

Offered: 4/12/85
Referred: Finance

Original sponsor: Rules/Governor

1 IN THE HOUSE BY THE RESOURCES COMMITTEE
2 CS FOR HOUSE BILL NO. 93 (Resources)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act establishing a system of special use rivers;
7 and providing for an effective date."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 41 is amended by adding a new chapter to read:
10 CHAPTER 23. MULTIPLE USE MANAGEMENT OF PUBLIC RESOURCES.
11 ARTICLE 1. STATE RECREATIONAL RIVERS.
12 Sec. 41.23.010. PURPOSES. (a) The purpose of AS 41.23.010 -
13 41.23.090 is to establish management guidelines for those rivers
14 designated for recreation under AS 41.23.010 - 41.23.090 while permit-
15 ting each river to be individually managed under a multiple use man-
16 agement plan providing for traditional uses that have occurred on the
17 river.
18 (b) The goals and objectives by which a recreational river shall
19 be managed include
20 (1) the protection and maintenance of the fish and wildlife
21 populations and habitat on a sustained yield basis so as to preserve
22 and enhance sport and subsistence fishing, hunting, and trapping
23 activities;
24 (2) protection of the scenic and natural integrity of the
25 river and continuation of the traditional recreational uses of the
26 river by the public;
27 (3) the closure to future mineral entry under AS 38.05.-
28 185 - 38.05.275 and land disposals within a recreational river.
29 (c) The commissioner shall permit the following activities when

1 compatible with (b)(1) and (2) of this section:

2 (1) use of aircraft, powerboats, snowmachines, all terrain
3 vehicles, and other motorized transportation;

4 (2) timber harvesting for personal use including firewood
5 and house logs;

6 (3) commercial timber harvesting;

7 (4) sand and gravel extraction for public use;

8 (5) grazing;

9 (6) public use facilities; and

10 (7) other uses determined compatible with (b)(1) and (2) of
11 this section by the commissioner.

12 Sec. 41.23.020. DESIGNATED RIVERS. (a) Subject to valid exist-
13 ing rights, the state-owned land and water designated as a recreation-
14 al river under (c) of this section constitute a special purpose area
15 under art. VIII, sec. 7 of the Alaska Constitution. State-owned land
16 and water may be designated as a recreational river only by the legis-
17 lature.

18 (b) The state-owned land and water described in this section are
19 closed to mineral entry and mining leasing under AS 38.05.185 -
20 38.05.275.

21 (c) The land and water presently owned by the state and all land
22 and water acquired by the state in the future, including shore and
23 submerged land, that lies within the following described parcels are
24 designated recreational rivers:

25 (1) Talachulitna State Recreational River

26 (A) Township 16 North, Range 10 West, Seward Meridian
27 Section 6: W1/2

28 Section 7: NW1/4

29 (B) Township 16 North, Range 11 West, Seward Meridian

1	Section 1: E1/2, SW1/4
2	Section 2: S1/2, NW1/4
3	Section 3
4	Section 11: N1/2
5	Section 12: N1/2
6	(C) Township 17 North, Range 10 West, Seward Meridian
7	Section 6: W1/2, W1/2SE1/4
8	Section 7
9	Sections 18 - 19
10	Sections 30 - 31
11	(D) Township 17 North, Range 11 West, Seward Meridian
12	Section 1: E1/2E1/2
13	Section 3: W1/2
14	Sections 4 - 5
15	Section 6: S1/2
16	Sections 7 - 8
17	Section 9: N1/2, SE1/4
18	Section 10
19	Section 14: W1/2
20	Section 15
21	Section 17: NW1/4
22	Section 18: N1/2, SW1/4
23	Section 19: NW1/4NW1/4
24	Section 22
25	Section 23: W1/2
26	Section 25: E1/2E1/2
27	Section 26: W1/2
28	Section 27
29	Section 34

1 Section 35: W1/2
 2 (E) Township 17 North, Range 12 West, Seward Meridian
 3 Section 7: S1/2
 4 Section 12: S1/2
 5 Section 13
 6 Section 14: S1/2
 7 Section 15: S1/2
 8 Section 16: S1/2
 9 Sections 17 - 18
 10 Section 20: E1/2
 11 Sections 21 - 23
 12 Section 24: N1/2, N1/2S1/2
 13 (F) Township 17 North, Range 13 West, Seward Meridian
 14 Section 9: S1/2
 15 Section 10: S1/2
 16 Section 11: S1/2
 17 Section 12: S1/2
 18 Sections 13 - 16
 19 Section 24: N1/2
 20 (G) Township 18 North, Range 10 West, Seward Meridian
 21 Section 18: SW1/4SW1/4
 22 Section 19: NW1/4, S1/2NE1/4, E1/2SW1/4, SE1/4
 23 Section 20: S1/2, NE1/4
 24 Section 21
 25 Section 22: W1/2W1/2
 26 Section 26: W1/2SW1/4, SW1/4NW1/4
 27 Section 27: S1/2, S1/2N1/2
 28 Sections 28 - 29
 29 Section 30: E1/2, E1/2W1/2

1 Section 31: NE1/4, S1/2NW1/4, NE1/4NW1/4,
 2 SW1/4, W1/2SE1/4
 3 Section 33: NE1/4NE1/4
 4 Section 34: N1/2NW1/4
 5 (H) Township 18 North, Range 11 West, Seward Meridian
 6 Section 6: W1/2, W1/2E1/2, E1/2SE1/4
 7 Section 7
 8 Section 11: E1/2SE1/4
 9 Section 12: SW1/4SW1/4
 10 Section 13: NW1/4, E1/2SW1/4, SE1/4
 11 Section 16: SW1/4
 12 Sections 17 - 18
 13 Section 19: NE1/4
 14 Section 20: N1/2, SE1/4
 15 Section 21: W1/2
 16 Section 24: E1/2NE1/4
 17 Section 28
 18 Section 29: E1/2
 19 Section 32: E1/2
 20 Section 33
 21 (I) Township 18 North, Range 12 West, Seward Meridian
 22 Sections 1 - 2
 23 Section 12: N1/2, SE1/4
 24 (J) Township 19 North, Range 12 West, Seward Meridian
 25 Section 3: N1/2, SW1/4
 26 Section 4: E1/2E1/2, W1/2SE1/4, SE1/4SW1/4
 27 Section 9: E1/2, SW1/4, E1/2NW1/4, SW1/4NW1/4
 28 Section 10: NW1/4
 29 Section 15: W1/2SW1/4, SW1/4NW1/4

1 Section 16

2 Section 21

3 Section 22: W1/2W1/2, E1/2SW1/4, SW1/4SE1/4

4 Sections 27 - 28

5 Section 34

6 Section 35: S1/2, NW1/4

7 (K) Township 20 North, Range 11 West, Seward Meridian

8 Section 18: W1/2

9 Section 19: W1/2

10 (L) Township 20 North, Range 12 West, Seward Meridian

11 Section 1

12 Section 2: N1/2

13 Section 11: E1/2

14 Sections 12 - 13

15 Section 14: E1/2

16 Sections 23 - 24

17 Section 25: N1/2

18 Section 26

19 Section 27: E1/2

20 Section 34: S1/2, NE1/4, SE1/4NW1/4

21 Section 35: NW1/4

22 (M) Township 21 North, Range 11 West, Seward Meridian

23 Section 31: SW1/4

24 (N) Township 21 North, Range 12 West, Seward Meridian

25 Section 25: that portion south of the Skwentna

26 River

27 Section 26: that portion south of the Skwentna

28 River

29 Section 35: that portion south of the Skwentna

1 River
2 Section 36: that portion south of the Skwentna
3 River
4 (2) Alexander Creek State Recreational River
5 (A) Township 16 North, Range 7 West, Seward Meridian
6 Sections 6 - 7
7 Sections 18 - 19
8 (B) Township 17 North, Range 7 West, Seward Meridian
9 Section 18: S1/2, W1/2NW1/4
10 Section 19
11 Sections 30 - 31
12 Section 32: W1/2
13 (C) Township 17 North, Range 8 West, Seward Meridian
14 Section 1
15 Section 2: E1/2, N1/2NW1/4
16 Section 3: N1/2N1/2
17 Section 4: N1/2, N1/2SE1/4
18 Section 11: NE1/4
19 Section 12
20 Section 13: E1/2, E1/2NW1/4
21 Section 24: NE1/4, E1/2SE1/4
22 (D) Township 18 North, Range 8 West, Seward Meridian
23 Section 4: W1/2
24 Section 5
25 Section 6: NE1/4
26 Section 8: N1/2, SE1/4
27 Section 9
28 Section 10: SW1/4
29 Section 14: W1/2SW1/4, SE1/4SW1/4

1 Section 15: W1/2, SE1/4, S1/2NE1/4
2 Section 16: N1/2, SE1/4
3 Section 22: N1/2, N1/2S1/2, S1/2SE1/4
4 Section 23: W1/2, W1/2SE1/4
5 Section 26: W1/2, W1/2E1/2, E1/2SE1/4
6 Section 27: E1/2NE1/4
7 Section 33: SW1/4, S1/2SE1/4
8 Section 34: S1/2S1/2
9 Section 35
10 Section 36: W1/2
11 (E) Township 19 North, Range 8 West, Seward Meridian
12 Section 19: W1/2, W1/2E1/2
13 Section 29: W1/2W1/2
14 Section 30
15 Section 31: E1/2, E1/2W1/2
16 Section 32
17 (F) Township 19 North, Range 9 West, Seward Meridian
18 Sections 3 - 4
19 Sections 9 - 10
20 Section 13: S1/2
21 Section 14: S1/2
22 Sections 15 - 16
23 Section 22: N1/2
24 Section 23: N1/2
25 Section 24
26 (3) Lake Creek State Recreational River
27 (A) Township 21 North, Range 9 West, Seward Meridian
28 Section 3
29 Section 4: Excluding Tracts A, B, C and D

1 Section 9: N1/2 Excluding Tracts A and B
 2 Section 10
 3 Section 15
 4 (B) Township 22 North, Range 9 West, Seward Meridian
 5 Section 4: NW1/4, S1/2
 6 Section 5: N1/2, E1/2SE1/4
 7 Section 9: N1/2, SE1/4, E1/2SW1/4
 8 Section 10: W1/2SW1/4, SW1/4NW1/4
 9 Section 15: W1/2
 10 Section 16: E1/2, E1/2W1/2
 11 Section 21: E1/2
 12 Section 22: W1/2
 13 Section 27: W1/2
 14 Section 28: E1/2
 15 Section 34
 16 (C) Township 23 North, Range 9 West, Seward Meridian
 17 Section 3: W1/2W1/2
 18 Section 4
 19 Section 5: E1/2, E1/2SW1/4
 20 Section 7: SE1/4, SE1/4NE1/4, E1/2SW1/4
 21 Section 8: S1/2, NE1/4, S1/2NW1/2, NE1/4NW1/4
 22 Section 9: N1/2NW1/4, SW1/4NW1/4, NW1/4SW1/4
 23 Section 17: W1/2, W1/2E1/2
 24 Section 18: E1/2
 25 Section 19: N1/2, SE1/4, E1/2SW1/4
 26 Section 20: W1/2, SE1/4, S1/2NE1/4, NW1/4NE1/4
 27 Section 29
 28 Section 30: NE1/4, E1/2NW1/4, NE1/4SW1/4, SE1/4
 29 Section 32

1	Section 22: W1/2
2	Section 25: SW1/4
3	Section 26: S1/2
4	Section 27
5	Section 28: E1/2, NW1/4
6	Sections 34 - 35
7	Section 36: W1/2
8	(G) Township 25 North, Range 11 West, Seward Meridian
9	Section 1: E1/2
10	(H) Township 26 North, Range 10 West, Seward Meridian
11	Section 31
12	(I) Township 26 North, Range 11 West, Seward Meridian
13	Sections 3 - 4
14	Section 9: E1/2
15	Section 10
16	Section 14: W1/2
17	Section 15
18	Section 22: E1/2, E1/2NW1/4
19	Section 23
20	Section 25: S1/2, NW1/4
21	Section 26
22	Section 27: NE1/4
23	Section 35: NE1/4
24	Section 36
25	(J) Township 27 North, Range 11 West, Seward Meridian
26	Section 6: SW1/4
27	Section 7
28	Section 8: SW1/4
29	Sections 17 - 18

1 Section 19: N1/2, SE1/4
2 Section 20
3 Section 21: SW1/4
4 Sections 28 - 29
5 Section 30: NE1/4
6 Section 32: E1/2
7 Section 33
8 Section 34: W1/2
9 (4) Kroto Creek and Moose Creek State Recreational River
10 (A) Township 19 North, Range 6 West, Seward Meridian
11 Section 2: SW1/4
12 Section 3
13 Section 10: E1/2
14 Section 11
15 Section 14
16 Section 15: E1/2E1/2
17 Section 22: E1/2E1/2
18 Section 23
19 Section 25: that portion west of the eastern-
20 most bank of the Susitna River
21 Section 26
22 Section 27: E1/2E1/2
23 Section 34: NE1/4NE1/4
24 Section 35
25 Section 36: that portion west of the eastern-
26 most bank of the Susitna River
27 (B) Township 20 North, Range 6 West, Seward Meridian
28 Section 4
29 Section 5: E1/2

1	Section 8: NE1/4, E1/2SE1/4
2	Section 9
3	Section 15: W1/2
4	Section 16
5	Section 21: E1/2, N1/2NW1/4, SE1/4NW1/4
6	Section 22: NW1/4, S1/2
7	Section 27
8	Section 34
9	(C) Township 21 North, Range 6 West, Seward Meridian
10	Section 3
11	Section 9: E1/2SE1/4, SE1/4NE1/4
12	Section 10
13	Section 15: W1/2, W1/2NE1/4
14	Section 16
15	Section 20: E1/2
16	Section 21
17	Section 28
18	Section 29: E1/2
19	Section 32: E1/2E1/2, NW1/4NE1/4
20	Section 33
21	Section 34: SW1/4
22	(D) Township 22 North, Range 6 West, Seward Meridian
23	Sections 4 - 5
24	Section 6: E1/2, E1/2W1/2
25	Sections 7 - 9
26	Sections 16 - 18
27	Sections 20 - 21
28	Section 27
29	Section 28: W1/2, SE1/4, E1/2SW1/4

1 Section 29: E1/2NE1/4

2 Section 33: N1/2NE1/4, SE1/4NE1/4

3 Section 34

4 (E) Township 23 North, Range 6 West, Seward Meridian

5 Section 4

6 Section 7: W1/2

7 Section 9

8 Section 16

9 Section 17: SW1/4SW1/4

10 Sections 18 - 19

11 Section 20: W1/2NW1/4

12 Section 21

13 Section 28

14 Sections 30 - 31

15 Section 32: S1/2

16 Section 33

17 (F) Township 23 North, Range 7 West, Seward Meridian

18 Section 1

19 Section 2: E1/2

20 Sections 12 - 13

21 Section 24

22 Section 25: N1/2, SE1/4

23 Section 36: N1/2NE1/4

24 (G) Township 24 North, Range 6 West, Seward Meridian

25 Section 4: W1/2

26 Section 5

27 Section 6: NE1/4, E1/2SE1/4

28 Section 8: N1/2, SE1/4, E1/2SW1/4

29 Section 9

1 Section 15: SW1/4, SW1/4NW1/4
2 Section 16
3 Section 17: NE1/4, N1/2SE1/4
4 Section 21: E1/2, SE1/4SW1/4
5 Section 22: NW1/4, N1/2SW1/4, SW1/4SW1/4
6 Section 28: E1/2W1/2, E1/2
7 Section 33
8 (H) Township 24 North, Range 7 West, Seward Meridian
9 Section 6: S1/2, NW1/4
10 Section 7
11 Section 8: S1/2SW1/4
12 Section 16: W1/2, W1/2E1/2
13 Section 17
14 Section 18: N1/2N1/2, SE1/4NW1/4, S1/2NE1/4,
15 N1/2SE1/4, SE1/4SE1/4
16 Section 19: NE1/4NE1/4
17 Section 20: N1/2
18 Section 21: W1/2, SE1/4, W1/2NE1/4
19 Section 27
20 Section 28: E1/2
21 Section 33: NE1/4NE1/4
22 Section 34: E1/2, E1/2W1/2, NW1/4NW1/4
23 Section 35: W1/2, SE1/4, S1/2NE1/4
24 Section 36: SW1/4
25 (I) Township 24 North, Range 8 West, Seward Meridian
26 Section 1: E1/2
27 Section 12: NE1/4, E1/2SE1/4
28 Section 13: NE1/4NE1/4
29 (J) Township 25 North, Range 6 West, Seward Meridian

1 Section 5
 2 Section 8
 3 Section 17
 4 Section 18: SE1/4
 5 Section 19: E1/2, E1/2W1/2
 6 Section 20: W1/2W1/2
 7 Section 29: W1/2W1/2
 8 Section 30: E1/2, E1/2W1/2
 9 S S S S S S S
 10 Section 32: W1/2W1/2, SE1/4SW1/4
 11 (K) Township 25 North, Range 7 West, Seward Meridian
 12 Section 5
 13 Section 6: SE1/4, S1/2NE1/4
 14 Section 7: E1/2, SW1/4, E1/2NW1/4
 15 Section 8: NW1/4, W1/2SW1/4
 16 Sections 18 - 19
 17 Sections 30 - 31
 18 (L) Township 25 North, Range 8 West, Seward Meridian
 19 Section 13: E1/2 SE1/4
 20 Section 24: E1/2NE1/4
 21 (M) Township 26 North, Range 6 West, Seward Meridian
 22 Section 5
 23 Section 8
 24 Section 17: N1/2, SE1/4, N1/2SW1/4, SE1/4SW1/4
 25 Section 19: SE1/4
 26 Section 20: E1/2, SW1/4, S1/2NW1/4, NE1/4NW1/4
 27 Section 29: E1/2, NW1/4
 28 Section 30: S1/2, NE1/4, SE1/4NW1/4
 29 Section 31: E1/2NE1/4, that portion of NW1/4-

1 NE1/4 within retained easement (50' each side
2 of MHWM)
3 Section 32: lands within 150' of MHWM
4 (N) Township 26 North, Range 7 West, Seward Meridian
5 Section 4: W1/2
6 Section 5: E1/2, S1/2SW1/4
7 Section 7: SE1/4
8 Section 8
9 Section 9: NW1/4, N1/2SW1/4
10 Section 17
11 Section 18: E1/2
12 Section 19
13 Section 20: W1/2
14 Section 29: S1/2, NW1/4
15 Section 30
16 Section 31: NE1/4
17 Section 32
18 (O) Township 27 North, Range 6 West, Seward Meridian
19 Section 4
20 Section 5: E1/2
21 Section 8: E1/2
22 Section 9
23 Section 16
24 Section 17: E1/2
25 Section 20: E1/2
26 Section 21
27 Section 28: W1/2
28 Section 29: E1/2
29 Section 32: E1/2

1 Section 33: W1/2

2 (P) Township 27 North, Range 7 West, Seward Meridian

3 Section 7

4 Section 8: S1/2, NW1/4

5 Section 9: W1/2

6 Section 16

7 Section 17: N1/2, SE1/4

8 Section 20: E1/2

9 Section 21

10 Section 28: N1/2, SW1/4

11 Section 29: E1/2

12 Section 32: E1/2

13 Section 33: W1/2

14 (Q) Township 27 North, Range 8 West, Seward Meridian

15 Section 12: NE1/4

16 (R) Township 28 North, Range 6 West, Seward Meridian

17 Section 32: S1/2SE1/4

18 Section 33: S1/2S1/2

19 (5) Talkeetna State Recreational River

20 (A) Township 26 North, Range 3 West, Seward Meridian

21 Section 1

22 Section 2

23 Sections 3 - 6: excluding ASLS 81-196, ASLS

24 80-94, ASLS 80-84

25 (B) Township 26 North, Range 4 West, Seward Meridian

26 Section 1: exclusive of ASLS 79-149

27 Section 2: exclusive of ASLS 79-149

28 Section 3: exclusive of ASLS 79-149

29 Section 4: E1/2, SW1/4 exclusive of ASLS 79-149

1 Section 7: S1/2
2 Section 8: S1/2 exclusive of ASLS 79-149
3 Section 9: E1/2, E1/2W1/2
4 Section 10: W1/2W1/2, NE1/4NE1/4
5 Section 11: N1/2N1/2
6 Section 15: W1/2NW1/4, NW1/4SW1/4
7 Section 16: N1/2, N1/2S1/2
8 Section 17: that portion north of the south
9 bank of the Talkeetna River
10 Section 18: exclusive of DOT 200642
11 (C) Township 26 North, Range 5 West, Seward Meridian
12 Section 12: E1/2SE1/4
13 Section 13: E1/2, E1/2SW1/4, SW1/4SW1/4
14 Section 23: that portion northeast of the south
15 bank of the Susitna River
16 Section 24: that portion east of the left bank
17 of the Susitna River and west of the right
18 bank of the main channel of the Talkeetna
19 River (that channel of the river that runs
20 diagonally through the NE1/4 and SW1/4 of
21 Sec. 24)
22 (D) Township 27 North, Range 2 West, Seward Meridian
23 Section 4: S1/2
24 Section 5: SE1/4, E1/2SW1/4
25 Section 7: SE1/4
26 Sections 8 - 9
27 Section 13: N1/2
28 Section 14: N1/2NE1/4
29 Section 17

1 Section 18: E1/2, SW1/4
 2 Section 19
 3 Section 20: N1/2, SW1/4
 4 Section 30: W1/2
 5 (E) Township 27 North, Range 3 West, Seward Meridian
 6 Section 24: E1/2
 7 Section 25
 8 Section 26: SE1/4
 9 Section 31: S1/2
 10 Section 32: S1/2 exclusive of ASLS 79-149
 11 Section 33: S1/2S1/2 exclusive of ASLS 79-149
 12 Section 34: S1/2S1/2 exclusive of ASLS 79-149
 13 and ASLS 76-138
 14 Sections 35 - 36
 15 (F) Township 27 North, Range 4 West, Seward Meridian
 16 Section 36: S1/2SE1/4 exclusive of ASLS 74-78
 17 and ASLS 74-77
 18 (6) Little Susitna River: the water column of the main
 19 stream of the Little Susitna River from mean high water mark to mean
 20 high water mark, from the point at which the river crosses the section
 21 line dividing Sections 23 and 26 in Township 19 North, Range 1 East,
 22 Seward Meridian downstream to the point at which the river crosses the
 23 section line between Sections 15 and 22 in Township 16 North, Range 5
 24 West, Seward Meridian; the water column of Lake Creek from mean high
 25 water mark to mean high water mark, from the point at which the creek
 26 crosses the section line dividing Sections 10 and 11, Township 18
 27 North, Range 4 West, Seward Meridian downstream to the confluence with
 28 the Little Susitna River; and
 29 (A) Township 16 North, Range 5 West, Seward Meridian

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Section 3

Section 4: NE1/4NE1/4

Section 10: E1/2, E1/2W1/2

Section 15: E1/2, E1/2W1/2

(B) Township 17 North, Range 4 West, Seward Meridian

Section 4

Section 6: SW1/4

Section 7: W1/2, S1/2SE1/4

Section 8: E1/2, S1/2SW1/4

Section 17: NW1/4

Section 18: N1/2, N1/2SW1/4

(C) Township 17 North, Range 5 West, Seward Meridian

Section 12

Section 13

Section 14

Section 15

Section 21: NW1/4NE1/4, N1/2NW1/4

Section 22

Section 23: N1/2N1/2, SW1/4NW1/4, W1/2SW1/4

Section 26: W1/2W1/2

Section 27

Section 34

(D) Township 18 North, Range 1 East, Seward Meridian

Section 8: NW1/4, SW1/4NE1/4, S1/2NW1/4NE1/4

(E) Township 18 North, Range 1 West, Seward Meridian

Section 15: N1/2NW1/4

Section 16: NW1/4, N1/2NE1/4, SE1/4NE1/4

(F) Township 18 North, Range 2 West, Seward Meridian

Section 15: NW1/4, N1/2NE1/4, NW1/4SW1/4

- 1 Section 16: S1/2
- 2 Section 17: S1/2
- 3 Section 19: NW1/4, W1/2NE1/4, E1/2SW1/4.
- 4 (G) Township 18 North, Range 3 West, Seward Meridian
- 5 Section 19
- 6 Section 20: SW1/4, W1/2SE1/4, SE1/4NW1/4,
- 7 W1/2NW1/4
- 8 Section 28: W1/2NW1/4, NE1/4NW1/4
- 9 Section 29: NE1/4
- 10 Section 30
- 11 (H) Township 18 North, Range 4 West, Seward Meridian
- 12 Section 11: SW1/4, SW1/4SE1/4, SW1/4NW1/4
- 13 Section 13: S1/2, SW1/4NW1/4
- 14 Section 14
- 15 Section 24
- 16 Section 25: N1/2
- 17 Section 26
- 18 Section 27: S1/2
- 19 Section 33: S1/2, S1/2NE1/4
- 20 Section 34
- 21 Section 35: NW1/4, W1/2NE1/4

22 Sec. 41.23.030. GENERAL MANAGEMENT OF RECREATIONAL RIVER. (a)

23 The land and water within the area designated as a recreational river

24 under AS 41.23.020(c) is assigned to the Department of Natural Re-

25 sources for multiple use management.

26 (b) Within two years from the effective date of the designation

27 of a river as a recreational river under AS 41.23.020(c), the commis-

28 sioner shall, after consultation with appropriate state agencies,

29 reserve to the state under AS 46.15.145 an instream flow or level for

1 the water in the river described in AS 41.23.020(c) that is adequate
2 to achieve the purposes of AS 41.23.010 - 41.23.090.

3 (c) The provisions of AS 41.23.010 - 41.23.090 do not affect the
4 responsibility of

5 (1) the Department of Fish and Game, the Board of Fisher-
6 ies, the Board of Game, or the Guide Licensing and Control Board under
7 AS 08.54, AS 16, or AS 41.99.010;

8 (2) the Department of Environmental Conservation under
9 AS 46.03; or

10 (3) state agencies and municipalities under AS 44.19.145-
11 (a)(11) and AS 46.40.100.

12 (d) The commissioner shall permit the use of weapons within a
13 recreational river except in sites of high public use such as picnic
14 areas, boat ramps, camping grounds, and parking areas when the commis-
15 sioner determines that the use of weapons constitutes a threat to
16 public safety. Except as provided in this subsection, the commis-
17 sioner may not restrict the exercise of sport or subsistence fishing,
18 hunting, or trapping within a recreational river.

19 (e) The commissioner shall permit access for a use described in
20 this subsection within a recreational river unless the commissioner
21 determines that access is incompatible with AS 41.23.010(b)(1) and
22 (2):

23 (1) access to mining, timber harvest and other resource use
24 areas;

25 (2) access to private property;

26 (3) access for oil and gas and geothermal exploration and
27 development;

28 (4) access for energy related development systems;

29 (5) access for state or municipal land settlement.

1 (f) The commissioner may lease land competitively within a
2 recreational river to a person for the construction and operation of a
3 public use facility within the recreational river.

4 (g) The commissioner may not restrict commercial activities
5 existing within the boundaries of an area designated as a recreational
6 river under AS 41.23.020(c) at the time of the designation unless the
7 commissioner determines that the commercial activity threatens the
8 quality of the water or an essential habitat within the recreational
9 river.

10 Sec. 41.23.040. MANAGEMENT PLAN. (a) The commissioner shall
11 adopt and may revise a comprehensive multiple use management plan for
12 a river designated as a recreational river under AS 41.23.020(c). The
13 commissioner shall consult with the Department of Fish and Game before
14 the adoption or revision of a management plan governing the use of an
15 area within a recreational river. The commissioner shall comply with
16 the notice requirements of AS 38.05.945 and shall hold at least one
17 public hearing in the municipalities and communities that are proxi-
18 mately located to the recreational river and with the local fish and
19 game advisory board in the area in the adoption or revision of a
20 management plan.

21 (b) A comprehensive management plan adopted or revised by the
22 commissioner under (a) of this section shall be submitted to the
23 legislature for review within the first 10 days of the first regular
24 session of the legislature to convene after its adoption or revision
25 by the commissioner.

26 (c) The Department of Fish and Game shall consult with the
27 commissioner before it adopts or revises regulations governing fish
28 and game management in an area designated as a recreational river.

29 (d) A comprehensive multiple-use management plan adopted for a

1 recreational river under (a) of this section shall be adopted within
2 two years from the effective date of the designation of a river as a
3 recreational river under AS 41.23.020(c).

4 (e) The commissioner shall designate in the management plan uses
5 determined incompatible within a recreational river designated under
6 AS 41.23.020(c). If the commissioner determines that a use is incom-
7 patible with one or more other uses in a portion of a river designated
8 as a recreational river, the commissioner shall state in the manage-
9 ment plan adopted or revised under (b) of this section

10 (1) each determination of incompatibility;

11 (2) the specific area where the incompatibility is de-
12 termined to exist;

13 (3) the time within which the incompatibility is determined
14 to exist; and

15 (4) the reasons for each determination of incompatibility.

16 Sec. 41.23.050. MANAGEMENT OF MUNICIPAL LAND. If a municipality
17 commits land for inclusion in a recreational river designated under
18 AS 41.23.020(c), the commissioner shall obtain the concurrence of the
19 municipality to the management plan proposed under AS 41.23.030 as it
20 applies to municipal land.

21 Sec. 41.23.060. ACQUISITION OF ADDITIONAL LAND. (a) The com-
22 missioner may acquire in the name of the state land that is adjacent
23 to or located within the land described in AS 41.23.020(c) by pur-
24 chase, lease, gift, or exchange. Notwithstanding AS 38.50, the ex-
25 change may not be completed without the approval of the legislature if
26 the appraised fair market value of the state land proposed for the
27 particular exchange is in excess of \$100,000.

28 (b) The commissioner may not acquire land for inclusion in a
29 recreational river by eminent domain.

1 Sec. 41.23.070. APPLICATION OF PUBLIC LAND LAWS. Except to the
2 extent that a provision is inconsistent with a provision of this
3 chapter, the provisions of AS 38.04, AS 38.05, AS 38.35, and AS 38.95
4 apply to land described in AS 41.23.020(c).

5 Sec. 41.23.080. COOPERATIVE MANAGEMENT AGREEMENTS. (a) The
6 commissioner may enter into a cooperative management agreement for the
7 management of land and water described in AS 41.23.020(c) or of other
8 adjacent land and water with a federal agency, a municipality of the
9 state, another agency of the state, or a private landowner.

10 (b) The commissioner may transfer the management of a specific
11 site within a recreational river described in AS 41.23.020(c) to
12 another state agency to assist in the development of a facility or to
13 carry out a program authorized by law.

14 (c) The commissioner may not manage a recreational river de-
15 scribed in AS 41.23.020 as a unit of the state park system.

16 Sec. 41.23.090. RECOMMENDATIONS BY COMMISSIONER. (a) Before
17 recommending the establishment of a recreational river to the legisla-
18 ture, the commissioner shall adopt an area plan for the area within
19 which the proposed recreational river will be located that complies
20 with the requirements of (b) of this section.

21 (b) In the adoption of an area plan preparatory to a recommenda-
22 tion for the establishment of a recreational river, the commissioner
23 shall

24 (1) after notice under AS 38.05.945, hold a public hearing
25 in each community that is located proximately to or within the bound-
26 aries of an area proposed for inclusion within a recreational river;

27 (2) prepare a summary of the testimony offered at each
28 public hearing held under (1) of this subsection with regard to the
29 establishment of the proposed recreational river for inclusion in the

1 area plan;

2 (3) consult with each fish and game advisory committee with
3 responsibilities for an area within the boundaries of an area proposed
4 for inclusion within a recreational river and include the recommenda-
5 tions of the local fish and game advisory committee in the area plan;
6 and

7 (4) provide a copy of the area plan to each community in
8 which a hearing was held under (1) of this subsection.

9 ARTICLE 2. GENERAL PROVISIONS.

10 Sec. 41.23.900. DEFINITION. In this chapter, "commissioner"
11 means the commissioner of natural resources.

12 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
13 10.070(c).