

Original sponsor: Thomas

Offered: 4/11/74
Referred: Rules

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 436

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Hatcher Pass Recreation Area."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 41.20 is amended by adding new sections to read:

9 ARTICLE 10. HATCHER PASS RECREATION AREA.

10 Sec. 41.20.360. DECLARATION OF PURPOSE. The purpose of secs. 360
11 375 of this chapter is to dedicate lands and waters within the Hatcher
12 Pass Recreation Area to recreational uses while at the same time
13 recognizing the value to the people of the state of the existing
14 mineral and agricultural industry in the area. It is the intent of
15 the legislature that mining be undertaken on state lands in the Hatcher
16 Pass Recreation Area only under lease and that mining and agricultural
17 activity outside the mineral zone designated in sec. 370(b) of this
18 chapter be permitted if it is done in a manner compatible with recreation
19 use.

20 Sec. 41.20.365. DESIGNATED LAND AND WATER RESTRICTED TO USE. Those
21 lands and waters lying inside the following described boundary are
22 designated as the Hatcher Pass Recreation Area subject to the uses
23 specified in sec. 370 of this chapter: Beginning at the NW corner of
24 the SW 1/4 of the SW 1/4 of Section 31, T20N, R2W, S.M., thence north
25 along the township line a distance of one and three-fourth miles, more
26 or less, to the SW corner of Section 19, T20N, R2W, S.M.; thence east
27 along the south line of said section a distance of one-half mile, more
28 or less; thence north along the centerline of said Section 19, a
29 distance of one-quarter mile, more or less, to the NW corner of the

1 SW 1/4 of the SE 1/4 of said Section 19; thence east along the S 1/16
2 line a distance of one-quarter mile, more or less, to the NE corner of
3 said SW 1/4; thence north along the east 1/16 line a distance of one-
4 half mile, more or less, to the SW corner of the NE 1/4 of the NE 1/4
5 of Section 19, T20N, R2W, S.M.; thence north northeasterly along the
6 existing ridge line a distance of four and one-quarter miles, more or
7 less, to the SW corner of Section 28, T21N, R2W, S.M.; thence north
8 northwesterly along said ridge line a distance of one and one-quarter
9 miles, more or less, to the south 1/4 corner of Section 20, T21N, R2W,
10 S.M.; thence northeasterly along said ridge line a distance of two and
11 one-quarter miles, more or less, to the NE corner of the NW 1/4 of the
12 SE 1/4 of Section 15, T21N, R2W, S.M.; thence east southeasterly along
13 said ridge line a distance of ten miles, more or less, to the NW
14 corner of the SW 1/4 of the SW 1/4 of Section 29, T21N, R1E, S.M.;
15 thence northeasterly along the ridge line a distance of four and one-
16 quarter miles, more or less, to the north 1/4 corner of Section 23,
17 T21N, R1E, S.M.; thence east southeasterly across the Bartholf Creek
18 Valley a distance of one and one-half miles, more or less, to the NE
19 corner of the SE 1/4 of the NE 1/4 of Section 24, T21N, R1E, S.M.;
20 thence east southeasterly along a ridge line a distance of four miles,
21 more or less, to a point known as "Montana Peak" located in the NE 1/4
22 of Section 27, T21N, R2E, S.M.; thence northeasterly along said ridge
23 line a distance of two and one-quarter miles, more or less, to the NE
24 corner of the SE 1/4 of the NW 1/4 of Section 24, T21N, R2E, S.M.;
25 thence southeasterly along said ridge line a distance of two and one-
26 half miles, more or less, to the SE corner of Section 29, T21N, R3E,
27 S.M.; thence south southwesterly along a ridge line a distance of six
28 and one-half miles, more or less, to a point known as "Eska Mountain",
29 said point being located near the center of Section 32, T20N, R3E, S.M.;

1 thence southwesterly along a descending ridge line a distance of four
2 and one-half miles, more or less, to the E 1/4 corner of Section 14, T19N,
3 R2E, S.M., said point being the west bank of "Moose Creek"; thence
4 southwesterly along the west bank of "Moose Creek" a distance of three-
5 fourths mile, more or less, to the S 1/4 corner of said Section 14,
6 T19N, R2E, S.M.; thence west along the south section line a distance
7 of two and one-half miles, more or less, to the NE corner of Section 20,
8 T19N, R2E, S.M.; thence south along the east line of said section a
9 distance of one mile, more or less, to the SE corner of said section;
10 thence west along the south section line a distance of four miles, more
11 or less, to the NE corner of Section 27, T19N, R1E, S.M.; thence south
12 along the east line of said section a distance of one mile, more or less,
13 to the SE corner of said section; thence west along the south section
14 line a distance of three miles, more or less, to the SE corner of Sec-
15 tion 30, T19N, R1E, S.M.; thence south along the east line of Section 31,
16 T19N, R1E, S.M. a distance of one mile, more or less, to the SE corner
17 of said Section 31; thence west along the south section line a distance
18 of thirteen miles, more or less, to the SW corner of Section 31, T19N,
19 R2W, S.M.; thence north along the township line a distance of five miles,
20 more or less, to the NW corner of Section 7, T19N, R2W, S.M.; thence
21 east along the north line of said section a distance of one-quarter mile,
22 more or less; thence north along the west 1/16 line of Section 6, T19N,
23 R2W, S.M. a distance of one-quarter mile, more or less; thence east
24 along the south 1/16 line of said section a distance of one-quarter
25 mile, more or less; thence north along the centerline of said Section 6
26 a distance of one mile, more or less, to the south 1/16 line of
27 Section 31, T20N, R2W, S.M.; thence east along the south 1/16 line a
28 distance of one-fourth mile, more or less, to the east 1/16 line of
29 said section; thence north along said east 1/16 line a distance of

1 one-half mile, more or less, to the north 1/16 line of said section;
2 thence west along said 1/16 line a distance of one-half mile, more or
3 less, to the west 1/16 line of said section, more or less; thence
4 south along the west 1/16 line of said section a distance of one-half
5 mile, more or less, to the south 1/16 line of said section; thence
6 west along said 1/16 line a distance of one-fourth mile, more or less,
7 to the point of beginning.

8 Sec. 41.20.370. USES PERMITTED. (a) The land classification
9 map for the Hatcher Pass Recreation Area on file with the Department
10 of Natural Resources and numbered HP-1 is adopted as the official
11 classification map for the Hatcher Pass Recreation Area. Changes to
12 this map are effective only upon approval by the commissioner of
13 natural resources.

14 (b) Within the area designated as mineral zone, mining is recog-
15 nized as the primary use of the lands, waters, and roads, and any
16 recreational development undertaken may not interfere with mining
17 activities. When, in his judgment, mining activity reaches a point
18 where public entry into the area would be hazardous, the commissioner
19 may restrict public entry into the area, including restricting travel
20 on portions of the state highway system located in the area.

21 (c) Within the remainder of the area, public recreation and
22 scenic preservation are recognized as the highest and best surface
23 uses and any other development may be undertaken only in a manner that
24 is compatible with these values and upon approval by the commissioner
25 of natural resources.

26 (d) After the effective date of this Act, private land and
27 existing claims and leases within the area specified under sec. 365 of
28 this chapter are restricted to the type of uses to which they were put
29 before the effective date of this Act, including but not limited to

1 previous mining and agricultural activity or to public or private
2 recreational uses which are approved by the commissioner of natural
3 resources.

4 (e) Rights to mineral deposits in the area specified in sec. 365
5 of this chapter may only be obtained by a mineral lease under AS
6 38.05.205.

7 Sec. 41.20.375. PURCHASE AUTHORIZED. The commissioner of
8 natural resources may acquire, by purchase in the name of the state,
9 title to or interest in real property lying within the boundaries of
10 the Hatcher Pass Recreation Area. The state may not acquire by
11 eminent domain privately owned land for inclusion in the Hatcher Pass
12 Recreation Area.