

Introduced: 2/8/80  
Referred: Resources and  
Finance

BY THE RESOURCES COMMITTEE  
BY REQUEST

1 IN THE SENATE

2 SENATE BILL NO. 407

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Central Susitna River Recrea-  
7 tion Area and providing for the classification and  
8 management of rivers and adjacent land for outdoor  
9 recreational purposes; and providing for an effective  
10 date."

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

12 \* Section 1. PURPOSE. (a) The purpose of sec. 2 of this Act is to  
13 establish the publicly owned land and water areas described in AS 41.20.506,  
14 added by sec. 2, as the Central Susitna River Recreation Area, the primary  
15 purpose of which is to preserve and protect the recreational and scenic  
16 values of the Susitna River and its major tributaries in the middle portion  
17 of its course for the present and future use and enjoyment of the people of  
18 Alaska.

19 (b) AS 41.20.506 - 41.20.508, added by sec. 2 of this Act, are intended  
20 to close the described land and water areas to multiple-purpose use in con-  
21 formity with AS 38.05.300 and to dedicate them as a special purpose site in  
22 accordance with art. VIII, sec. 7 of the state constitution.

23 \*Sec. 2. AS 41.20 is amended by adding new sections to read:

24 ARTICLE 16. CENTRAL SUSITNA RIVER RECREATION AREA.

25 Sec. 41.20.506. (a) The state-owned or acquired land and water  
26 lying within the following described townships is designated the Central  
27 Susitna River Recreation Area:

- 28 (1) Township 24 North, Range 4 West, Seward Meridian  
29 Section 31, west of the Alaska Railroad

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- (2) Township 24 North, Range 5 West, Seward Meridian
  - Sections 1 - 3 inclusive
  - Sections 9 - 16 inclusive
  - Sections 21 - 26 inclusive
  - Sections 35 and 36
- (3) Township 25 North, Range 5 West, Seward Meridian
  - Sections 1 - 3 inclusive
  - Sections 10 - 15 inclusive
  - Sections 22 - 27 inclusive
  - Sections 34 - 36 inclusive
- (4) Township 26 North, Range 3 West, Seward Meridian
  - Sections 1 - 6 inclusive
- (5) Township 26 North, Range 4 West, Seward Meridian
  - Sections 1 - 4 inclusive
  - Sections 9 and 10
  - Sections 15 - 18 inclusive
  - Sections 30 and 31
- (6) Township 26 North, Range 5 West, Seward Meridian
  - Sections 1 - 17 inclusive, east of the Parks Highway
  - Sections 21 - 23 inclusive
  - Sections 26 and 27
  - Sections 34 - 36 inclusive
- (7) Township 27 North, Range 3 West, Seward Meridian
  - Sections 22 - 27 inclusive
  - Sections 31 - 36 inclusive
- (8) Township 27 North, Range 5 West, Seward Meridian
  - Section 1, west of the Alaska Railroad
  - Section 2
  - Sections 5 - 8 inclusive, east of the Parks Highway

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Sections 11 - 14 inclusive

Section 17

Sections 18 and 19, east of the Parks Highway

Section 20

Sections 23 - 26 inclusive

Section 29

Sections 30 and 31, east of the Parks Highway

Sections 32 - 36 inclusive

(9) Township 28 North, Range 4 West, Seward Meridian

Sections 6 and 7, west of the Alaska Railroad

(10) Township 28 North, Range 5 West, Seward Meridian

Sections 1 and 4

Sections 5 and 8, east of the Parks Highway

Sections 9, 12, 13, and 16

Sections 17 and 19, east of the Parks Highway

Sections 20, 24, 25, and 29

Sections 30 and 31, east of the Parks Highway

Sections 32, 35, and 36.

(b) Land lying within the townships described in (a) of this section upon which there are valid entries on the effective date of this Act is excepted from inclusion within the recreation area. However, if the land excepted under this subsection is relinquished to the state, it shall be included in the recreation area.

(c) Land which constitutes the bed or bank, or which is within 500 feet of the bank, of any river which is within the townships described in (a) of this section is withdrawn from sale or disposition under AS 38.

Sec. 41.20.508. MANAGEMENT OF RECREATION AREA. (a) The commissioner of natural resources shall develop and implement a management

1 plan for the land and water within the area described in AS 41.20.-  
2 506(a). Before the management plan is implemented or amended, the  
3 commissioner shall hold hearings under AS 44.62.

4 (b) The management plan developed by the commissioner of natural  
5 resources under (a) of this section shall provide for the maintenance of  
6 the river and its banks for outdoor recreational and scenic values as  
7 the primary management goal. In addition, the plan may provide for

8 (1) development and maintenance of reasonable access from  
9 public roads and rights-of-way to the river bank to facilitate recre-  
10 ational opportunities;

11 (2) the protection of the natural resources occurring within  
12 the riverway;

13 (3) flood and erosion control; and

14 (4) development of fish and wildlife protection facilities if  
15 the facilities are constructed and operated in a manner consistent with  
16 the primary management goal.

17 (c) In the development and implementation of a management plan in  
18 the area described in AS 41.20.506(a), the commissioner of natural  
19 resources shall consult with the planning and zoning commission and  
20 borough assembly of the Matanuska-Susitna Borough.

21 \* Sec. 3. AS 29.18.207 is amended by adding a new subsection to read:

22 (f) Land which is within a recreation area established under  
23 AS 41.20.506 - 41.20.508 may be selected by a municipality. Before land  
24 selected by the municipality is conveyed by the state, the director  
25 shall determine that the municipality has adopted and will enforce an  
26 ordinance which prohibits the sale, disposal, or improvement of land  
27 which is within 500 feet of the bank of the river for which the recrea-  
28 tion area has been established.

29 \* Sec. 4. AS 29.33 is amended by adding a new section to read:

1           Sec. 29.33.092. ZONING OF LAND WITHIN A RECREATION AREA. Before  
2 an ordinance of a home rule or general law municipality which amends or  
3 repeals an ordinance regulating land within a recreation area estab-  
4 lished under AS 41.20.506 - 41.20.508 may become effective, or before  
5 the planning commission of the municipality approves a variance to the  
6 ordinance, the ordinance or variance shall be approved by the com-  
7 missioner of the Department of Natural Resources.

8 \* Sec. 5. AS 38.04.070(4) is amended to read:

9           (4) wild and scenic rivers and recreational rivers: systems  
10 [A SYSTEM] of rivers and adjacent state land including

11                   (A) rivers having [WITH] special natural, scenic, and  
12 recreational values and located within or adjacent to a wild and  
13 scenic river area managed as part of the national system of wild  
14 and scenic rivers in accordance with the federal Wild and Scenic  
15 Rivers Act (82 Stat. 906; 16 U.S.C. 1271 et seq.); or

16                   (B) rivers other than those which qualify under (A) of  
17 this paragraph which have special outdoor recreational or scenic  
18 values, including but not limited to use of the river and its  
19 shoreline for camping, hunting, sport fishing, hiking, and boating,  
20 managed primarily for the present and future use and enjoyment of  
21 these values;

22 \* Sec. 6. This Act takes effect immediately in accordance with AS 01.10.-  
23 070(c).