

Introduced: 1/11/89  
Referred: Resources and  
Finance

1 IN THE HOUSE

BY LARSON AND MENARD

2 HOUSE BILL NO. 78

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Caribou Creek Recreational  
7 Mining Area."

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

9 \* Section 1. AS 41.23 is amended by adding new sections to read:

10 ARTICLE 3. RECREATIONAL MINING.

11 Sec. 41.23.600. PURPOSE. The purpose of AS 41.23.600 - 41.23.-  
12 620 is to establish the area described in AS 41.23.620 as the Caribou  
13 Creek Recreational Mining Area. The Caribou Creek Recreational Mining  
14 Area is established to provide for a public recreational mining area  
15 to permit public recreational activities and to allow other multiple-  
16 use activities to continue as long as the activities do not detract  
17 from the primary purpose for the establishment of the Caribou Creek  
18 Recreational Mining Area.

19 Sec. 41.23.610. MANAGEMENT. (a) The commissioner is responsi-  
20 ble for the management of the surface and subsurface within the  
21 Caribou Creek Recreational Mining Area consistent with AS 41.23.600.  
22 The commissioner shall adopt regulations that describe the mining  
23 equipment that may be used within the Caribou Creek Recreational  
24 Mining Area.

25 (b) The commissioner of fish and game is responsible for the  
26 management of the fish and game resources and the public use of fish  
27 and wildlife resources in the Caribou Creek Recreational Mining Area  
28 consistent with the purposes of AS 41.23.600. Notwithstanding regu-  
29 lations of the Board of Fisheries applicable to the area of the

1 Caribou Creek Recreational Mining Area, the area is open generally to  
2 recreational mining under AS 41.23.600 - 41.23.620.

3 (c) The Caribou Creek Recreational Mining Area is closed to  
4 mineral entry under AS 38.05.175 - 38.05.275.

5 Sec. 41.23.620. CARIBOU CREEK RECREATIONAL MINING AREA. The  
6 vacant and unappropriated state-owned land and water and the state  
7 land and water acquired in the future that lie within 100 feet of  
8 either ordinary high water or mean high tide of the banks of the  
9 creeks or rivers described in this section are designated as the  
10 Caribou Creek Recreational Mining Area, are reserved from all uses  
11 incompatible with the purposes of AS 41.23.600, and are assigned to  
12 the commissioner of natural resources for control and management:

13 Township 20 North, Range 10 East, Seward Meridian

14 (1) That portion of Caribou Creek located in

15 Section 28: NW1/4, SW1/4

16 Section 29: NE1/4, SW1/4

17 (2) That portion of the Matanuska River located in

18 Section 32: SE1/4

19 Section 33: NE1/4, NW1/4, SW1/4

20 \* Sec. 2. Notwithstanding AS 41.23.610(b), enacted in sec. 1 of this  
21 Act, an area within the Caribou Creek Recreational Mining Area may be  
22 limited to seasonal recreational mining under AS 41.23.600 - 41.23.620, as  
23 enacted in sec. 1 of this Act, under regulations of the Board of Fisheries  
24 if the board determines before January 1, 1990, that an area contains  
25 anadromous fish.