

1 IN THE SENATE

BY FAHRENKAMP

2

SENATE BILL NO. 167

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 Goodpaster Public Use Area."

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

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

9           Sec. 41.23.140. PURPOSE. The purpose of AS 41.23.140 - 41.23.-  
10           170 is to establish the area described in AS 41.23.170 as the Good-  
11           paster Public Use Area. The Goodpaster Public Use Area is established  
12           to

13           (1) protect and maintain fish and wildlife habitat, partic-  
14           ularly moose calving and wintering habitat, trumpeter swan and other  
15           waterfowl nesting habitat, and otter, beaver, mink, muskrat, fox, and  
16           other furbearer habitat so that traditional public uses of fish and  
17           wildlife populations may continue;

18           (2) protect and maintain public enjoyment of fish and  
19           wildlife and their habitat including fishing, hunting, trapping,  
20           viewing, and photography;

21           (3) protect and maintain general public recreation in a  
22           quality environment;

23           (4) protect and maintain winter recreation including dog-  
24           sledding, cross-country skiing, skijoring, snowmachining, and camping;

25           (5) allow additional public uses of the area in a manner  
26           compatible with the purposes specified in (1) - (4) of this section.

27           Sec. 41.23.150. MANAGEMENT. (a) Management of the surface and  
28           subsurface estate of the Goodpaster Public Use Area is the respon-  
29           sibility of the commissioner. After adequate public hearings the

1 commissioner may designate incompatible uses under AS 41.23.160 and  
2 shall adopt and may revise a management plan for the Goodpaster Public  
3 Use Area. With regard to the management of land within the Goodpaster  
4 Public Use Area described in AS 41.23.170, the commissioner shall  
5 consult with the Department of Fish and Game in the adoption and  
6 revision of the management plan.

7 (b) The Department of Fish and Game is responsible for the  
8 management of fish and game resources and public use of fish and  
9 wildlife in the Goodpaster Public Use Area consistent with the pur-  
10 poses of AS 41.23.140. Nothing in AS 41.23.140 - 41.23.170 prohibits  
11 the Department of Fish and Game from engaging in protection and main-  
12 tenance of the fish and wildlife habitat within an area described in  
13 AS 41.23.170. The Department of Public Safety and the Department of  
14 Fish and Game shall have necessary access for fish and game manage-  
15 ment, research, and enforcement purposes.

16 (c) The state may not acquire by eminent domain privately-owned  
17 land within or abutting state-owned land described in AS 41.23.170 but  
18 may acquire privately-owned land by purchase, exchange, or otherwise  
19 for inclusion in the Goodpaster Public Use Area.

20 (d) Subject to valid existing rights, the commissioner may not  
21 dispose of the surface estate in state land within the Goodpaster  
22 Public Use Area.

23 (e) The state or a municipality may not construct a road or  
24 highway within the Goodpaster Public Use Area.

25 (f) The commissioner may not dispose of timber commercially  
26 under AS 38.05.110 - 38.05.120, AS 41.15, or AS 41.17 within the  
27 Goodpaster Public Use Area. The commissioner may permit the harvest-  
28 ing of timber for personal use.

29 (g) The commissioner may not manage the Goodpaster Public Use

1 Area as a unit of the state park system.

2 Sec. 41.23.160. INCOMPATIBLE USES. (a) Except as provided in  
3 this section, the commissioner may prohibit or restrict incompatible  
4 uses under the management plan adopted under AS 41.23.150 within the  
5 state-owned land and water described in AS 41.23.170.

6 (b) The commissioner may not restrict lawful sport and subsis-  
7 tence fishing, hunting, or trapping rights allowed under a regulation  
8 of the Board of Fisheries or the Board of Game within the Goodpaster  
9 Public Use Area.

10 (c) The commissioner shall allow traditional access to the  
11 Goodpaster Public Use Area by motorized or nonmotorized means of  
12 transportation to private land, interests in private land, and for  
13 lawful sport and subsistence hunting, fishing, trapping, and recre-  
14 ational purposes in a manner that is compatible with purposes spec-  
15 ified in AS 41.23.140(1) - (4).

16 (d) If the commissioner determines that a use is incompatible  
17 with one or more other uses in a portion of the Goodpaster Public Use  
18 Area, the commissioner shall state in the management plan adopted or  
19 revised under AS 41.23.150

20 (1) each determination of incompatibility;

21 (2) the specific area where the incompatibility is deter-  
22 mined to exist;

23 (3) the time within which the incompatibility is determined  
24 to exist; and

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

26 Sec. 41.23.170. GOODPASTER PUBLIC USE AREA. The vacant and  
27 unappropriated state-owned land and water and the state land and water  
28 acquired in the future that lie within the boundaries described in  
29 this section are designated as the Goodpaster Public Use Area, are

1 reserved for all uses compatible with their primary function as public  
2 use land, and are assigned to the department for control and manage-  
3 ment:

4 (1) Township 3 South, Range 17 East, Fairbanks Meridian  
5 South of the Fairbanks North Star Borough boundary

6 (2) Township 3 South, Range 18 East, Fairbanks Meridian  
7 W1/2: south of Fairbanks North Star Borough boundary  
8 Sections 34 - 36

9 (3) Township 4 South, Ranges 13 - 17 East, Fairbanks  
10 Meridian  
11 South of Fairbanks North Star Borough boundary

12 (4) Township 4 South, Range 18 East, Fairbanks Meridian

13 (5) Township 4 South, Range 19 East, Fairbanks Meridian  
14 Section 13

15 Section 14: E1/2

16 Section 17: SW1/4

17 Section 18: S1/2

18 Sections 19 - 36

19 (6) Township 4 South, Range 20 East, Fairbanks Meridian

20 Sections 18 - 19

21 Sections 30 - 34

22 (7) Township 5 South, Range 13 East, Fairbanks Meridian

23 Section 1

24 Section 24: SE1/4

25 Section 25

26 Section 36

27 (8) Township 5 South, Ranges 14 - 19 East, Fairbanks

28 Meridian

29 (9) Township 5 South, Range 20 East, Fairbanks Meridian

1                   Sections 1 - 23  
 2                   Section 24: N1/2  
 3                   Section 26: W1/2  
 4                   Sections 27 - 35  
 5           (10) Township 5 South, Range 20 East, Fairbanks Meridian  
 6                   Section 6  
 7                   Section 7: N1/2  
 8           (11) Township 6 South, Range 13 East, Fairbanks Meridian  
 9                   Section 1  
 10                  Sections 12 - 14  
 11                  Section 15: E1/2  
 12                  Section 20: E1/2  
 13                  Sections 21 - 28  
 14                  Section 29: E1/2  
 15                  Sections 31 - 36  
 16           (12) Township 6 South, Ranges 14 - 19 East, Fairbanks  
 17           Meridian  
 18           (13) Township 6 South, Range 20 East, Fairbanks Meridian  
 19                  Sections 2 - 11  
 20                  Section 12: SW1/4  
 21                  Sections 13 - 36  
 22           (14) Township 6 South, Range 21 East, Fairbanks Meridian  
 23                  Section 19: W1/2  
 24                  Section 20: S1/2SW1/4  
 25                  Section 29: W1/2  
 26                  Sections 30 - 31  
 27                  Section 32: W1/2  
 28           (15) Township 7 South, Range 11 East, Fairbanks Meridian  
 29                  Section 35: E1/2

1                                   Section 36: S1/2, S1/2N1/2  
 2                   (16) Township 7 South, Range 12 East, Fairbanks Meridian  
 3                                   Sections 1 - 2  
 4                                   Section 3: E1/2  
 5                                   Section 10: E1/2  
 6                                   Sections 11 - 15  
 7                                   Sections 22 - 36  
 8                   (17) Township 7 South, Ranges 13 - 19 East, Fairbanks  
 9                   Meridian  
 10                   (18) Township 7 South, Range 20 East, Fairbanks Meridian  
 11                                   Sections 1 - 24  
 12                                   Section 26: W1/2W1/2  
 13                                   Sections 27 - 34  
 14                                   Section 35: W1/2W1/2  
 15                   (19) Township 7 South, Range 21 East, Fairbanks Meridian  
 16                                   Sections 6 - 7  
 17                                   Section 17: NW1/4  
 18                                   Section 18: N1/2  
 19                   (20) Township 8 South, Range 9 East, Fairbanks Meridian  
 20                                   Section 25: South and East of Shaw Creek Flats  
 21                                   Section 36: East of the Richardson Highway  
 22                   (21) Township 8 South, Range 10 East, Fairbanks Meridian  
 23                                   Section 8: South and East of Shaw Creek Flats  
 24                                   Section 9: SW1/4  
 25                                   Section 12: S1/2  
 26                                   Sections 13 - 14  
 27                                   Section 15: S1/2  
 28                                   Sections 16 - 17: Excluding Quartz Lake  
 29                                   Sections 20 - 21: Excluding Quartz Lake

1 Sections 22 - 24  
 2 Sections 25 - 28: North of the Tanana River  
 3 Section 29: Excluding Quartz Lake  
 4 Section 30: Excluding Quartz Lake and Lost Lake  
 5 Section 31  
 6 Sections 32 - 33: North of the Tanana River  
 7 (22) Township 8 South, Range 11 East, Fairbanks Meridian  
 8 Sections 1 - 2  
 9 Section 5: SW1/4  
 10 Section 6: SE1/4  
 11 Sections 7 - 8  
 12 Section 9: S1/2  
 13 Section 10: S1/2, NE1/4  
 14 Sections 11 - 30  
 15 Section 31: North of the Tanana River  
 16 Sections 32 - 36  
 17 (23) Township 8 South, Ranges 12 - 18 East, Fairbanks  
 18 Meridian  
 19 (24) Township 8 South, Range 19 East, Fairbanks Meridian  
 20 Sections 1 - 10  
 21 Section 11: N1/2  
 22 Sections 16 - 21  
 23 Section 22: SW1/4  
 24 Section 27: W1/2  
 25 Sections 28 - 30  
 26 (25) Township 8 South, Range 20 East, Fairbanks Meridian  
 27 Sections 3 - 8  
 28 (26) Township 9 South, Range 10 East, Fairbanks Meridian  
 29 Sections 4 - 6: North of the Tanana River

- 1 (27) Township 9 South, Range 11 East, Fairbanks Meridian  
2 Sections 1 - 4  
3 Section 5: East of the Tanana River  
4 Sections 8 - 9: East of the Tanana River  
5 Sections 10 - 15  
6 Section 16: East of the Tanana River  
7 Section 21: East of the Tanana River  
8 Sections 22 - 24  
9 Sections 25 - 28: East and North of the Tanana River  
10 (28) Township 9 South, Range 12 East, Fairbanks Meridian  
11 Sections 1 - 30  
12 Section 31: North and East of the Tanana River  
13 Sections 32 - 36: North of the Tanana River  
14 (29) Township 9 South, Range 13 East, Fairbanks Meridian  
15 Sections 1 - 24  
16 Sections 26 - 34  
17 Section 35: W1/2  
18 (30) Township 9 South, Range 14 East, Fairbanks Meridian  
19 Sections 1 - 7  
20 Section 8: NW1/4  
21 Section 9: N1/2  
22 Sections 10 - 12  
23 Section 13: E1/2  
24 (31) Township 9 South, Range 15 East, Fairbanks Meridian  
25 Sections 1 - 24  
26 Section 27: NW1/4  
27 Section 28  
28 (32) Township 9 South, Range 16 East, Fairbanks Meridian  
29 Sections 1 - 18

1                   Section 19: N1/2  
 2                   Section 20: E1/2E1/2  
 3                   Sections 21 - 22  
 4                   Section 23: N1/2  
 5                   Section 24: N1/2N1/2  
 6                   Section 27: N1/2N1/2  
 7                   (33) Township 10 South, Range 13 East, Fairbanks Meridian  
 8                   Section 2: W1/2  
 9                   Sections 3 - 4  
 10                  Sections 5 - 6: North of the Tanana River  
 11                  Sections 9 - 10: North of the Tanana River  
 12                  Section 11: W1/2 North of the Tanana River  
 13                  (34) Township 27 North, Range 5 East, Copper River Meridian  
 14                  Section 1: N1/2  
 15                  Section 2: N1/2N1/2  
 16                  Section 3: N1/2  
 17                  Sections 4 - 8  
 18                  Section 9: N1/2  
 19                  (35) Township 27 North, Range 6 East, Copper River Meridian  
 20                  Section 5: NW1/4  
 21                  Section 6: N1/2  
 22                  (36) Township 28 North, Range 5 East, Copper River Meridian  
 23                  (37) Township 28 North, Range 6 East, Copper River Meridian  
 24                  Sections 31 - 34