

Introduced: 2/27/75
Referred: Resources and
Finance

1 IN THE HOUSE

BY SMITH AND BEIRNE

2 HOUSE BILL NO. 232

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

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

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

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

10 ARTICLE 10. HATCHER PASS STATE RECREATION AREA.

11 Sec. 41.20.420. DECLARATION OF PURPOSE. The purpose of secs. 420 -
12 430 of this chapter is to dedicate lands and waters within the Hatcher
13 Pass State Recreation Area to recreational uses while at the same time
14 recognizing the value to the people of the state of the existing mineral
15 and agricultural industry in the area. It is the intent of the legisla-
16 ture that mining be undertaken on state lands in the Hatcher Pass State
17 Recreation Area only under lease and that mining and agricultural acti-
18 vity outside the mineral zone classified in the land classification map
19 specified in sec. 425(b) of this chapter be permitted if it is done in a
20 manner compatible with recreational use.

21 Sec. 41.20.425. DESIGNATED LAND AND WATER RESTRICTED TO USE. (a)
22 Those lands and waters lying inside the following described boundary are
23 designated as the Hatcher Pass State Recreation Area subject to the uses
24 specified in sec. 430 of this chapter: Beginning at the SW corner of the
25 NW 1/4 of the NW 1/4 of Section 31, T20N, R2W, S.M., thence north along
26 the township line to the SW corner of Section 19, T20N, R2W, S.M.; thence
27 east along the south line of said section to the south 1/4 corner; thence
28 north along the centerline of said Section 19, to the NW corner of the
29 SW 1/4 of the SE 1/4 of said Section 19; thence east along the S 1/16

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

1 SE corner of Section 11, T19N, R2E, S.M.; thence west along the south
2 line of said section to the SW corner of said section; thence south
3 along the east line of Section 15, T19N, R2E, S.M. to the SE corner of
4 said section; thence west along the south section line to the NE corner
5 of Section 20, T19N, R2E, S.M.; thence south along the east line of said
6 section to the SE corner of Section 20, T19N, R2E, S.M.; thence west
7 along the south section line to the NE corner of Section 27, T19N, R1E,
8 S.M.; thence south along the east line of said section to the SE corner
9 of the NE 1/4 of the NE 1/4 of said section; thence east to the NE
10 corner of the SW 1/4 of the NW 1/4 of Section 26, T19N, R1E, S.M.; thence
11 south to the SE corner of the SW 1/4 of the SW 1/4 of said section;
12 thence west along the south section line to the SE corner of Section 30,
13 T19N, R1E, S.M.; thence south along the east line of Section 31, T19N,
14 R1E, S.M., to the SE corner of said Section 31; thence west along the
15 south section line to the NE corner of Section 5, T18N, R1W, S.M.; thence
16 south along the east line of said Section 5 to the SE corner of Section
17 5, T18N, R1W, S.M.; thence west along the south line of said section to
18 the SW corner of said section; thence south along the east line of
19 Section 7, T18N, R1W, S.M. to the SE corner of said section; thence west
20 along the south line of said section a distance of one mile, more or
21 less, to the SW corner of said Section 7; thence north along the west
22 line of said section a distance of one-fourth mile, more or less, to the
23 south 1/16 line of Section 12, T18N, R2W, S.M.; thence west along said
24 south 1/16 line a distance of one-fourth mile, more or less, to the NE
25 corner of the SW 1/4 of the SE 1/4 of said Section 12; thence south along
26 the east 1/16 line a distance of one-fourth mile, more or less, to the
27 south line of said Section 12; thence west along said south line a
28 distance of one-fourth mile, more or less, to the south 1/4 corner of
29 said section; thence north along the centerline a distance of one-half

1 mile, more or less, to the center 1/4 corner of said section; thence west
2 along the centerline a distance of one and one-half miles, more or less,
3 to the east 1/4 corner of Section 10, T18N, R2W, S.M.; thence south along
4 the east line of said section a distance of three-fourth mile, more or
5 less, to the north 1/16 line of Section 15, T18N, R2W, S.M.; thence
6 west along said 1/16 line a distance of one-half mile, more or less, to
7 the NE corner of the SE 1/4 of the NW 1/4 of said Section 15; thence
8 south along the centerline of said section to the center 1/4 corner of
9 said section; thence west along the centerline of said section a distance
10 of one-fourth mile, more or less, to the NE corner of the NW 1/4 of the
11 SW 1/4 of said section; thence south along the west 1/16 line of said
12 section a distance of one-fourth mile, more or less, to the south 1/16
13 line of said section; thence west along the said south 1/16 line a dis-
14 tance of one-fourth mile, more or less, to the west line of said section;
15 thence south along the said west line a distance of one-fourth mile,
16 more or less to the SE corner of Section 16, T18N, R2W, S.M.; thence west
17 along the south section line to the NE corner of the NW 1/4 of the NE 1/4
18 of Section 19, T18N, R2W, S.M.; thence south along the east 1/16 line of
19 said section a distance of one-half mile, more or less, to the centerline
20 of said section; thence west along said centerline a distance of one-
21 fourth mile, more or less, to the center 1/4 corner of said Section 19;
22 thence south along the centerline of said section a distance of one-half
23 mile, more or less, to the south 1/4 corner of said section; thence west
24 along the south line of said section, a distance of one-fourth mile, more
25 or less, to the west 1/16 line of said Section 19; thence north along
26 said 1/16 line a distance of one-half mile, more or less, to the center-
27 line of said section; thence west along said centerline a distance of
28 one-fourth mile, more or less, to the west 1/4 corner of said section;
29 thence north along said section line to the NW corner of Section 7, T19N,

1 R2W, S.M.; thence east along the north line of said section a distance
2 of 1 1/4 miles, more or less, to the NE corner of the NW 1/4 NW 1/4
3 Section 8, T19N, R2W, S.M.; thence south along the 1/16 line of said
4 Section 8 a distance of 1/4 mile, more or less, to the SE corner of the
5 NW 1/4 NW 1/4 of said Section 8; thence east 1/4 mile, more or less, to
6 the center 1/4 corner of said Section 8; thence south 1/4 mile, more
7 or less, to the NW corner SW 1/4 SE 1/4 said Section 8; thence east to
8 the east section line of said Section 8; thence North to the NE corner
9 of said Section 8; thence east along the north line of Section 9, T19N,
10 R2W, to the NE corner of Section 12, T19N, R2W; thence north along the
11 range line to the NE corner, T19N, R2W; thence west along the township
12 line to the N 1/4 corner, Section 6, T19N, R2W; thence north to the south
13 1/16 line of Section 31, T20N, R2W, S.M.; thence east along the south
14 1/16 line a distance of one-fourth mile, more or less, to the east 1/16
15 line of said section; thence north along said east 1/16 line a distance
16 of one-half mile, more or less, to the north 1/16 line of said section;
17 thence west along said 1/16 line a distance of three-fourth miles, more
18 or less, to the point of beginning, said parcel as described in this
19 section to contain 213,500 acres, more or less.

20 (b) The land classification map for the Hatcher Pass State Recrea-
21 tion Area filed with the Department of Natural Resources which is dated
22 March 1, 1975 and numbered HP-3 is adopted as the official classification
23 map for the Hatcher Pass State Recreation Area. Changes to this map are
24 effective only upon approval by the commissioner of natural resources.

25 Sec. 41.20.430. USES PERMITTED. (a) Within the area classified
26 as mineral zone in the land classification map specified in sec. 425(b)
27 of this chapter, mining is recognized as the primary use of the lands,
28 waters, and roads, and any recreational development undertaken may not
29 interfere with mining activities. When, in his judgment, mining activity

1 reaches a point where public entry into the area would be hazardous, the
2 director may establish regulations to control recreational activities
3 and development in the area.

4 (b) Other than for the area classified as a mineral zone, the
5 highest and best use of the area specified in sec. 425 of this chapter
6 is public recreation and scenic preservation and any other development
7 may be undertaken only in a manner that is compatible with these values
8 and upon approval by the commissioner of natural resources.

9 (c) After the effective date of this Act, private land and valid
10 existing leases and mining claims within the area specified under sec.
11 425 of this chapter are restricted to the type of uses to which they
12 were put before the effective date of this Act, including but not limited
13 to previous mining and agricultural activity or to public or private
14 recreational uses.

15 (d) Rights to mineral deposits in the area specified under sec.
16 425 of this chapter may only be obtained by a mineral lease under
17 AS 38.05.205.
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