

**HOUSE BILL NO. 201**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**SEVENTEENTH LEGISLATURE - FIRST SESSION**

**BY REPRESENTATIVE CARNEY**

**Introduced: 3/8/91**

**Referred: Transportation, Resources**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to activities authorized on recreational rivers; and providing for an  
2 effective date."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 \* **Section 1.** AS 41.23.410 is amended to read:

5           Sec. 41.23.410. **COMPATIBLE ACTIVITIES.** The commissioner shall allow the  
6 following activities on a recreation river or within a recreation river corridor when they are  
7 compatible with AS 41.23.400 and consistent with a management plan adopted under  
8 AS 41.23.440:

- 9           (1) the use of aircraft, [POWERBOATS,] snowmachines, all-terrain vehicles,  
10 motorized land transportation, and transportation by animal;
- 11           (2) the sale and harvest of wood products under AS 41.23.470(b);
- 12           (3) sand and gravel extraction under AS 41.23.470(b);
- 13           (4) the construction and operation of recreation facilities; and
- 14           (5) other uses permitted in the management plan required by AS 41.23.440,

1 including mining and mineral development.

2 \* Sec. 2. AS 41.23.410 is amended by adding a new subsection to read:

3 (b) The commissioner may not prohibit or unreasonably limit access to or use of a  
4 recreational river by powerboats.

5 \* Sec. 3. AS 41.23.420(c) is amended to read:

6 (c) Except as provided in AS 41.23.410(b), the [THE] commissioner may regulate  
7 boating, if necessary, under the management plan adopted under AS 41.23.440.

8 \* Sec. 4. AS 41.23.440(a) is amended to read:

9 (a) The commissioner, in consultation with representatives of affected municipalities,  
10 shall prepare and adopt and may revise a management plan for each of the six recreation rivers  
11 and their recreation river corridors. In preparing or revising the plan, the commissioner and each  
12 affected municipality shall consult with the public and state agencies, including the commissioner  
13 of fish and game and the advisory board established under AS 41.23.430. In preparation or  
14 revision of the plan, the commissioner shall comply with the notice requirements of AS 38.05.945  
15 and provide written notice by first-class mail to private property owners in the recreation river  
16 corridors and shall hold at least two public hearings in municipalities and communities near the  
17 recreation river and the recreation river corridor. The management plan shall establish long-range  
18 guidelines and management practices consistent with AS 41.23.400 to

19 (1) establish guidelines and restrictions, if necessary, for an activity occurring  
20 under AS 41.23.410(a) [AS 41.23.410] to implement the purposes of AS 41.23.400;

21 (2) protect, maintain, or enhance the fish and wildlife habitat and the free-flowing  
22 nature of the river;

23 (3) identify special recreation values and manage the level of intensity and types  
24 of recreation uses;

25 (4) designate management guidelines for development activities;

26 (5) designate management guidelines for commercial recreation activities or  
27 development, including recreation services;

28 (6) provide for necessary public services, such as transportation and utility  
29 corridors, crossing or fording corridors, public safety, and law enforcement;

30 (7) allow reasonable access to public land and private inholdings, including  
31 municipal land that is offered for sale or lease, and to land beyond or adjacent to the recreation

1 river and the recreation river corridor;

2 (8) establish criteria and expedient timelines to review future proposed uses for  
3 compatibility with AS 41.23.400.

4 \* Sec. 5. This Act is retroactive to June 9, 1988.

5 \* Sec. 6. This Act takes effect immediately under AS 01.10.070(c).