

Offered: 2/2/90  
Referred: Finance

6-0386H

Original sponsor(s): REP. LARSON, Menard

1 IN THE HOUSE BY THE RESOURCES COMMITTEE  
2 CS FOR HOUSE BILL NO. 78 (Resources)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 SIXTEENTH LEGISLATURE - SECOND 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 AND REGULATIONS. (a) The commis-  
20 sioner is responsible for the management of the surface and subsurface  
21 estate within the Caribou Creek Recreational Mining Area necessary to  
22 carry out the purposes of AS 41.23.600. The commissioner shall adopt  
23 and may revise a management plan and shall adopt regulations for the  
24 management, use, and development of the Caribou Creek Recreational  
25 Mining Area.  
26 (b) The management plan, including any revisions, and regula-  
27 tions adopted by the commissioner shall be developed in consultation  
28 with the commissioner of fish and game and the commissioner of trans-  
29 portation and public facilities. The management plan and regulations

1 shall address, but not be limited to,

2 (1) the methods of mining permitted within the Caribou  
3 Creek Recreational Mining Area;

4 (2) the types of mining equipment that may be used within  
5 the Caribou Creek Recreational Mining Area;

6 (3) the protection of habitat within the Caribou Creek  
7 Recreational Mining Area; and

8 (4) other restrictions consistent with the purposes stated  
9 in AS 41.23.600.

10 (c) Except as provided in this subsection, the Caribou Creek  
11 Recreational Mining Area is open to recreational mining under AS 41.-  
12 23.600 - 41.23.620. The commissioner of fish and game is responsible  
13 for the management of the fish and game resources and the public use  
14 of fish and wildlife resources within the Caribou Creek Recreational  
15 Mining Area consistent with the purposes stated in AS 41.23.600. The  
16 commissioner of fish and game may establish seasonal restrictions on  
17 mining activities within specified waterbody areas necessary to main-  
18 tain fishery resources within the Caribou Creek Recreational Mining  
19 Area.

20 (d) The Caribou Creek Recreational Mining Area is closed to  
21 mineral entry under AS 38.05.175 - 38.05.275.

22 Sec. 41.23.620. CARIBOU CREEK RECREATIONAL MINING AREA. The  
23 vacant and unappropriated state-owned land and water and the state  
24 land and water acquired in the future that lie within 100 feet of  
25 either ordinary high water or mean high tide of the banks of the  
26 creeks or rivers described in this section are designated as the  
27 Caribou Creek Recreational Mining Area, are reserved from all uses  
28 incompatible with the purposes of AS 41.23.600, and are assigned to  
29 the commissioner for control and management:

1                    Township 20 North, Range 10 East, Seward Meridian  
2                    (1) That portion of Caribou Creek located in  
3                                       Section 28: W1/2  
4                                       Section 29: E1/2  
5                    (2) That portion of the Matanuska River located in  
6                                       Section 32: SE1/4  
7                                       Section 33: NE1/4, NW1/4, SW1/4