

Introduced: 2/13/84
Referred: Resources and
Finance

BY DAVIS AND SZYMANSKI
BY REQUEST

1 IN THE HOUSE

2 HOUSE BILL NO. 641

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Little Chena River Recrea-
7 tion Area; and providing for an effective date."

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 Sec. 41.21.500. PURPOSE OF AS 41.21.500 - 41.21.515. (a) The
11 purpose of AS 41.21.500 - 41.21.515 is to designate state-owned land
12 and water within the boundaries described in AS 41.21.505 for use as a
13 state recreation area. The land is generally characterized by open
14 water ponds, permafrost, black spruce, sphagnum moss and wetlands, and
15 historically has been used for outdoor winter recreation.

16 (b) Under AS 38.05.300, state land, water, or land and water
17 containing more than 640 acres may be closed to multiple purpose use
18 only by act of the legislature. Since the area described in AS 41.-
19 21.505 exceeds 640 acres, AS 41.21.500 - 41.21.515 exclude the area
20 described from AS 38.05.300.

21 Sec. 41.21.505. LITTLE CHENA RIVER RECREATION AREA ESTABLISHED.

22 (a) Subject to valid existing rights and except for land owned by or
23 transferred to the University of Alaska under a settlement agreement
24 between the state and the university, the state-owned or acquired land
25 and water lying within the parcels described in (e) of this section
26 are designated as the Little Chena River Recreation Area, are reserved
27 from all uses incompatible with their primary function as public
28 recreation lands, shall be managed under a management plan adopted
29 under AS 41.21.515, and are assigned to the commissioner for control,

1 development and maintenance.

2 (b) The state may not acquire privately owned land within the
3 Little Chena River Recreation Area by eminent domain except to provide
4 necessary access to state land.

5 (c) The commissioner may adopt zoning regulations governing
6 privately owned land in the Little Chena River Recreation Area under
7 the Administrative Procedure Act (AS 44.62).

8 (d) The commissioner may acquire by purchase or exchange addi-
9 tional access points that are considered necessary or desirable in
10 order to enhance the usefulness of the Little Chena River Recreation
11 Area.

12 (e) The Little Chena River Recreation Area includes the state-
13 owned or acquired land and water lying within the following described
14 parcels:

15 Township 1 North, Range 1 East, Fairbanks Meridian

16 Section 34, E1/2

17 Sections 35 - 36

18 Township 1 North, Range 2 East, Fairbanks Meridian

19 Sections 25 - 29, S1/2

20 Sections 31 - 36

21 Township 1 North, Range 3 East, Fairbanks Meridian

22 Sections 19 - 20

23 Sections 29 - 31

24 Sections 32 - 36, S1/2

25 Township 1 South, Range 1 East, Fairbanks Meridian

26 Sections 1 - 2

27 Section 3, NE1/4, N1/2, SE1/4, SE1/4, SE1/4

28 Sections 9 - 12, N1/2

29 Township 1 South, Range 2 East, Fairbanks Meridian

1 Sections 1 - 6
2 Sections 7 - 9, N1/2
3 Sections 10 - 13
4 Section 14
5 Sections 24 - 25
6 Section 36

7 Township 1 South, Range 3 East, Fairbanks Meridian

8 Sections 2 - 10
9 Sections 17 - 22
10 Sections 27 - 30

11 Sec. 41.21.510. MANAGEMENT. Land and water within the Little
12 Chena River Recreation Area shall be managed under

- 13 (1) the principles of multiple-use;
14 (2) AS 41.21.500 - 41.21.515; and
15 (3) a management plan prepared by the commissioner.

16 Sec. 41.21.515. MANAGEMENT PLAN. (a) The commissioner shall
17 prepare a management plan consistent with AS 38.04.005 and AS 41.21.-
18 500 - 41.21.515. The management plan shall be adopted and implemented
19 within two years of the effective date of this Act.

20 (b) The commissioner shall review the management plan at least
21 once every five years and may revise the plan when necessary. A man-
22 agement plan may not be adopted or revised after the establishment of
23 the Little Chena River Recreation Area without prior review by appro-
24 priate state agencies and proximately located local governments or
25 without prior public hearings held in the communities proximately
26 located to the recreation area.

27 (c) A copy of a management plan and each revision to a manage-
28 ment plan adopted by the commissioner shall be provided to the legis-
29 lature within 30 days of its adoption or revision or within the first

1 10 days of the first regular session of the legislature to convene
2 after its adoption or revision.

3 (d) The commissioner shall consider and permit the following
4 uses under a management plan prepared under (a) or (b) of this section
5 subject to a determination under (e) of this section:

6 (1) recreation, snowmobiling and dogmushing;

7 (2) wildlife and fisheries habitat management including
8 critical habitat management;

9 (3) trapping and sport and subsistence fishing and hunting;

10 (4) harvest of forest products for personal use;

11 (5) mining claim and mineral leasehold location;

12 (6) mineral leasing;

13 (7) material extraction;

14 (8) watershed management;

15 (9) research;

16 (10) uses consistent with AS 38.04.015; and

17 (11) other traditional, compatible uses including berry har-
18 vesting and wildlife viewing.

19 (e) A management plan prepared by the commissioner shall con-
20 sider and permit the uses described in (d) of this section. In keep-
21 ing with the traditional use of the area, the management plan adopted
22 shall give priority to dogmushing, snowmobiling and the other forms of
23 winter recreation. The management plan shall provide for protection
24 of the trail system and for the preservation and enhancement of the
25 aesthetic and natural state of trails and bodies of water. If the
26 commissioner finds that a permitted use is incompatible with one or
27 more other uses in the recreation area, the commissioner shall affir-
28 matively state in the management plan each finding of incompatibility
29 for the specific area where the incompatibility is anticipated to

1 exist and the time period when the incompatibility is anticipated to
2 exist together with the reasons for each finding.

3 (f) The commissioner shall consider for inclusion in the Little
4 Chena River Recreation Area state mental health land in Township 1
5 South, Range 3 East that becomes available by legislative action or
6 reclassification.

7 (g) The commissioner shall seek to enter into joint land use
8 agreements with the University of Alaska, the Fairbanks North Star
9 Borough, other government agencies, and private property owners in
10 order to continue historic land use patterns within the general area
11 of the Little Chena River Recreation Area.

12 * Sec. 2. This Act takes effect July 1, 1984.