 West, Seward Meridian
 12 Section 6: NW1/4;
 13 (6) Township 32 North, Range 3 West, Seward Meridian
 14 Section 1: N1/2, SW1/4
 15 Section 2
 16 Section 3: SE1/4
 17 Section 8: SE1/4
 18 Section 9: NE1/4, S1/2
 19 Section 10: N1/2, SW1/4, N1/2SE1/4
 20 Section 11: NW1/4
 21 Section 16: N1/2
 22 Section 17
 23 Section 19: SE1/4
 24 Section 20: N1/2, SW1/4, N1/2SE1/4
 25 Section 29: NW1/4
 26 Section 30
 27 Section 31: N1/2, SW1/4;
 28 (7) Township 32 North, Range 4 West, Seward Meridian
 29 Section 35: SE1/4
 30 Section 36;
 31 (8) Township 33 North, Range 2 West, Seward Meridian

1 Section 16
 2 Section 17: SE1/4
 3 Section 20: NE1/4, S1/2, S1/2NW1/4
 4 Section 21: W1/2
 5 Section 29: N1/2, SW1/4
 6 Section 30: S1/2, NE1/4
 7 Section 31;

8 (9) Township 33 North, Range 3 West, Seward Meridian

9 Section 36: S1/2.

10 (b) The department shall manage any state-owned land described in this
 11 section and within the exterior boundaries of Denali State Park as part of Denali State
 12 Park until the land is leased under AS 38.35. State-owned land described in this
 13 section will revert to Denali State Park upon release of the land from a right-of-way
 14 through termination of the lease or otherwise and upon satisfaction of the lessee's
 15 obligations to restore and revegetate the land.

16 (c) Any right-of-way lease issued under AS 38.35 across land described in this
 17 section and within the exterior boundaries of Denali State Park must

18 (1) reserve to the state the interests necessary to provide for public
 19 access by foot, snow machine, dog sled, and other traditional means of access along
 20 and across the leased corridor;

21 (2) preserve, to the maximum extent practicable, the recreational,
 22 scenic, cultural, historical, and habitat values consistent with the leasehold's location
 23 within the exterior boundaries of Denali State Park; and

24 (3) provide for termination of the lease if commercial operation of the
 25 pipeline has not begun five years after the effective date of the lease.

26 (d) AS 38.35.130 does not apply to land within the exterior boundaries of
 27 Denali State Park.

28 (e) A natural gas pipeline right-of-way lease may not be issued across land
 29 described in this section unless the lease becomes effective before January 1, 2020.

30 * **Sec. 2.** AS 41.21 is amended by adding a new section to read:

31 **Sec. 41.21.426. Certain land excepted.** (a) Notwithstanding

1 AS 41.21.020(a)(6), 41.21.410 - 41.21.425, or a regulation issued implementing
 2 AS 41.21.420, state-owned land in the following described parcels, including land that
 3 would lie within the described parcels but for a U.S. survey, may be leased in
 4 accordance with AS 38.35 (Right-of-Way Leasing Act) for the purpose of construction
 5 and operation of a natural gas pipeline from the North Slope:

6 Township 8 North, Range 10 West, Seward Meridian

7 Section 3: SE1/4

8 Section 9: SE1/4

9 Section 10: N1/2, SW1/4, W1/2 SE1/4

10 Section 15: W1/2W1/2

11 Section 16

12 Section 17: S1/2, S1/2NE1/4.

13 (b) The department shall manage any state-owned land described in this
 14 section and within the exterior boundaries of Captain Cook State Recreation Area as
 15 part of Captain Cook State Recreation Area until the land is leased under AS 38.35.
 16 State-owned land described in this section will revert to Captain Cook State
 17 Recreation Area upon release of the land from a right-of-way through termination of
 18 the lease or otherwise and upon satisfaction of the lessee's obligations to restore and
 19 revegetate the land.

20 (c) Any right-of-way lease issued under AS 38.35 across land described in this
 21 section and within the exterior boundaries of Captain Cook State Recreation Area
 22 must

23 (1) reserve to the state the interests necessary to provide for public
 24 access by foot, snow machine, dog sled, and other traditional means of access along
 25 and across the leased corridor;

26 (2) preserve, to the maximum extent practicable, the recreational,
 27 scenic, cultural, historical, and habitat values consistent with the leasehold's location
 28 within the exterior boundaries of Captain Cook State Recreation Area; and

29 (3) provide for termination of the lease if commercial operation of the
 30 pipeline has not begun five years after the effective date of the lease.

31 (d) AS 38.35.130 does not apply to land within the exterior boundaries of

1 Captain Cook State Recreation Area.

2 (e) A natural gas pipeline right-of-way lease may not be issued across land
3 described in this section unless the lease becomes effective before January 1, 2020.

4 * **Sec. 3.** AS 41.21 is amended by adding a new section to read:

5 **Sec. 41.21.466. Certain land excepted.** (a) Notwithstanding
6 AS 41.21.020(a)(6) or 41.21.450 - 41.21.465, state-owned land in the following
7 described parcels, including land that would lie within the described parcels but for a
8 U.S. survey, may be leased in accordance with AS 38.35 (Right-of-Way Leasing Act)
9 for the purpose of construction and operation of a natural gas pipeline from the North
10 Slope:

11 (1) Township 18 North, Range 5 West, Seward Meridian

12 Section 10: E1/2

13 Section 11: NW1/4

14 Section 15: NW1/4

15 Section 16: SE1/4

16 Section 21: W1/2;

17 (2) Township 19 North, Range 5 West, Seward Meridian

18 Section 35: SW1/4.

19 (b) The department shall manage any state-owned land described in this
20 section and within the exterior boundaries of Nancy Lake State Recreation Area as
21 part of Nancy Lake State Recreation Area until the land is leased under AS 38.35.
22 State-owned land described in this section will revert to Nancy Lake State Recreation
23 Area upon release of the land from a right-of-way through termination of the lease or
24 otherwise and upon satisfaction of the lessee's obligations to restore and revegetate the
25 land.

26 (c) Any right-of-way lease issued under AS 38.35 across land described in this
27 section and within the exterior boundaries of Nancy Lake State Recreation Area must

28 (1) reserve to the state the interests necessary to provide for public
29 access by foot, snow machine, dog sled, and other traditional means of access along
30 and across the leased corridor;

31 (2) preserve, to the maximum extent practicable, the recreational,

1 scenic, cultural, historical, and habitat values consistent with the leasehold's location
2 within the exterior boundaries of Nancy Lake State Recreation Area; and

3 (3) provide for termination of the lease if commercial operation of the
4 pipeline has not begun five years after the effective date of the lease.

5 (d) AS 38.35.130 does not apply to land within the exterior boundaries of
6 Nancy Lake State Recreation Area.

7 (e) A natural gas pipeline right-of-way lease may not be issued across land
8 described in this section unless the lease becomes effective before January 1, 2020.

9 * **Sec. 4.** AS 41.21 is amended by adding a new section to article 4 to read:

10 **Sec. 41.21.496. Certain lands excepted.** (a) Notwithstanding
11 AS 41.21.020(a)(6) or 41.21.491 - 41.21.495, state-owned land in the following
12 described parcels, including land that would lie within the described parcels but for a
13 U.S. survey, may be leased in accordance with AS 38.35 (Right-of-Way Leasing Act)
14 for the purpose of construction and operation of a natural gas pipeline from the North
15 Slope: the East 1/2 of Section 2, Township 19 North, Range 5 West, Seward Meridian
16 and the East 1/2 of Section 35, Township 20 North, Range 5 West, Seward Meridian.

17 (b) The department shall manage any state-owned land described in this
18 section and within the exterior boundaries of Willow Creek State Recreation Area as
19 part of Willow Creek State Recreation Area until the land is leased under AS 38.35.
20 State-owned land described in this section will revert to Willow Creek State
21 Recreation Area upon release of the land from a right-of-way through termination of
22 the lease or otherwise and upon satisfaction of the lessee's obligations to restore and
23 revegetate the land.

24 (c) Any right-of-way lease issued under AS 38.35 across land described in this
25 section and within the exterior boundaries of Willow Creek State Recreation Area
26 must

27 (1) reserve to the state the interests necessary to provide for public
28 access by foot, snow machine, dog sled, and other traditional means of access along
29 and across the leased corridor;

30 (2) preserve, to the maximum extent practicable, the recreational,
31 scenic, cultural, historical, and habitat values consistent with the leasehold's location

1 within the exterior boundaries of Willow Creek State Recreation Area; and
2 (3) provide for termination of the lease if commercial operation of the
3 pipeline has not begun five years after the effective date of the lease.
4 (d) AS 38.35.130 does not apply to land within the exterior boundaries of
5 Willow Creek State Recreation Area.
6 (e) A natural gas pipeline right-of-way lease may not be issued across land
7 described in this section unless the lease becomes effective before January 1, 2020.