

Original sponsor(s): REP. LARSON, Menard

1 IN THE HOUSE BY THE FINANCE COMMITTEE
2 CS FOR HOUSE BILL NO. 78 (Finance)
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 shall issue a general permit to the
17 public authorizing recreational mining activities subject to seasonal
18 restrictions on the mining activities within specified waterbody areas
19 necessary to maintain fishery resources within the Caribou Creek
20 Recreational Mining Area.

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

23 (e) The commissioner shall permit the construction and realign-
24 ment of the Glenn Highway by the commissioner of transportation and
25 public facilities within the Caribou Creek Recreational Mining Area as
26 follows:

27 (1) Township 20 North, Range 10 East, Seward Meridian

28 Section 29: The centerline of the realigned Glenn
29 Highway is described as commencing at the Southwest corner of

1 Section 29; thence on a state plane, Zone 4 bearing of North 2
2 degrees 09'55" West, along the West boundary of Section 29,
3 1481.55 feet to proposed centerline Station 692+58.19 and the
4 True Point of Beginning; thence South 85 degrees 52'40" East, a
5 distance of 3395.32 feet to proposed centerline Station
6 726+53.51; thence along a curve to the left, having a radius of
7 916.73 feet, through an arc of 121 degrees 37'14", a distance of
8 1945.93 feet to P.C.C. Station 745+99.45; thence along a compound
9 curve to the left, having a radius of 1637.02 feet, through an
10 arc of 30 degrees 01'50", a distance of 858.01 feet to Point of
11 Tangent Station 754+57.46; thence North 58 degrees 16'27" West, a
12 distance of 447.65 feet to P.C. Station 759+10.45; thence along a
13 curve to the right, having a radius of 996.45 feet, through an
14 arc of 144 degrees 30'28", a distance of 2513.18 feet to Point of
15 Tangent Station 784+23.63 BACK = 741+49.55 AHEAD; thence North 89
16 degrees 58'44" East, a distance of 1347.13 feet to Station
17 754+96.68, a point on the east boundary of Section 29, said point
18 is South 2 degrees 09'55" East, a distance of 115.88 feet from
19 the Northeast corner of Section 29;

20 (2) the right-of-way lines that cross Caribou Creek Recrea-
21 tional Mining Area extend varying distances from the centerline as
22 follows:

23 (A) from Station 760+00 to Station 765+00 the right-
24 of-way extends 300 feet on the left of centerline and 150 feet on
25 the right;

26 (B) from Station 765+00 to Station 780+00, the right-
27 of-way extends 300 feet on each side of the centerline;

28 (C) from Station 780+00 to P.T. Station 784+23.63 the
29 right-of-way extends 300 feet on the left and 400 feet to the

1 right of the centerline.

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

10 Township 20 North, Range 10 East, Seward Meridian

11 (1) That portion of Caribou Creek located in

12 Section 28: W1/2

13 Section 29: E1/2

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

15 Section 32: SE1/4

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