

Introduced: 4/22/75
Referred: Resources

BY THE RULES COMMITTEE
BY REQUEST

1 IN THE SENATE

2 SENATE BILL NO. 387

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 Talkeetna Mountains State
7 Park."

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

9 * Section 1. AS 41.20.047 is amended by adding a new paragraph to read:

10 (5) "state recreation area" means land of statewide rather
11 than local importance, with wide drawing power, and capable of providing
12 adequate non-urban recreational opportunities for large numbers of
13 visitors, with development directed primarily toward non-urban recrea-
14 tional activities.

15 * Sec. 2. Sec. 41.20 is amended by adding new sections to read:

16 ARTICLE 12. TALKEETNA MOUNTAINS STATE PARK.

17 Sec. 41.20.420. DECLARATION OF PURPOSE. The purpose of secs. 420 -
18 455 of this chapter is to restrict state owned lands and waters described
19 in sec. 425 of this chapter to use as a state park, divided into scenic
20 and recreation area portions as prescribed in sec. 425 of this chapter.
21 Secs. 420 - 455 of this chapter closes the described lands and waters to
22 multiple use in conformity with AS 38.05.300 and designates them as a
23 special purpose site in accordance with art. VIII, sec. 7 of the Consti-
24 tution of the State of Alaska.

25 Sec. 41.20.425. DESIGNATED STATE LAND AND WATER RESTRICTED TO USE
26 AS A STATE PARK. (a) The following lands and waters within the
27 Talkeetna Mountains State Park are designated as a scenic park and are
28 subject to the uses specified in sec. 430 of this chapter: beginning at
29 the SW corner of Section 25, T20N, R1E, S.M.; thence north along the

1 section line a distance of two and three-fourth miles to the NW corner,
2 SE1/4, NW1/4, Section 13, T20N, R1E, S.M.; thence easterly a distance of
3 one-half mile, more or less, to the intersection of the north 1/16 line
4 of said section with the flowline of Glacier Creek; thence northerly a
5 distance of one and one-fourth miles, more or less, along the flowline
6 of said creek to the NW corner, NE1/4, NW1/4 Section 12, T20N, R1E,
7 S.M.; thence in a westerly direction along the ridgeline a distance of
8 one and three-fourth miles, more or less, to the intersection of said
9 ridgeline with the north section line of Section 10, T20N, R1E, S.M.
10 occurring approximately at the north 1/4 corner of said section; thence
11 southwesterly along said ridgeline a distance of four and one-half
12 miles, more or less, to the center of Section 29, T20N, R1E, S.M.;
13 thence northwesterly across the Craigie Creek valley to the opposite
14 ridgeline of said valley a distance of one and one-half miles, more or
15 less, to the approximate NW corner, NE1/4, SW1/4, Section 19, T20N, R1E,
16 S.M.; thence southwesterly along said ridgeline a distance of three
17 miles, more or less, to the east 1/4 corner Section 34, T20N, R1W, S.M.;
18 thence west southwesterly along said ridgeline a distance of two miles,
19 more or less, to the SW corner of Section 33, T20N, R1W, S.M.; thence
20 west along the section line a distance of eight miles, more or less, to
21 the SW corner, Section 31, T20N, R2W, S.M.; thence north along the
22 section line a distance of 14 miles, more or less, to the NW corner,
23 Section 30, T22N, R2W, S.M.; thence west along the section line a distance
24 of four and three-fourth miles to the SW corner, SE1/4, SW1/4, Section
25 20, T22N, R3W, S.M.; thence north a distance of three and one-fourth
26 miles to the NW corner, SE1/4, SW1/4, Section 5, T22N, R3W, S.M.; thence
27 northeasterly a distance of three and three-eighth miles, more or less,
28 to the SW corner, SE1/4, SW1/4, Section 22, T23N, R3W, S.M.; thence east
29 northeasterly a distance of four and one-half miles, more or less, to

1 the NW corner, SW1/4, SE1/4, Section 17, T23N, R2W, S.M.; said point
2 being the top of the ridge between the north fork Kashuaitna River and
3 the Sheep Creek drainage; thence easterly along said ridgeline a distance
4 of 21 miles, more or less, to the approximate center of Section 21,
5 T23N, R2E, S.M.; thence southeasterly along said ridgeline a distance of
6 23 miles, more or less, to the SE corner, Section 27, T21N, R4E, S.M.;
7 thence southwesterly along said ridgeline a distance of nine and one-
8 half miles, more or less, to the S1/4 corner, SE1/4, SW1/4, Section 31,
9 T20N, R4E, S.M.; thence west along said section line one-half mile to
10 the SW corner of Section 31, T20N, R4E, S.M.; thence south along the
11 range line a distance of one and three-fourth miles, more or less, to
12 the SE corner, NE1/4, SE1/4, Section 12, T19N, R3E, S.M.; thence west
13 three-fourth mile to the NW corner of the SE1/4, SW1/4; thence north
14 one-fourth mile to the NW corner, NW1/4 SW1/4 of said Section 12; thence
15 west a distance of three-fourth mile to the center of Section 11, T19N,
16 R3E, S.M.; thence south along the centerline of said section a distance
17 of one-fourth mile to the SE corner, NE1/4, SW1/4 of said Section 11;
18 thence west a distance of two miles to the SW corner, NW1/4, SE1/4,
19 Section 9, T19N, R3E, S.M.; thence north a distance of one-fourth mile
20 to the center of said Section 9; thence west a distance of two and one-
21 half miles to the W1/4 corner of Section 7, T19N, R2E, S.M.; thence
22 south a distance of one-fourth mile to the SE corner, NE1/4, SE1/4 of
23 said Section 12; thence west a distance of one mile to the NE corner,
24 NW1/4, SE1/4, SE1/4, Section 11, T19N, R2E, S.M.; thence south a distance
25 of one-eighth mile to the SE corner, NW1/4, SE1/4, SE1/4, of said Section
26 11; thence west a distance of one-fourth mile to the NE corner, SW1/4,
27 SW1/4, SE1/4 of said Section 11; thence south a distance of seven-eighth
28 mile to the SE corner, SW1/4, NW1/4, SE1/4, Section 14, T19N, R2E, S.M.;
29 thence west a distance of one-eighth mile to the SW corner, NW1/4,

1 SE1/4, of said Section 14; thence south one-fourth mile to the south 1/4
2 corner of said Section 14; thence east a distance of one-fourth mile to
3 the NE corner, NW1/4, NW1/4, NE1/4, Section 23, T19N, R2E, S.M.; thence
4 south a distance of one-half mile to the SE corner, SW1/4, NE1/4, Section
5 23, T19N, R2E, S.M.; thence west a distance of three-fourth mile to the
6 E1/4, Section 22, T19N, R2E, S.M.; thence north one-half mile to the SE
7 corner of Section 15, T19N, R2E, S.M.; thence west a distance of two
8 miles to the SW corner, Section 16, T19N, R2E, S.M.; thence south along
9 the section line a distance of one mile to the SE corner, Section 20,
10 T19N, R2E, S.M.; thence west a distance of three miles to the SW corner,
11 Section 24, T19N, R1E, S.M.; thence north along the section line a dis-
12 tance of four miles to the NW corner, Section 1, T19N, R1E, S.M.; thence
13 west a distance of one mile to the SW corner, Section 35, T20N, R1E,
14 S.M.; thence north a distance of one mile to the NW corner of said Sec-
15 tion 35; thence east a distance of one mile to the NE corner of said
16 Section 35, said point being the point of beginning.

17 (b) The following lands and waters within the Talkeetna Mountains
18 State Park are designated as a recreation area, subject to the uses
19 specified in sec. 430 of this chapter:

20 (1) beginning at the SW corner of Section 25, T20N, R1E,
21 S.M.; thence north along the section line a distance of two and three-
22 fourth miles to the NW corner, SE1/4, NW1/4, Section 13, T20N, R1E,
23 S.M.; thence easterly a distance of one-half mile, more or less, to the
24 intersection of the north 1/16 line of said section with the flowline of
25 Glacier Creek; thence northerly a distance of one and one-fourth miles,
26 more or less, along the flowline of said creek to the NW corner, NE1/4,
27 NW1/4 Section 12, T20N, R1E, S.M.; thence in a westerly direction along
28 the ridgeline a distance of one and three-fourth miles, more or less, to
29 the intersection of said ridgeline with the north section lines of

1 Section 10, T20N, R1E, S.M. occurring approximately at the north 1/4
2 corner of said section; thence southwesterly along said ridgeline a
3 distance of four and one-half miles, more or less, to the center of
4 Section 29, T20N, R1E, S.M.; thence southerly along a ridgeline a
5 distance of three miles, more or less, to the approximate south quarter
6 corner of Section 8, T19N, R1E, S.M.; thence east along the section line
7 a distance of three and one-half miles, more or less, to the SE corner,
8 Section 11, T19N, R1E, S.M.; thence north a distance of two miles to the
9 NE corner, Section 2, T19N, R1E, S.M.; thence west one mile to the NW
10 corner of said Section 2; thence north one mile to the NE corner of
11 Section 34, T20N, R1E, S.M.; thence east one mile to the SW corner,
12 Section 25, T20N, R1E, S.M., to the point of beginning;

13 (2) those lands within 1/4 mile of the Fishhook-Willow Road
14 between the bridge in sec. 26, Township 19 North, Range 1 East, Seward
15 Meridian and the bridge in sec. 5, Township 19 North, Range 2 West,
16 Seward Meridian and the Craigie Creek Road from its junction with the
17 Willow Creek-Fishhook Road to the boundary of the Talkeetna Mountains
18 State Park, excluding lands in private ownership as of January 1, 1975.

19 (c) Lands lying with the areas designated under (a) - (b) of this
20 section, which are selected by native village or regional corporations
21 under secs. 11, 12, and 14 of the Alaska Native Claims Settlement Act
22 (P.L. 92-203; 85 stat. 688; 43 U.S.C. 1601 et. seq.) are excepted from
23 (a) and (b) of this section; however, if any land excepted under this
24 subsection is subsequently relinquished to the state, it shall be in-
25 cluded as part of the Talkeetna Mountains State Park.

26 Sec. 41.20.430. USES PERMITTED. (a) Within the area classified
27 as a state recreation area under sec. 425(b) of this chapter, private
28 land is restricted to the type of use to which it was put before
29 January 1, 1975. This includes but is not limited to previous mining

1 activity. All state lands and waters described in sec. 425(b) of this
2 chapter are closed to mineral entry. The commissioner may, in adopting
3 regulations under sec. 20 of this chapter, make provision for the issu-
4 ance of prospecting permits and mineral leases. Grazing leases existing
5 before January 1, 1975 shall be allowed to continue and may be renewed
6 as provided by law. Other agricultural activity may be permitted if it
7 is done in a manner compatible with recreational use. Use of motorized
8 vehicles may be permitted at the discretion of the commissioner in areas
9 designated by him for that purpose. The commissioner shall designate by
10 regulation incompatible uses within the boundary of the recreation area
11 designated in sec. 425(b) of this chapter in accordance with secs. 420 -
12 455 of this chapter, and those incompatible uses designated shall be
13 prohibited or restricted, by regulation.

14 (b) Within the area classified as a state scenic park under sec.
15 425(a) of this chapter, mining is restricted to private lands and
16 existing valid claims. Existing grazing leases within the scenic park
17 shall be allowed to continue. Upon their expiration, grazing leases may
18 be renewed as provided by law. Private land within the area is re-
19 stricted to the type of use to which it was put before January 1, 1975.
20 The commissioner shall designate by regulation incompatible uses within
21 the boundaries of the scenic park in accordance with secs. 420 - 455 of
22 this chapter, and those incompatible uses designated shall be prohibited
23 or restricted, by regulation.

24 Sec. 41.20.435. DESIGNATION OF MANAGEMENT RESPONSIBILITY. (a)
25 All state lands and waters specified in sec. 425 of this chapter are
26 assigned to the Department of Natural Resources, division of parks, for
27 control, development and maintenance, except that the Department of
28 Highways is responsible for the repair and maintenance of the Fishhook-
29 Willow Road and the Craigie Creek Road about three miles from the

1 Fishhook-Willow Road to the proposed boundary of the Talkeetna Mountains
2 State Park, about one mile southwest of Dogsled Pass; such costs to be
3 borne from Department of Highway funds. The control of highway access
4 and roadside structures within the areas specified in sec. 425 of this
5 chapter is the responsibility of the Department of Natural Resources,
6 division of parks.

7 (b) The Department of Fish and Game is responsible for the manage-
8 ment of fish and wildlife resources in the areas specified in sec. 425
9 of this chapter, and shall consult with the Department of Natural
10 Resources before the adoption of regulations concerning fish and wildlife
11 management.

12 (c) The Department of Natural Resources shall consult with the
13 Department of Fish and Game before adoption of regulations concerning
14 the use and control of firearms in the areas specified in sec. 425 of
15 this chapter.

16 (d) If, in the exercise of management responsibility under this
17 section, conflicts of land ownership, jurisdiction, or authority are un-
18 reconcilable or unmanageable other than at reasonable cost to the state,
19 the commissioner, after public hearing in accordance with AS 44.62 may
20 modify, subject to approval of the legislature by concurrent resolution,
21 the boundaries of the Talkeetna Mountains State Park, not to exceed 20
22 per cent of the total acreage described in sec. 425 of this chapter.
23 The commissioner may also add adjacent land found to be desirable but
24 presently exclude, after public hearing in accordance with AS 44.62 and
25 subject to approval of the legislature.

26 Sec. 41.20.440. ADVISORY COMMITTEE. The director of parks may
27 appoint a committee consisting of representatives from the Department of
28 Fish and Game, the Department of Natural Resources, the Matanuska-
29 Susitna Borough, and representatives of any local Park and Recreation

1 Council for the purpose of acting as an advisory committee to the
2 director on matters regarding management policies affecting the Talkeetna
3 Mountains State Park.

4 Sec. 41.20.445. PURCHASE AUTHORIZED. The commissioner may acquire
5 by purchase or gift in the name of the state, title to or interest in
6 real property lying within or abutting the boundaries of the Talkeetna
7 Mountains State Park.

8 Sec. 41.20.455. DEFINITIONS. In this chapter, "existing valid
9 claim" means a mining claim in which assessment work was done during the
10 calendar year of 1974.