

COMMITTEE REPORT  
SENATE

FURTHER:

4/28/86

Date 5/11/86

Mr. President

The Committee on FINANCE considered CSHB 93(FIN)am  
establishing a system of recreation rivers, efd.

and (a majority of the committee) (the committee) reports it back with  
the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt 5 CS for CSHB 93 (Finance)
- new title
- same title and recommends \_\_\_\_\_
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE  
GDK
- reports it back without recommendation
- recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING

DO PASS

*W. Larson*  
*J. J. ...*  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

MEMBERS HAVING

OTHER RECOMMENDATIONS

*J. Kistner NO Rec*  
*Rich Skelton NO REC*  
*Paul ... NO Rec*  
 \_\_\_\_\_  
 \_\_\_\_\_

*Jan ...*  
 Chairman  
*No Rec*  
 Chairman recommendation

5/11/80  
adopted

AMENDMENT BY FAIKS

To Senate CS for CS for House Bill No. 93 (Resources), and Act establishing a system of recreational rivers and providing for an effective date.

On page 6, after line 12, insert the following new bill section:

Section 41.23.275 DESIGNATION OF RECREATION RIVERS.  
State-owned land and water may be designated as a recreation river only by the legislature.

On page 6, lines 16-18, after "Constitution.", delete all matter.

Offered: 4/28/86  
Referred: Finance

Original sponsor: Rules/Governor

1 IN THE HOUSE BY THE RESOURCES COMMITTEE  
2 SENATE CS FOR CS FOR HOUSE BILL NO. 93 (Resources)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FOURTEENTH LEGISLATURE - SECOND SESSION  
5 A BILL  
6 For an Act entitled: "An Act establishing a system of recreation rivers;  
7 and providing for an effective date."  
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 2. STATE RECREATION RIVERS.  
11 Sec. 41.23.200. PURPOSES. (a) The purpose of AS 41.23.200 -  
12 41.23.280 is to establish management guidelines for those rivers  
13 designated for recreation under AS 41.23.200 - 41.23.280 while permit-  
14 ting each river to be individually managed under a multiple use man-  
15 agement plan.  
16 (b) The goals and objectives by which a recreation river shall  
17 be managed include  
18 (1) the protection and maintenance of the fish and wildlife  
19 populations and habitat on a sustained yield basis so as to maintain,  
20 restore, and enhance fishing, hunting, and trapping activities;  
21 (2) protection of the scenic and natural integrity of the  
22 river and continuation of the traditional recreational uses of the  
23 river by the public including boating, hiking, snowmachining, skiing,  
24 dog mushing, and wildlife viewing;  
25 (3) management of upland activities for the protection and  
26 maintenance of water quality and stream flow.  
27 (c) The commissioner shall allow an activity when compatible  
28 with (b)(1) - (3) of this section including, but not limited to use of  
29 aircraft, powerboats, snowmachines, all-terrain vehicles, and other

1 motorized transportation; harvest of wood products; sand and gravel  
2 extraction for public use; and public use facilities. AS 41.23.200 -  
3 41.23.280 may not be construed as permitting an activity that is  
4 incompatible with the purposes of AS 41.23.200(b)(1) - (3).

5 Sec. 41.23.210. GENERAL MANAGEMENT OF RECREATION RIVER. (a)  
6 The land and water within the area designated as a recreation river  
7 under AS 41.23.280(c) is assigned to the Department of Natural Re-  
8 sources for multiple use management consistent with the purposes of  
9 AS 41.23.200 - 41.23.280.

10 (b) Within three years from the effective date of the desig-  
11 nation of a river as a recreation river under AS 41.23.280(c), the  
12 commissioner shall, after consultation with appropriate state agen-  
13 cies, reserve to the state under AS 46.15.145 an instream flow or  
14 level for the water in the river described in AS 41.23.280(c) that is  
15 adequate to achieve the purposes of AS 41.23.200 - 41.23.280.

16 (c) The provisions of AS 41.23.200 - 41.23.280 do not affect the  
17 responsibility of

18 (1) the Department of Fish and Game, the Board of Fisher-  
19 ies, the Board of Game, or the Guide Licensing and Control Board under  
20 AS 08.54, AS 16, or AS 41.99.010;

21 (2) the Department of Environmental Conservation under  
22 AS 46.03; or

23 (3) state agencies and municipalities under AS 44.19.145-  
24 (a)(11) and AS 46.40.100.

25 (d) Except as provided in this subsection the commissioner may  
26 not restrict the use of weapons, including firearms, within a recrea-  
27 tion river except in sites of high public use such as picnic areas,  
28 boat ramps, camping grounds, and parking areas when the commissioner  
29 determines that the use of weapons constitutes a threat to public

1 safety. Except as provided in this subsection, the commissioner may  
2 not restrict the exercise of fishing, hunting, or trapping within a  
3 recreation river.

4 (e) The commissioner may lease land competitively within a  
5 recreation river to a person for the construction and operation of a  
6 public use facility within the recreation river.

7 (f) The commissioner may not restrict commercial activities  
8 existing within the boundaries of an area designated as a recreation  
9 river under AS 41.23.280(c) at the time of the designation unless the  
10 commissioner determines that the commercial activity threatens the  
11 quality of the water or an essential habitat within the recreation  
12 river.

13 Sec. 41.23.220. MANAGEMENT PLAN. (a) The commissioner shall  
14 adopt and may revise a comprehensive multiple use management plan for  
15 a river designated as a recreation river under AS 41.23.280(c). The  
16 commissioner shall consult with the Department of Fish and Game during  
17 the formulation or revision of a management plan governing the use of  
18 an area within a recreation river. The commissioner shall comply with  
19 the notice requirements of AS 38.05.945 and shall hold at least one  
20 public hearing in the municipalities and communities that are proxi-  
21 mately located to the recreation river and with the local fish and  
22 game advisory committee in the area in the adoption or revision of a  
23 management plan. The comprehensive multiple-use management plan shall  
24 establish long-range guidelines and management practices consistent  
25 with the purposes of AS 41.23.200 - 41.23.280 to

26 (1) protect the fish and wildlife habitat and the free-  
27 flowing nature of the river;

28 (2) identify special recreational values and manage the  
29 level of intensity and types of recreational uses;

1 (3) designate compatible land uses and management guide-  
2 lines for associated development;

3 (4) manage commercial activities or development, including  
4 recreational services such as guiding;

5 (5) provide for necessary public services, such as trans-  
6 portation and utility corridors, public safety, and law enforcement;

7 (6) allow reasonable and necessary access to public land  
8 and private inholdings and to land beyond the recreation river corri-  
9 dor;

10 (7) establish criteria and timelines to review future  
11 proposed uses for compatibility with the purposes of AS 41.23.200 -  
12 41.23.280;

13 (8) establish guidelines and setback restrictions for an  
14 activity occurring under AS 41.23.200(c).

15 (b) The commissioner may adopt regulations necessary to imple-  
16 ment the plan.

17 (c) A comprehensive management plan adopted or revised by the  
18 commissioner under (a) of this section shall be submitted to the  
19 legislature for review within the first 10 days of the first regular  
20 session of the legislature to convene after its adoption or revision  
21 by the commissioner.

22 (d) The Department of Fish and Game and the Boards of Fish and  
23 Game shall consult with the commissioner before adopting or revising  
24 regulations governing fish and game management in an area designated  
25 as a recreation river.

26 Sec. 41.23.230. MANAGEMENT OF MUNICIPAL LAND. If a municipality  
27 commits land for inclusion in a recreation river designated under  
28 AS 41.23.280(c), the commissioner shall obtain the concurrence of the  
29 municipality to the management plan proposed under AS 41.23.220 as it

1 applies to municipal land.

2 Sec. 41.23.240. ACQUISITION OF ADDITIONAL LAND. (a) The com-  
3 missioner may acquire in the name of the state land that is adjacent  
4 to or located within the land described in AS 41.23.280(c) by pur-  
5 chase, lease, gift, or exchange.

6 (b) The commissioner may not acquire land for inclusion in a  
7 recreation river by eminent domain.

8 Sec. 41.23.250. APPLICATION OF PUBLIC LAND LAWS. Except to the  
9 extent that a provision is inconsistent with a provision of AS 41.-  
10 23.200 - 41.23.280 the provisions of AS 38.04; AS 38.05; AS 38.35; and  
11 AS 38.95 apply to land described in AS 41.23.280(c).

12 Sec. 41.23.260. COOPERATIVE MANAGEMENT AGREEMENTS. (a) The  
13 commissioner may enter into a cooperative management agreement for the  
14 management of land and water described in AS 41.23.280(c) or of other  
15 adjacent land and water with a federal agency, a municipality of the  
16 state, another agency of the state, or a private landowner.

17 (b) The commissioner may transfer the management of a specific  
18 site within a recreation river described in AS 41.23.280(c) to a state  
19 agency to assist in the development of a facility or to carry out a  
20 program authorized by law.

21 (c) The commissioner may not manage a recreation river described  
22 in AS 41.23.280(c)(1) - (6) as a unit of the state park system.

23 Sec. 41.23.270. RECOMMENDATIONS BY COMMISSIONER. (a) Before  
24 recommending the establishment of a recreation river to the legisla-  
25 ture, the commissioner shall adopt a plan for the area encompassing  
26 the proposed recreation river.

27 (b) In the adoption of a plan recommending the establishment of  
28 a recreation river, the commissioner shall

29 (1) after notice under AS 38.05.945, hold a public hearing

1 in each community that is located proximately to or within the bound-  
2 aries of an area proposed for inclusion within a recreation river;

3 (2) prepare a summary of the testimony offered at each  
4 public hearing held under (1) of this subsection with regard to the  
5 establishment of the proposed recreation river for inclusion in the  
6 plan;

7 (3) consult with each fish and game advisory committee with  
8 responsibilities for an area within the boundaries of an area proposed  
9 for inclusion within a recreation river and include the recommenda-  
10 tions of the local fish and game advisory committee in the plan; and

11 (4) provide a copy of the plan to each community in which a  
12 hearing was held under (1) of this subsection.

13 Sec. 41.23.280. DESIGNATED RIVERS. (a) Subject to valid exist-  
14 ing rights, the state-owned land and water designated as a recreation  
15 river under (c) of this section constitute a special purpose area  
16 under art. VIII, sec. 7 of the Alaska Constitution. State-owned land  
17 and water may be designated as a recreation river only by the legis-  
18 lature.

19 (b) The state-owned land and water described in this section  
20 within one-half mile of a lakeshore and within one-half mile upland of  
21 the meander of the ordinary high-water mark of a river is closed to  
22 mineral entry and leasing under AS 38.05.150 - 38.05.175 and 38.05.-  
23 185 - 38.05.275. The state-owned land and water described in this  
24 section is closed to land disposals under AS 38.05.035(b), 38.05.045 -  
25 38.05.069; AS 38.08 and AS 38.09.

26 (c) The land and water presently owned by the state and all land  
27 and water acquired by the state in the future, including shore and  
28 submerged land, that lies within the following described parcels are  
29 designated recreation rivers:

- 1 (1) Talachulitna State Recreation River  
2 (A) Township 16 North, Range 10 West, Seward Meridian  
3 Section 6: W1/2  
4 Section 7: NW1/4  
5 (B) Township 16 North, Range 11 West, Seward Meridian  
6 Section 1: E1/2, SW1/4  
7 Section 2: S1/2, NW1/4  
8 Section 3  
9 Section 11: N1/2  
10 Section 12: N1/2  
11 (C) Township 17 North, Range 10 West, Seward Meridian  
12 Section 6: W1/2, W1/2SE1/4  
13 Section 7  
14 Sections 18 - 19  
15 Sections 30 - 31  
16 (D) Township 17 North, Range 11 West, Seward Meridian  
17 Section 1: E1/2E1/2  
18 Section 3: W1/2  
19 Sections 4 - 5  
20 Section 6: S1/2  
21 Sections 7 - 8  
22 Section 9: N1/2, SE1/4  
23 Section 10  
24 Section 14: W1/2  
25 Section 15  
26 Section 17: NW1/4  
27 Section 18: N1/2, SW1/4  
28 Section 19: NW1/4NW1/4  
29 Section 22

1	Section 23: W1/2
2	Section 25: E1/2E1/2
3	Section 26: W1/2
4	Section 27
5	Section 34
6	Section 35: W1/2
7	(E) Township 17 North, Range 12 West, Seward Meridian
8	Section 7: S1/2
9	Section 12: S1/2
10	Section 13
11	Section 14: S1/2
12	Section 15: S1/2
13	Section 16: S1/2
14	Sections 17 - 18
15	Section 20: E1/2
16	Sections 21 - 23
17	Section 24: N1/2, N1/2S1/2
18	(F) Township 17 North, Range 13 West, Seward Meridian
19	Section 9: S1/2
20	Section 10: S1/2
21	Section 11: S1/2
22	Section 12: S1/2
23	Sections 13 - 16
24	Section 24: N1/2
25	(G) Township 18 North, Range 10 West, Seward Meridian
26	Section 18: SW1/4SW1/4
27	Section 19: NW1/4, S1/2NE1/4, E1/2SW1/4, SE1/4
28	Section 20: S1/2, NE1/4
29	Section 21

1                   Section 22: W1/2W1/2  
 2                   Section 26: W1/2SW1/4, SW1/4NW1/4  
 3                   Section 27: S1/2, S1/2N1/2  
 4                   Sections 28 - 29  
 5                   Section 30: E1/2, E1/2W1/2  
 6                   Section 31: NE1/4, S1/2NW1/4, NE1/4NW1/4,  
 7                                SW1/4, W1/2SE1/4  
 8                   Section 33: NE1/4NE1/4  
 9                   Section 34: N1/2NW1/4  
 10                  (H) Township 18 North, Range 11 West, Seward Meridian  
 11                   Section 6: W1/2, W1/2E1/2, E1/2SE1/4  
 12                   Section 7  
 13                   Section 11: E1/2SE1/4  
 14                   Section 12: SW1/4SW1/4  
 15                   Section 13: NW1/4, E1/2SW1/4, SE1/4  
 16                   Section 16: SW1/4  
 17                   Sections 17 - 18  
 18                   Section 19: NE1/4  
 19                   Section 20: N1/2, SE1/4  
 20                   Section 21: W1/2  
 21                   Section 24: E1/2NE1/4  
 22                   Section 28  
 23                   Section 29: E1/2  
 24                   Section 32: E1/2  
 25                   Section 33  
 26                  (I) Township 18 North, Range 12 West, Seward Meridian  
 27                   Sections 1 - 2  
 28                   Section 12: N1/2, SE1/4  
 29                  (J) Township 19 North, Range 12 West, Seward Meridian

1 Section 3: N1/2, SW1/4  
2 Section 4: E1/2E1/2, W1/2SE1/4, SE1/4SW1/4  
3 Section 9: E1/2, SW1/4, E1/2NW1/4, SW1/4NW1/4  
4 Section 10: NW1/4  
5 Section 15: W1/2SW1/4, SW1/4NW1/4  
6 Section 16  
7 Section 21  
8 Section 22: W1/2W1/2, E1/2SW1/4, SW1/4SE1/4  
9 Sections 27 - 28  
10 Section 34  
11 Section 35: S1/2, NW1/4  
12 (K) Township 20 North, Range 11 West, Seward Meridian  
13 Section 18: W1/2  
14 Section 19: W1/2  
15 (L) Township 20 North, Range 12 West, Seward Meridian  
16 Section 1  
17 Section 2: N1/2  
18 Section 11: E1/2  
19 Sections 12 - 13  
20 Section 14: E1/2  
21 Sections 23 - 24  
22 Section 25: N1/2  
23 Section 26  
24 Section 27: E1/2  
25 Section 34: S1/2, NE1/4, SE1/4NW1/4  
26 Section 35: NW1/4  
27 (M) Township 21 North, Range 11 West, Seward Meridian  
28 Section 31: SW1/4  
29 (N) Township 21 North, Range 12 West, Seward Meridian

1	Section 3: N1/2, SW1/4
2	Section 4: E1/2E1/2, W1/2SE1/4, SE1/4SW1/4
3	Section 9: E1/2, SW1/4, E1/2NW1/4, SW1/4NW1/4
4	Section 10: NW1/4
5	Section 15: W1/2SW1/4, SW1/4NW1/4
6	Section 16
7	Section 21
8	Section 22: W1/2W1/2, E1/2SW1/4, SW1/4SE1/4
9	Sections 27 - 28
10	Section 34
11	Section 35: S1/2, NW1/4
12	(K) Township 20 North, Range 11 West, Seward Meridian
13	Section 18: W1/2
14	Section 19: W1/2
15	(L) Township 20 North, Range 12 West, Seward Meridian
16	Section 1
17	Section 2: N1/2
18	Section 11: E1/2
19	Sections 12 - 13
20	Section 14: E1/2
21	Sections 23 - 24
22	Section 25: N1/2
23	Section 26
24	Section 27: E1/2
25	Section 34: S1/2, NE1/4, SE1/4NW1/4
26	Section 35: NW1/4
27	(M) Township 21 North, Range 11 West, Seward Meridian
28	Section 31: SW1/4
29	(N) Township 21 North, Range 12 West, Seward Meridian



1	Section 6: NE1/4
2	Section 8: N1/2, SE1/4
3	Section 9
4	Section 10: SW1/4
5	Section 14: W1/2SW1/4, SE1/4SW1/4
6	Section 15: W1/2, SE1/4, S1/2NE1/4
7	Section 16: N1/2, SE1/4
8	Section 22: N1/2, N1/2S1/2, S1/2SE1/4
9	Section 23: W1/2, W1/2SE1/4
10	Section 26: W1/2, W1/2E1/2, E1/2SE1/4
11	Section 27: E1/2NE1/4
12	Section 33: SW1/4, S1/2SE1/4
13	Section 34: S1/2S1/2
14	Section 35
15	Section 36: W1/2
16	(E) Township 19 North, Range 8 West, Seward Meridian
17	Section 19: W1/2, W1/2E1/2
18	Section 29: W1/2W1/2
19	Section 30
20	Section 31: E1/2, E1/2W1/2
21	Section 32
22	(F) Township 19 North, Range 9 West, Seward Meridian
23	Sections 3 - 4
24	Sections 9 - 10
25	Section 13: S1/2
26	Section 14: S1/2
27	Sections 15 - 16
28	Section 22: N1/2
29	Section 23: N1/2

1 Section 24

2 (3) Lake Creek State Recreation River

3 (A) Township 21 North, Range 9 West, Seward Meridian

4 Section 3

5 Section 4: Excluding Tracts A, B, C and D

6 Section 9: N1/2 Excluding Tracts A and B

7 Section 10

8 Section 15

9 (B) Township 22 North, Range 9 West, Seward Meridian

10 Section 4: NW1/4, S1/2

11 Section 5: N1/2, E1/2SE1/4

12 Section 9: N1/2, SE1/4, E1/2SW1/4

13 Section 10: W1/2SW1/4, SW1/4NW1/4

14 Section 15: W1/2

15 Section 16: E1/2, E1/2W1/2

16 Section 21: E1/2

17 Section 22: W1/2

18 Section 27: W1/2

19 Section 28: E1/2

20 Section 34

21 (C) Township 23 North, Range 9 West, Seward Meridian

22 Section 3: W1/2W1/2

23 Section 4

24 Section 5: E1/2, E1/2SW1/4

25 Section 7: SE1/4, SE1/4NE1/4, E1/2SW1/4

26 Section 8: S1/2, NE1/4, S1/2NW1/4, NE1/4NW1/4

27 Section 9: N1/2NW1/4, SW1/4NW1/4, NW1/4SW1/4

28 Section 17: W1/2, W1/2E1/2

29 Section 18: E1/2

1 Section 19: N1/2, SE1/4, E1/2SW1/4  
2 Section 20: W1/2, SE1/4, S1/2NE1/4, NW1/4NE1/4  
3 Section 29  
4 Section 30: NE1/4, E1/2NW1/4, NE1/4SW1/4, SE1/4  
5 Section 32  
6 Section 33: S1/2SW1/4, NW1/4SW1/4  
7 (D) Township 24 North, Range 9 West, Seward Meridian  
8 Section 28: S1/2SW1/4, SW1/4SE1/4  
9 Section 29: NW1/4, S1/2  
10 Section 30  
11 Section 31: N1/2  
12 Section 32: NW1/4, E1/2  
13 Section 33  
14 Section 34: SW1/4SW1/4  
15 (E) Township 24 North, Range 10 West, Seward Meridian  
16 Section 3  
17 Section 4: E1/2  
18 Section 10  
19 Section 11: W1/2, W1/2SE1/4, SW1/4NE1/4  
20 Section 13: W1/2W1/2  
21 Section 14  
22 Section 15: NE1/4  
23 Section 23: N1/2, SE1/4  
24 Section 24: W1/2, S1/2SE1/4, NW1/4SE1/4  
25 Section 25  
26 Section 36: NE1/4, E1/2NW1/4  
27 (F) Township 25 North, Range 10 West, Seward Meridian  
28 Sections 6 - 7  
29 Section 8: S1/2, NW1/4

1 Section 16: W1/2  
2 Section 17  
3 Section 18: E1/2  
4 Section 20: SE1/4, N1/2  
5 Section 21  
6 Section 22: W1/2  
7 Section 25: SW1/4  
8 Section 26: S1/2  
9 Section 27  
10 Section 28: E1/2, NW1/4  
11 Sections 34 - 35  
12 Section 36: W1/2  
13 (G) Township 25 North, Range 11 West, Seward Meridian  
14 Section 1: E1/2  
15 (H) Township 26 North, Range 10 West, Seward Meridian  
16 Section 31  
17 (I) Township 26 North, Range 11 West, Seward Meridian  
18 Sections 3 - 4  
19 Section 9: E1/2  
20 Section 10  
21 Section 14: W1/2  
22 Section 15  
23 Section 22: E1/2, E1/2NW1/4  
24 Section 23  
25 Section 25: S1/2, NW1/4  
26 Section 26  
27 Section 27: NE1/4  
28 Section 35: NE1/4  
29 Section 36

- 1 (J) Township 27 North, Range 11 West, Seward Meridian  
2 Section 6: SW1/4  
3 Section 7  
4 Section 8: SW1/4  
5 Sections 17 - 18  
6 Section 19: N1/2, SE1/4  
7 Section 20  
8 Section 21: SW1/4  
9 Sections 28 - 29  
10 Section 30: NE1/4  
11 Section 32: E1/2  
12 Section 33  
13 Section 34: W1/2  
14 (K) Township 27 North, Range 12 West, Seward Meridian  
15 Sections 1 - 3  
16 Section 10: N1/2, SE1/4  
17 Sections 11 - 14  
18 Section 15: NE1/4  
19 Section 23: NE1/4  
20 Section 24: N1/2  
21 (L) Township 28 North, Range 12 West, Seward Meridian  
22 Sections 1 - 5  
23 Sections 8 - 12  
24 Sections 13 - 17  
25 Sections 21 - 24  
26 Sections 25 - 28  
27 Sections 33 - 36  
28 (4) Kroto Creek and Moose Creek State Recreation River  
29 (A) Township 19 North, Range 6 West, Seward Meridian

1 Section 2: SW1/4  
2 Section 3  
3 Section 10: E1/2  
4 Section 11  
5 Section 14  
6 Section 15: E1/2E1/2  
7 Section 22: E1/2E1/2  
8 Section 23  
9 Section 25: that portion west of the eastern-  
10 most bank of the Susitna River  
11 Section 26  
12 Section 27: E1/2E1/2  
13 Section 34: NE1/4NE1/4  
14 Section 35  
15 Section 36: that portion west of the eastern-  
16 most bank of the Susitna River  
17 (B) Township 20 North, Range 6 West, Seward Meridian  
18 Section 4  
19 Section 5: E1/2  
20 Section 8: NE1/4, E1/2SE1/4  
21 Section 9  
22 Section 15: W1/2  
23 Section 16  
24 Section 21: E1/2, N1/2NW1/4, SE1/4NW1/4  
25 Section 22: NW1/4, S1/2  
26 Section 27  
27 Section 34  
28 (C) Township 21 North, Range 6 West, Seward Meridian  
29 Section 3

1 Section 9: E1/2SE1/4, SE1/4NE1/4  
2 Section 10  
3 Section 15: W1/2, W1/2NE1/4  
4 Section 16  
5 Section 20: E1/2  
6 Section 21  
7 Section 28  
8 Section 29: E1/2  
9 Section 32: E1/2E1/2, NW1/4NE1/4  
10 Section 33  
11 Section 34: SW1/4  
12 (D) Township 22 North, Range 6 West, Seward Meridian  
13 Sections 4 - 5  
14 Section 6: E1/2, E1/2W1/2  
15 Sections 7 - 9  
16 Sections 16 - 18  
17 Sections 20 - 21  
18 Section 27  
19 Section 28: N1/2, SE1/4, E1/2SW1/4  
20 Section 29: E1/2NE1/4  
21 Section 33: N1/2NE1/4, SE1/4NE1/4  
22 Section 34  
23 (E) Township 23 North, Range 6 West, Seward Meridian  
24 Section 4  
25 Section 7: W1/2  
26 Section 9  
27 Section 16  
28 Section 17: SW1/4SW1/4  
29 Sections 18 - 19

1	Section 20: W1/2NW1/4
2	Section 21
3	Section 28
4	Sections 30 - 31
5	Section 32: S1/2
6	Section 33
7	(F) Township 23 North, Range 7 West, Seward Meridian
8	Section 1
9	Section 2: E1/2
10	Sections 12 - 13
11	Section 24
12	Section 25: N1/2, SE1/4
13	Section 36: N1/2NE1/4
14	(G) Township 24 North, Range 6 West, Seward Meridian
15	Section 4: W1/2
16	Section 5
17	Section 6: NE1/4, E1/2SE1/4
18	Section 8: N1/2, SE1/4, E1/2SW1/4
19	Section 9
20	Section 15: SW1/4, SW1/4NW1/4
21	Section 16
22	Section 17: NE1/4, N1/2SE1/4
23	Section 21: E1/2, SE1/4SW1/4
24	Section 22: NW1/4, N1/2SW1/4, SW1/4SW1/4
25	Section 28: E1/2W1/2, E1/2
26	Section 33
27	(H) Township 24 North, Range 7 West, Seward Meridian
28	Section 6: S1/2, NW1/4
29	Section 7

1 Section 8: S1/2SW1/4

2 Section 16: W1/2, W1/2E1/2

3 Section 17

4 Section 18: N1/2N1/2, SE1/4NW1/4, S1/2NE1/4,  
5 N1/2SE1/4, SE1/4SE1/4

6 Section 19: NE1/4NE1/4

7 Section 20: N1/2

8 Section 21: W1/2, SE1/4, W1/2NE1/4

9 Section 27

10 Section 28: E1/2

11 Section 33: NE1/4NE1/4

12 Section 34: E1/2, E1/2W1/2, NW1/4NW1/4

13 Section 35: W1/2, SE1/4, S1/2NE1/4

14 Section 36: SW1/4

15 (I) Township 24 North, Range 8 West, Seward Meridian

16 Section 1: E1/2

17 Section 12: NE1/4, E1/2SE1/4

18 Section 13: NE1/4NE1/4

19 (J) Township 25 North, Range 6 West, Seward Meridian

20 Section 5

21 Section 8

22 Section 17

23 Section 18: SE1/4

24 Section 19: E1/2, E1/2W1/2

25 Section 20: W1/2W1/2

26 Section 29: W1/2W1/2

27 Section 30: E1/2, E1/2W1/2

28 Section 31: E1/2

29 Section 32: W1/2W1/2, SE1/4SW1/4

1 (K) Township 25 North, Range 7 West, Seward Meridian  
2 Section 5  
3 Section 6: SE1/4, S1/2NE1/4  
4 Section 7: E1/2, SW1/4, E1/2NW1/4  
5 Section 8: NW1/4, W1/2SW1/4  
6 Sections 18 - 19  
7 Sections 30 - 31  
8 (L) Township 25 North, Range 8 West, Seward Meridian  
9 Section 13: E1/2 SE1/4  
10 Section 24: E1/2NE1/4  
11 (M) Township 26 North, Range 6 West, Seward Meridian  
12 Section 5  
13 Section 8  
14 Section 17: N1/2, SE1/4, N1/2SW1/4, SE1/4SW1/4  
15 Section 19: SE1/4  
16 Section 20: E1/2, SW1/4, S1/2NW1/4, NE1/4NW1/4  
17 Section 29: E1/2, NW1/4  
18 Section 30: S1/2, NE1/4, SE1/4NW1/4  
19 Section 31: E1/2NE1/4, that portion of NW1/4-  
20 NE1/4 within retained easement (50' each side  
21 of MHWM)  
22 Section 32: lands within 150' of MHWM  
23 (N) Township 25 North, Range 7 West, Seward Meridian  
24 Section 4: W1/2  
25 Section 5: E1/2, S1/2SW1/4  
26 Section 7: SE1/4  
27 Section 8  
28 Section 9: NW1/4, N1/2SW1/4  
29 Section 17

1	Section 18: E1/2
2	Section 19
3	Section 20: W1/2
4	Section 29: S1/2, NW1/4
5	Section 30
6	Section 31: NE1/4
7	Section 32
8	(O) Township 27 North, Range 6 West, Seward Meridian
9	Section 4
10	Section 5: E1/2
11	Section 8: E1/2
12	Section 9
13	Section 16
14	Section 17: E1/2
15	Section 20: E1/2
16	Section 21
17	Section 28: W1/2
18	Section 29: E1/2
19	Section 32: E1/2
20	Section 33: W1/2
21	(P) Township 27 North, Range 7 West, Seward Meridian
22	Section 7
23	Section 8: S1/2, NW1/4
24	Section 9: W1/2
25	Section 16
26	Section 17: N1/2, SE1/4
27	Section 20: E1/2
28	Section 21
29	Section 28: N1/2, SW1/4

1                                   Section 29: E1/2  
2                                   Section 32: E1/2  
3                                   Section 33: W1/2  
4                   (Q) Township 27 North, Range 8 West, Seward Meridian  
5                                   Section 12: NE1/4  
6                   (R) Township 28 North, Range 6 West, Seward Meridian  
7                                   Section 32: S1/2SE1/4  
8                                   Section 33: S1/2S1/2  
9                   (5) Talkeetna State Recreation River  
10                   (A) Township 26 North, Range 3 West, Seward Meridian  
11                                   Section 1  
12                                   Section 2  
13                                   Sections 3 - 6: excluding ASLS 81-196, ASLS  
14                                   80-94, ASLS 80-84  
15                   (B) Township 27 North, Range 2 West, Seward Meridian  
16                                   Section 2: SW1/4  
17                                   Section 3: S1/2  
18                                   Section 4: S1/2  
19                                   Section 5: SE1/4, E1/2SW1/4  
20                                   Section 7: SE1/4  
21                                   Sections 8 - 12  
22                                   Section 13: N1/2  
23                                   Section 14: N1/2NE1/4  
24                                   Section 17  
25                                   Section 18: E1/2, SW1/4  
26                                   Section 19  
27                                   Section 20: N1/2, SW1/4  
28                                   Section 30: W1/2  
29                   (C) Township 27 North, Range 3 West, Seward Meridian

1                   Section 24: E1/2  
2                   Section 25  
3                   Section 26: SE1/4  
4                   Section 31: S1/2  
5                   Section 32: S1/2 exclusive of ASLS 79-149  
6                   Section 33: S1/2S1/2 exclusive of ASLS 79-149  
7                   Section 34: S1/2S1/2 exclusive of ASLS 79-149  
8                               and ASLS 76-138  
9                   Sections 35 - 36

10                   (D) Township 27 North, Range 4 West, Seward Meridian  
11                               Section 36: S1/2SE1/4 exclusive of ASLS 74-78  
12                               and ASLS 74-77

13                   (6) Little Susitna State Recreation River: the water column  
14                   of the main stream of the Little Susitna River from mean high water  
15                   mark to mean high water mark, from the point at which the river cross-  
16                   es the section line dividing Sections 23 and 26 in Township 19 North,  
17                   Range 1 East, Seward Meridian downstream to the point at which the  
18                   river crosses the section line between Sections 15 and 22 in Township  
19                   16 North, Range 5 West, Seward Meridian; the water column of Lake  
20                   Creek from mean high water mark to mean high water mark, from the  
21                   point at which the creek crosses the section line dividing Sections 10  
22                   and 11, Township 18 North, Range 4 West, Seward Meridian downstream to  
23                   the confluence with the Little Susitna River; and

24                   (A) Township 16 North, Range 5 West, Seward Meridian  
25                               Section 3  
26                               Section 4: NE1/4NE1/4  
27                               Section 10: E1/2, E1/2W1/2  
28                               Section 15: E1/2, E1/2W1/2

29                   (B) Township 17 North, Range 5 West, Seward Meridian

1 Section 12

2 Section 13

3 Section 14

4 Section 15

5 Section 21: NW1/4NE1/4, N1/2NW1/4

6 Section 22

7 Section 23: N1/2N1/2, SW1/4NW1/4, W1/2SW1/4

8 Section 26: W1/2W1/2

9 Section 27

10 Section 34

11 (C) Township 18 North, Range 1 East, Seward Meridian

12 Section 8: NW1/4, SW1/4NE1/4, S1/2NW1/4NE1/4

13 (D) Township 18 North, Range 1 West, Seward Meridian

14 Section 15: N1/2NW1/4

15 Section 16: NW1/4, N1/2NE1/4, SE1/4NE1/4

16 (E) Township 18 North, Range 2 West, Seward Meridian

17 Section 15: NW1/4, N1/2NE1/4, NW1/4SW1/4

18 Section 16: S1/2

19 Section 17: S1/2

20 Section 19: NW1/4, W1/2NE1/4, E1/2SW1/4.

21 (F) Township 18 North, Range 3 West, Seward Meridian

22 Section 19

23 Section 20: SW1/4, W1/2SE1/4, SE1/4NW1/4,

24 W1/2NW1/4

25 Section 30: NE1/4, SW1/4NW1/4, NW1/4SW1/4

26 (G) Township 18 North, Range 4 West, Seward Meridian

27 Section 11: SW1/4, SW1/4SE1/4, SW1/4NW1/4

28 Section 13: S1/2, SW1/4NW1/4

29 Section 14

1                   Section 24  
2                   Section 25: N1/2  
3                   Section 26  
4                   Section 27: S1/2  
5                   Section 33: S1/2, S1/2NE1/4  
6                   Section 34  
7                   Section 35: NW1/4, W1/2NE1/4

8                   ARTICLE 3. GENERAL PROVISIONS.

9                   Sec. 41.23.900. DEFINITION. In this chapter, "commissioner"  
10                   means the commissioner of natural resources.

11                   \* Sec. 2. Until a management plan has been adopted for a recreational  
12 river under AS 41.23.220(a) as enacted in sec. 1 of this Act, interim  
13 management shall be consistent with the purposes of AS 41.23.200 - 41.23.-  
14 280. The commissioner of natural resources shall adopt management plans  
15 for each recreation river established under AS 41.23.280(c) as enacted in  
16 sec. 1 of this Act by July 1, 1992, except that the commissioner of natural  
17 resources shall adopt a management plan for the most extensively used  
18 rivers by July 1, 1989.

19                   \* Sec. 3. This Act takes effect immediately in accordance with AS 01.-  
20 10.070(c).

# STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : 4/9/86

**REQUEST**

Bill/Resolution No. 219 CSHB 93 (Fin)  
 Title : Recreational Rivers  
 \_\_\_\_\_  
 Sponsor : Rules/Governor  
 Requestor : House Finance  
 Date of Request : \_\_\_\_\_

**FISCAL DETAIL**

Agency Affected: Natural Resources  
 BRU: Land and Water Management  
Parks and Outdoor Recreation  
 \_\_\_\_\_  
 Components : \_\_\_\_\_  
 \_\_\_\_\_

**EXPENDITURES/REVENUES : (Thousands of Dollars)**

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

**FUNDING : (Thousands of Dollars)**

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

**POSITIONS :**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** Attach a separate page if necessary

The bill designates land without requiring any immediate management or planning. There is no fiscal impact expected during the next three to five years.

Prepared by: Ned Farquhar <sup>NF</sup> Phone: 465-2400

Division: Commissioner's Office Date: 4/9/86

Approved by Commissioner: Arthur C. Winnick Date: 4/9/86

Agency: Natural Resources

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Sectional Analysis for CSHB 93 (Finance)

Section 1:

- (a) Establishes a new chapter for multiple use management of state lands
- (b) Establishes a new article for the management of recreation rivers

Sec. 41.23.010. Defines purposes and general management guidelines.

Sec. 41.23.020. Assigns management authority to DNR, requires instream flow reservation, requires permitting of firearms discharge, allows land leasing, allows existing commercial activities.

Sec. 41.23.030. Requires DNR to adopt a management plan and enumerates purposes and requirements of plan.

Sec. 41.23.040. Allows commitment of municipal land by municipality.

Sec. 41.23.050. Allows for acquisition of land, except by eminent domain.

Sec. 41.23.060. Makes public land law applicable, with exceptions.

Sec. 41.23.070. Allows for cooperative management with other landowners, and interagency assignment.

Sec. 41.23.080. Establishes method for DNR to follow in recommending establishment of other recreation rivers.

Sec. 41.23.090. Describes land subject to be included as recreation rivers.

Sec. 41.23.900. Defines commissions.

Section 2:

Immediate effective date clause.

Sectional Analysis - HB 93

Section 1:

41.23.200 - Sets up a new category of retained lands multiple use management and establishes general goals and objectives for management of the land; specifies compatible uses and allows other compatible uses.

41.23.210 - Assigns land management authority to the Department of Natural Resources, requires an instream flow reservation of the water within three years; clarifies that there is no effect on the statutory responsibilities of other agencies and municipalities; generally prohibits limitation on discharge of firearms; allows for leasing of land for public use facilities and provides that no restrictions may be put on existing commercial activities unless those activities threaten water quality or essential habitat.

41.23.220 - Requires the adoption of a management plan, and sets guidelines for the management plan which require submittal to the Legislature; requires consultation of the Commissioner of DNR before the department or the Boards of Fish and Game can adopt regulations.

41.23.230 - Requires the concurrence of a municipality for the management plan to affect municipal land.

41.23.240 - Allows for the acquisition of additional land by gift, purchase, lease or exchange, but prohibits acquisition by eminent domain.

41.23.250 - Provides that AS 38.04, 38.05, 38.35 and 38.95 do not apply to lands designated where those provisions are inconsistent with the act.

41.23.260 - Provides for cooperative management agreements with other land owners, allows for interagency transfers for specific purposes and provides the land may not be managed as a state park.

41.23.270 - Provides for the commissioner to propose to the Legislature other recreation rivers, after adopting a plan, publishing notice, holding public hearings, consulting with communities and fish and game advisory boards and preparing summaries of testimony.

41.23.280 - Designates public land and water to be part of the recreation rivers; prohibits mineral leasing and mineral entry and land disposals within one-half mile of the mark of ordinary high water, including land leasing.

Section 2:

Provides for interim management of the land and water consistent with the provisions of the act, until a management plan can be adopted and provides for adoption of a management plan by 1992.

Section 3:

Provides for an immediate effective date.

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y STATE CAPITOL  
JUNEAU, ALASKA 99811  
907 465 3800


LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 17, 1985

SUBJECT:           Constitutionality of exemption for one year  
resident veterans from certain costs under  
the homesite entry program (CSHB 21(Fin))

TO:                 Representative Al Adams

FROM:              Randall J. Moen   
Legislative Counsel

Your request under CSHB 21 (Fin) to exempt only those qualified Alaska resident veterans who have resided at any time in the state for one year from certain costs under the homesite entry program is subject to serious constitutional challenges under the 14th Amendment (Equal Protection Clause) of the U.S. Constitution and Article I, sec. 1 of the Alaska Constitution. I shall address only the 14th Amendment problem.

The Equal Protection Clause protects new residents of a state from being disadvantaged because of their recent migration. Zobel v. Williams, 457 U.S. 55, 72 L.Ed. 2d 672, 102 S. Ct. 2309 (1982). A state statute which distributes benefits based on the length of residency violates the equal protection clause of the 14th Amendment unless the state can show valid state interests are rationally served by conditioning of the benefits on the length of residency. Id.

The effect of CSHB 21 (Fin) allows only those Alaska resident veterans who have resided in Alaska at any time for one year to forego reimbursement to the state of certain costs incurred by the state under the homesite entry program. Thus, newly arrived Alaska resident veterans are treated differently than other Alaska resident veterans who have lived in Alaska at any time for at least one year.

It is difficult to envision a legitimate state interest that can be rationally served by making a durational residency distinction between the two classes of Alaska resident veterans. Unless it can be demonstrated by the state that a legitimate state interest exists and that your committee substitute is rationally related to the legitimate state

Representative Al Adams  
April 17, 1985  
Page 2

interest, your committee substitute will be deemed unconstitutional under the Equal Protection Clause of the U.S. Constitution.

RJM:ojb  
J14/003

MEMORANDUM

TO: Senator Fahrenkamp  
FROM: Mark Boyer  
RE: CSHB 93, An Act establishing a system of special use rivers  
DATE: 4-12-85

---

The House Resources Committee has just reported HB 93 from committee with general support except for the amended title. Several members are concerned that under the broadened title that the Senate may offer amendments which would destroy the original intent of the Governor's bill. I thought it appropriate to reiterate our thoughts on the bill and the necessity for a broadened title.

Originally the Governor's bill sought to enact very special legislation designed to reclassify some of the State's rivers and creeks from their current multiple use designation to that of recreation rivers with very specific management practices and limitations to use. What we have sought to do by broadening the title is to enact general legislation which will allow for special uses/designations including recreational, community water supply, aquaculture, wildlife, community recreation, specified historical and seasonal uses including but not limited to agriculture, fish

processing, mining and timber; and industrial. Each special use category would be established separately and have its own management scheme. This is not unlike state parks (AS 41.21) which sets up the broad structure and has separate state parks, marine parks, eagle preserves, etc. ... each with its own management scheme.

Throughout the debate surrounding the placer mining water quality issue we have been repeatedly told that it is nearly impossible to "reclassify" our streams and that reclassification is at best only a partial relief to the problem miners have in meeting the state and federal water quality standards. HB 93, effectively reclassifies select rivers and streams to a more restrictive use and would manage the designated rivers for multiple use but the goals and objectives are for the protection and maintenance of fish and wildlife habitat, the protection of scenic values and the continuation of traditional recreational uses. The bill further closes the river corridor to future mineral entry and land disposals.

The overall goals and objectives of HB 93 are laudable and worthy of support. In fact, these are two Interior rivers which have been recommended for designation as recreational rivers in the Tanana River Basin Plan. It is absolutely imperative that the integrity of these designations be maintained and perhaps even strengthened. For instance, should the Chatanika River be added as a recreational river, any miner currently operating on the river or a tributary would have to meet the most stringent water quality standards or ultimately be closed down. When the bill comes to the Senate we could add the Chatanika and Nenana Rivers as recommended by the plan as well as the Salcha.

However, the bill also presents an opportunity to establish a mechanism for designating some Interior streams as placer mining

streams which would be managed primarily for placer mining purposes. This can only be accomplished under a broader more general title. Such an approach could complement the State's overall approach to basin-wide planning and best mining practices while also providing a method for relaxing the turbidity standard for a specific period of time. My idea is to take four or five Interior mining streams which have no downstream conflicts with village or municipal water supplies, little or no recreational value and no anadromous fish species; rivers with no conflicts. We would designate these rivers for placer mining and manage them for this purpose separate from recreational rivers.

To reinforce the State's current enforcement policy, we will, as part of the management plan, require that all miners operating on these placer mining streams comply with the settleable solids requirements of the Department of Environmental Conservation. However, as will be the practice this season on priority streams, we will suspend the turbidity requirement. This will not be open ended. On these streams and as part of the plan, the Departments of Environmental Conservation and Natural Resources will determine the life of mining activity on the streams given relative prices of gold. For instance, lets say that there are six miners operating on a stream and they expect to be able to economically extract all of the gold within 10 years. The Departments would enter into agreements with each miner to develop practices which will help them to meet the settleable solids requirements and also reclaim the lands after mining. There currently is no provision for reclamation on mining claims. The goal is progressive as is the Clean Water Act. We want to get the gold out while keeping miners legal and ultimately clean up the streams. The law provides for compliance orders for miners to meet the water quality standards. Time is relative and where there

are no conflicts which would require an immediate action with regard to the turbidity problem, we should use the management plan mechanism as a substitute compliance order.

During the ten year useful mining life of the stream we would build in or require that a use-attainability analysis be performed to determine whether or not the stream, absent mining activity, could ever sustain fish or be suitable for contact recreation and drinking water. If the answer is yes, the departments will work with miners to provide for this. Things like proper placement of tailings for use in silt filtration and later revegetation are examples of the kinds of things which might be in the plans. At the end of the designated time, the river or stream will be thoroughly reviewed and either the designation will be extended or the water body will be redesignated for multiple use management.

So where is the real relief to the miners? The relief is in the form of an assurance that the turbidity standard will not be enforced. Miners will be legal and will know with certainty what is expected of them by the end of their mining period. This certainty is bankable.

The benefits to the state are that we legislatively reinforce DEC's enforcement policy, we introduce the requirement for reclamation and we clean up the streams in a time certain.

This approach will only work on those streams with minimal or no conflicts. It is only one part of the water quality solution. The Environmental Protection Agency has indicated a willingness to work with the State in this direction. We cannot get away with wholesale stream degradation. This proposal only seeks to recognize that some streams should be managed for their primary purpose but not without some certainty that over the long run the stream's water quality would not be improved.

April 9, 1986

House Finance Committee

Suggested amendments to HB 93 An Act creating a system of recreation rivers  
Alaska Environmental Lobby

AMENDMENT #1 Page 1 line <sup>12</sup>~~13~~ after "guidelines" insert:

"and reserve and protect certain state-owned rivers and river corridors".

Rationale. This clarifies that the bill does not merely intend to establish management guidelines, but to actually take positive action to protect these popular rivers.

AMENDMENT #2 Page 1 line 26 insert after "flow":

"and the free flowing nature of the rivers."

Rationale. This would make the purposes section consistent with language already in the management section of the bill at page 3 line 29.

AMENDMENT #3 Page 3 line <sup>4</sup>~~4~~ add "or other special values including hunting, recreation and natural values"

OR

Page 3, line <sup>4</sup>~~4~~ add "or other natural qualities unique to the river"

Rationale. According to the purposes section (page 1, lines 18-26) recreation rivers are to be managed for three goals and objectives: habitat and hunting and fishing, the natural integrity of the river and recreation, and water quality. AS41.23.210 (f) only mentions two of these objectives. This amendment would add the third goal or objective from the purposes section.

AMENDMENT #4 page 6 line <sup>23</sup>~~25~~ delete "within one-half mile upland of the meander of the ordinary high water mark of the river."

Rationale. These rivers should be designated as recreation river corridors free from DNR land disposals without any qualifiers.



# Resource Development Council

for Alaska, Inc.

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March 29, 1985

Representative Dick Shultz  
Co-Chairman House Resource Committee  
Pouch V  
Juneau, AK 99811

Dear Dick:

The Resource Development Council has reviewed the March 22 draft Resources Committee substitute for HB 93. We appreciate this opportunity to comment on the proposed legislation.

RDC believes this version of the recreational river is a far better proposal than that originally introduced. As far as we can see the management priorities for recreational use are protected in the draft substitute and other uses are addressed more effectively.

Our remaining problems with the draft substitute involve the following:

- 1) RDC still doubts the need for this legislation given the existing statutory and administrative mandates for management of these areas. Our letter of March 22 addresses this concern more completely.
- 2) Because we have been unable to look at a revised map addressing the draft substitute we are unable to properly comment on appropriateness of the lands proposed for inclusion. We do, however, hope that the boundaries outlined for the Little Susitna River in the original proposal are not indicative of the entire system proposed in the draft. A recreational river system does not need lands located more than a few hundred yards from the riverbank.
- 3) The management plan should be mandated to address acreage included in the recreational river system which is determined to be inappropriate for recreational enhancement. This will give the legislature the input necessary to remove unnecessarily withdrawn lands from the system and place them back into the public domain.
- 4) RDC also believes that the closure of these streams to mineral entry may not be necessary given the water quality standards in place today. Properly enforced water quality standards can alleviate the conflicts between miners and other river users.

Representative Shultz  
HB 93  
page 2

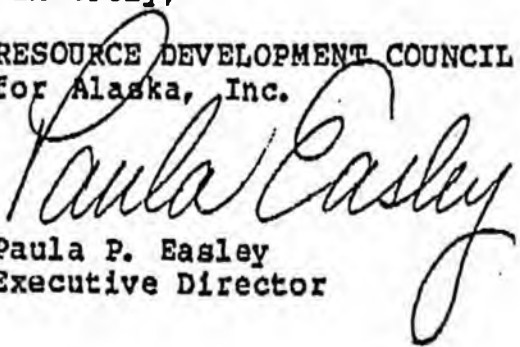
5) The legislation should also address utility and transportation corridors through these areas. Population growth in and around these rivers may necessitate the development of utility and transportation access through these areas. We suggest that these considerations be included as a subsection of the proposed language for Sec. 41.23.010. The management plans should also address these concerns and plan for their potential development.

These issues address the primary concerns the Resource Development Council has with the draft substitute. We would, however, stress the positive nature of the changes made to this bill since its referral to your committee. We commend all who took part in the development of this substitute.

Thank you for the opportunity to review and comment on the proposed substitute to the recreational river legislation.

Sincerely,

RESOURCE DEVELOPMENT COUNCIL  
for Alaska, Inc.

  
Paula P. Easley  
Executive Director

# *League of Women Voters of Alaska*

9151 Skywood Lane  
Juneau, Alaska.  
March 22, 1985

Representative Adelheid Herrmann (Co-Chairman)  
Representative Richard Shultz (Co-Chairman)  
House Resources Committee  
Alaska Legislature  
Room 116, Capitol Building  
Juneau, Alaska 99801

Re: HB 93: Recreational Rivers System

Dear Co-Chairmen Herrmann and Shultz:

House Bill 93 would establish a system of recreational rivers in Alaska, and would begin that system with a portion of the Little Susitna River.

The League of Women Voters of Alaska supports House Bill 93, as a wise dedication to public use emphasizing all types of recreational activities (including those dependent upon wildlife) within each area designated to become part of the recreational river system.

Your committee may be subjected to pressures to weaken HB 93's protections of the recreational and wildlife related uses as they now exist in the bill's statement of purposes (proposed AS 41.21.308) and criteria for the establishment of a comprehensive management plan and regulations (proposed AS 41.21.314). We would oppose any weakening amendments that would tend to compromise the recreational use integrity of a recreational river in favor of resource extraction (e.g. timber, sand and gravel, mining). On the other hand, we would support strengthening amendments, such as any requiring concurrence of the Commissioner of Fish and Game and the Director of the Division of Parks before any specific resource extraction project is permitted within the boundaries of a designated recreational river and its protected margins.


The bill as presently worded already allows more than adequate discretion to the DNR commissioner to provide for such resource extraction activities in such few cases as may exist

Representative Adelheid Herrmann  
Representative Richard Shultz  
March 22, 1985  
Page Two

where there is no feasible alternative site available, and to place conditions on such activities if and where they are allowed under the adopted management plans and regulations. The whole purpose of this legislation, after all, is to protect the recreational qualities of those river segments selected to become part of the recreational river system.

Thank you for considering our views.

Sincerely,

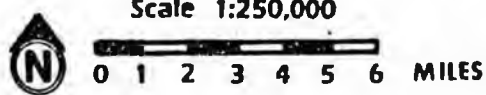
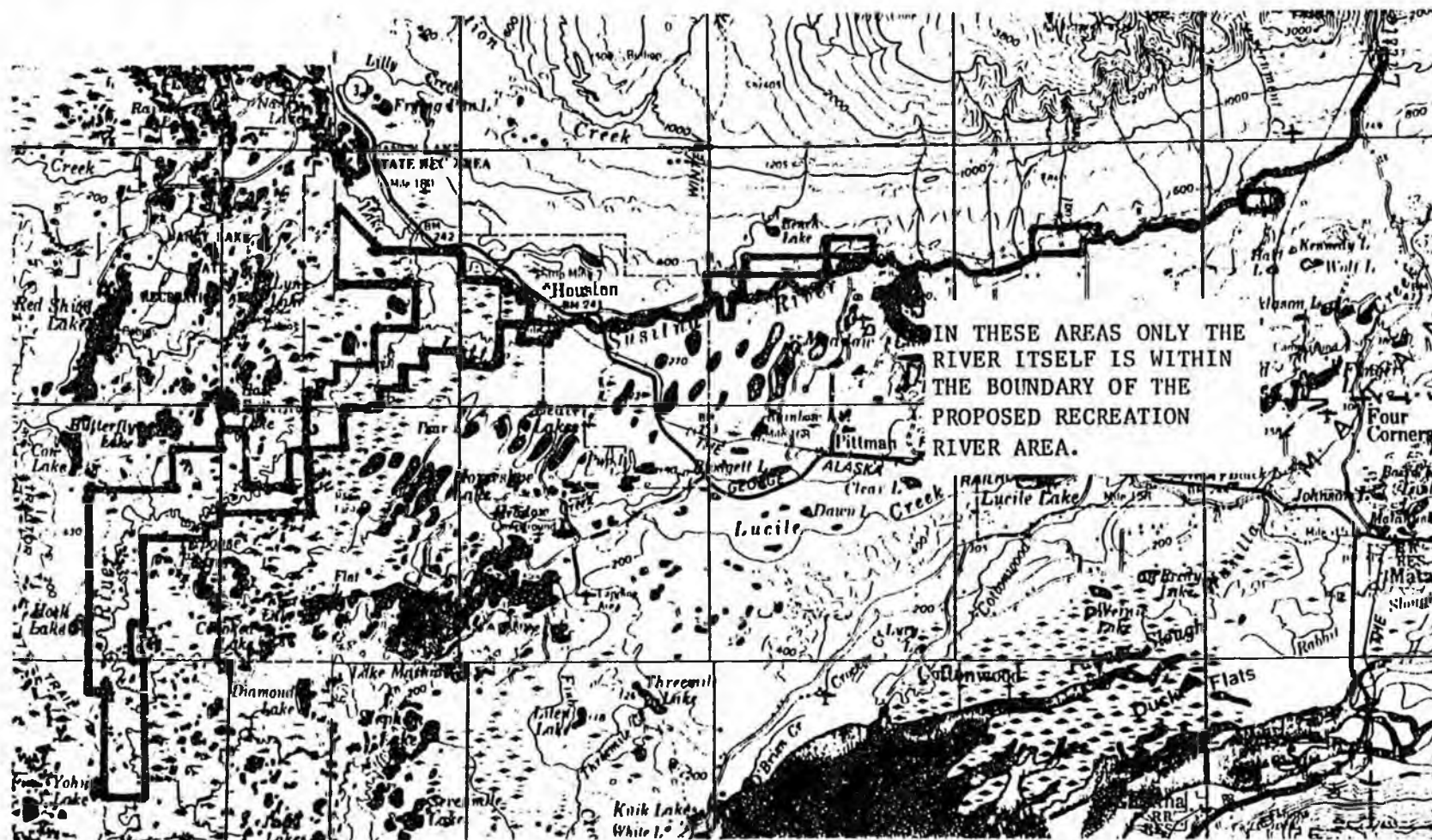
  
Elizabeth Cuadra, Board Member  
(Natural Resources Portfolio)

DEC:sd

cc: Committee Members (Wallis, Sund, Thompson, M. W. Miller,  
Cato, Pearce, and Jenkins)  
Commissioner Wunnicke (DNR)  
Commissioner Collinsworth (DF&G)  
Paula Ziegler (LWVAK President)

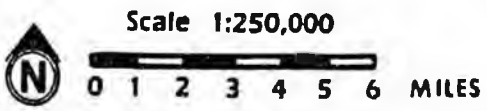
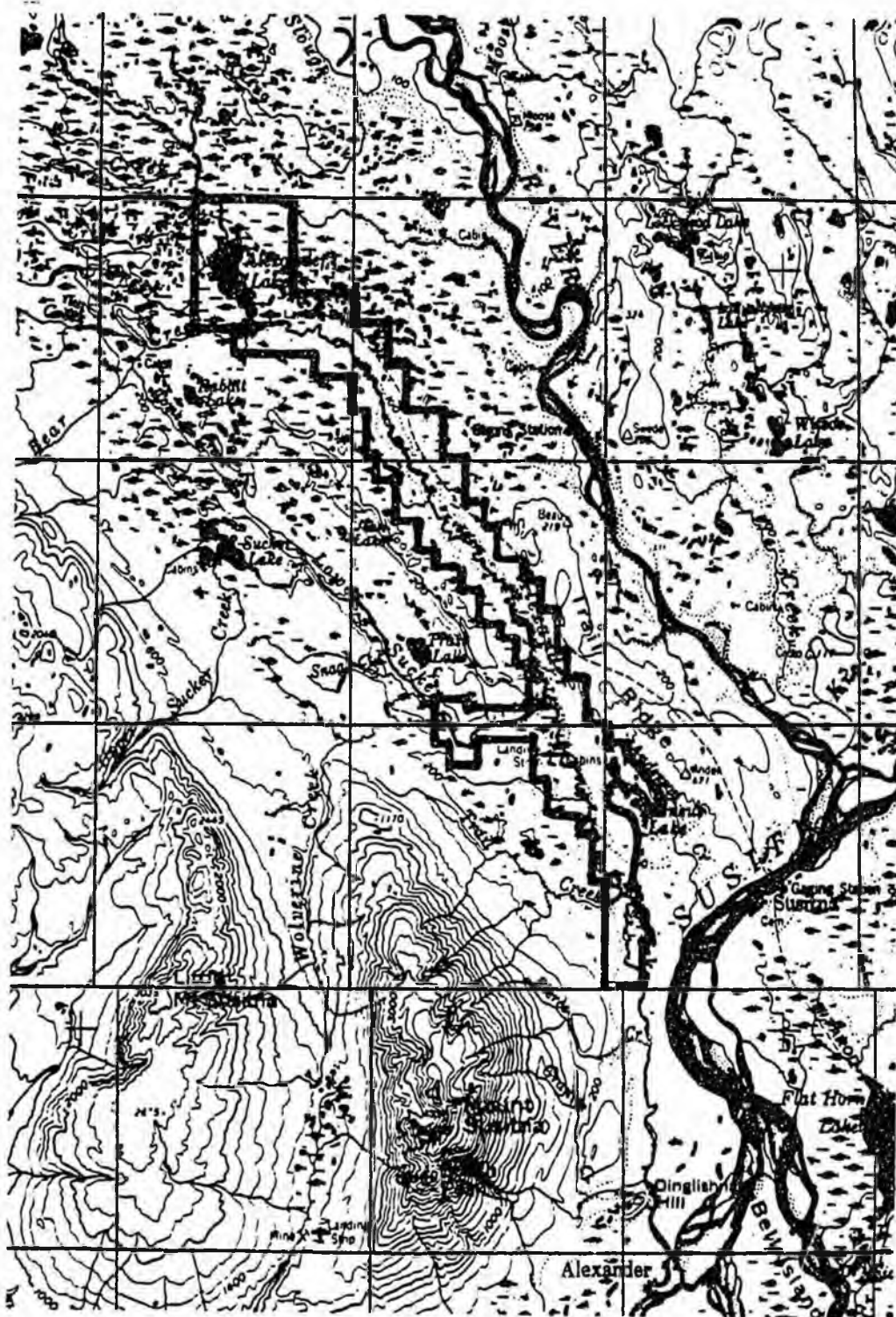
# LITTLE SUSITNA RIVER

## Proposed Recreational River Corridor



# ALEXANDER CREEK

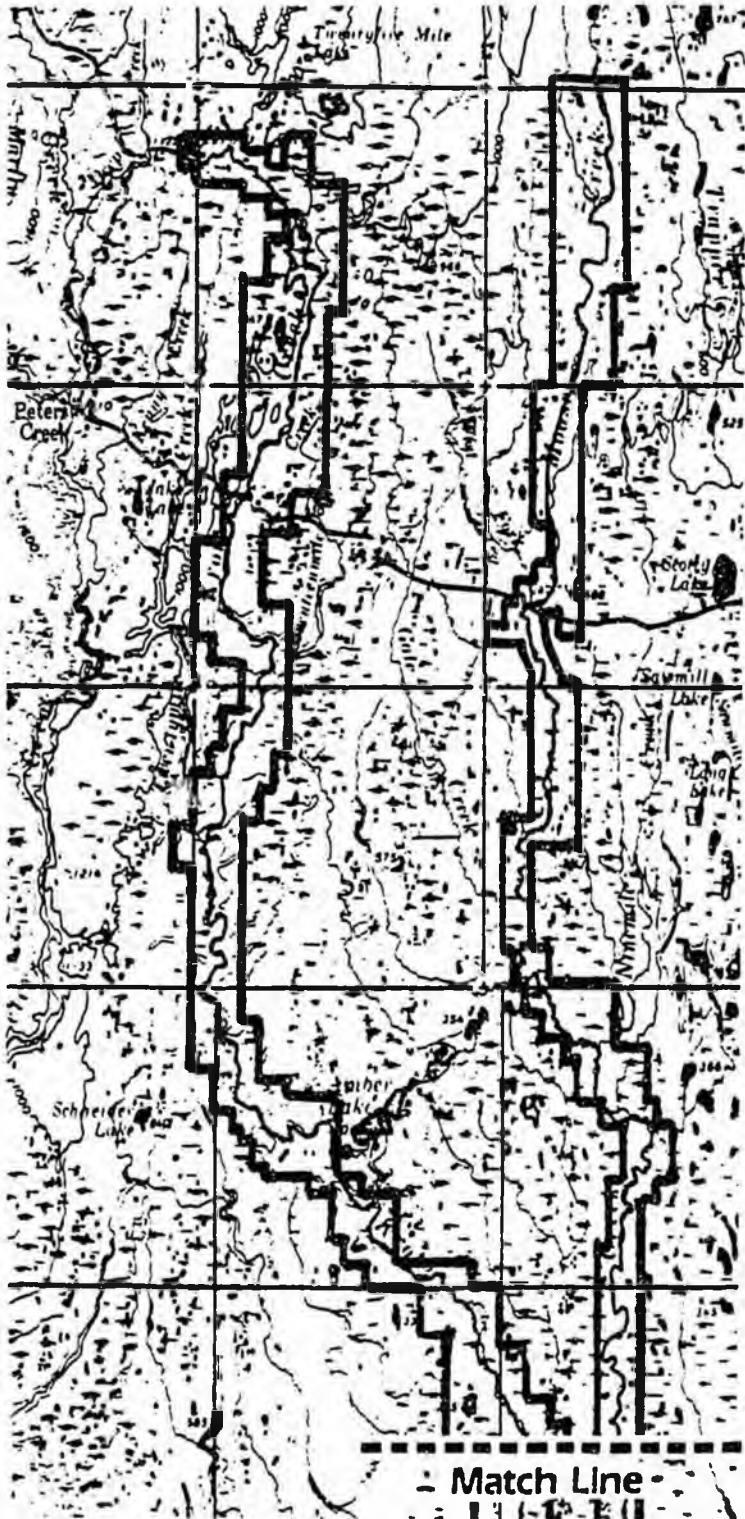
## Proposed Recreational River Corridor



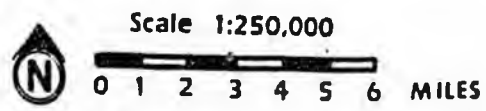
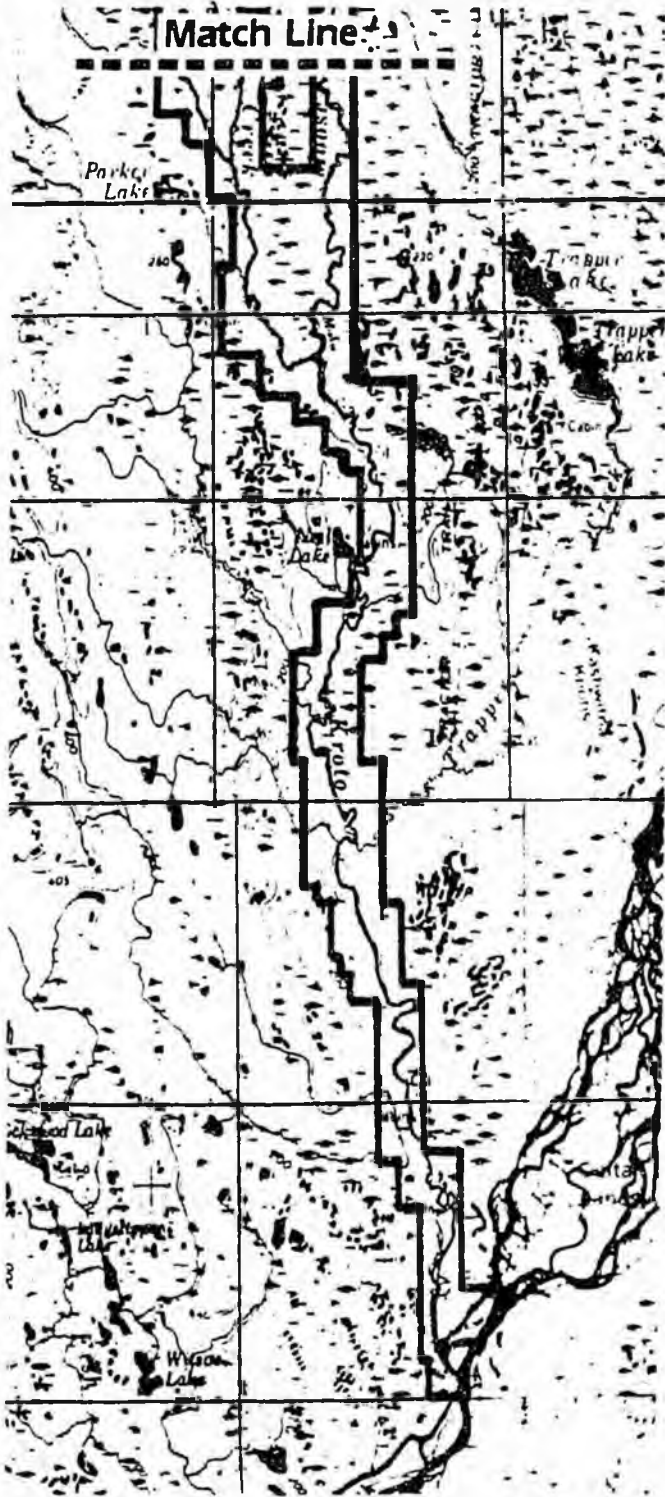
# KROTO CREEK — MOOSE CREEK

## Proposed Recreational River Corridor

### North Half



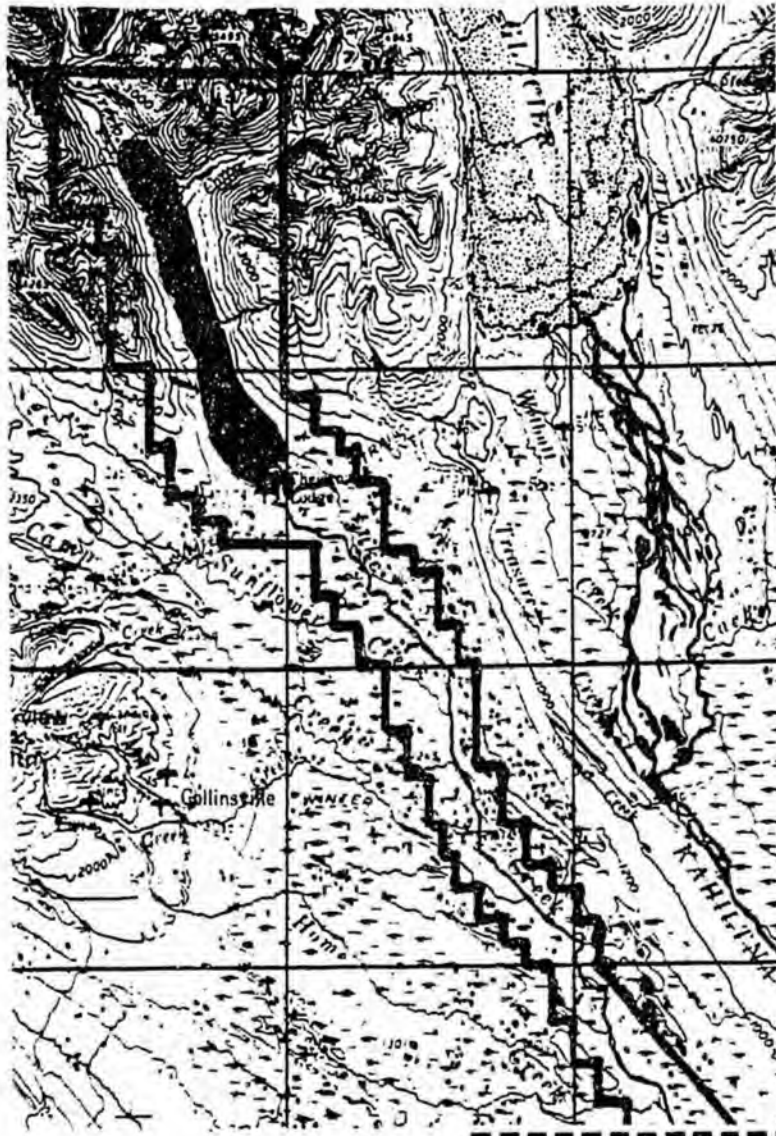
### South Half



# LAKE CREEK

## Proposed Recreational River Corridor

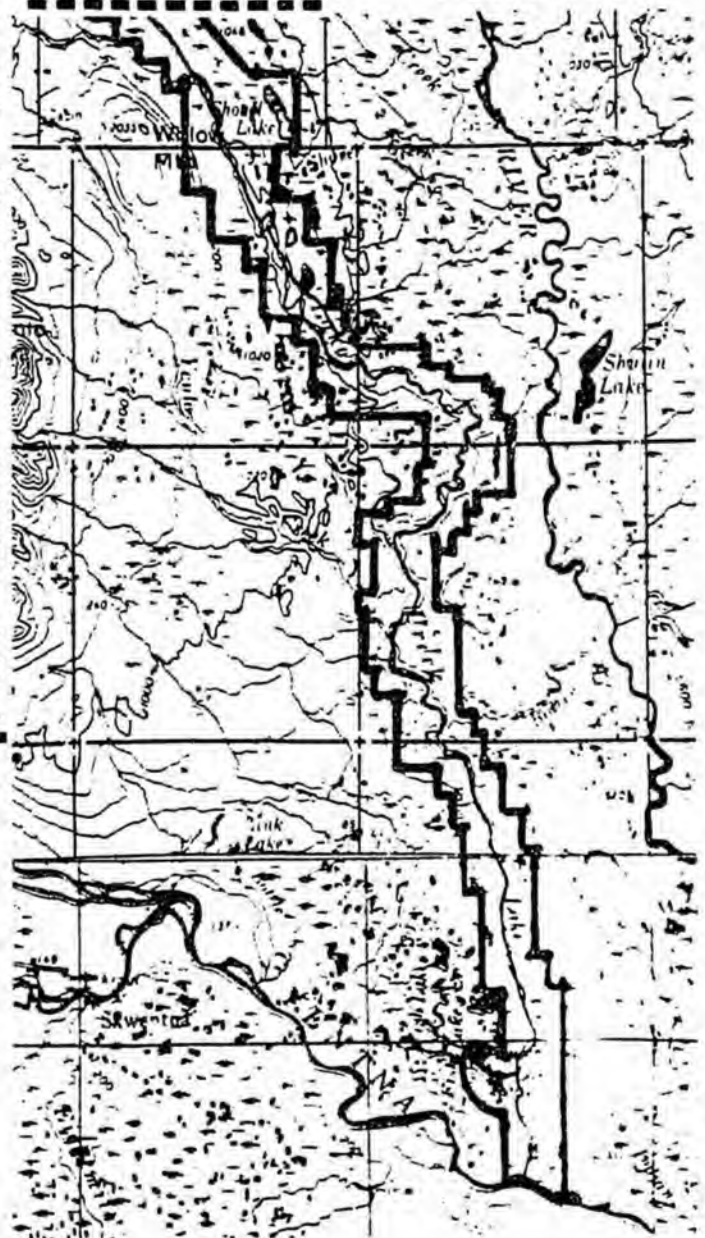
### North Half



Match Line

Match Line

### South Half

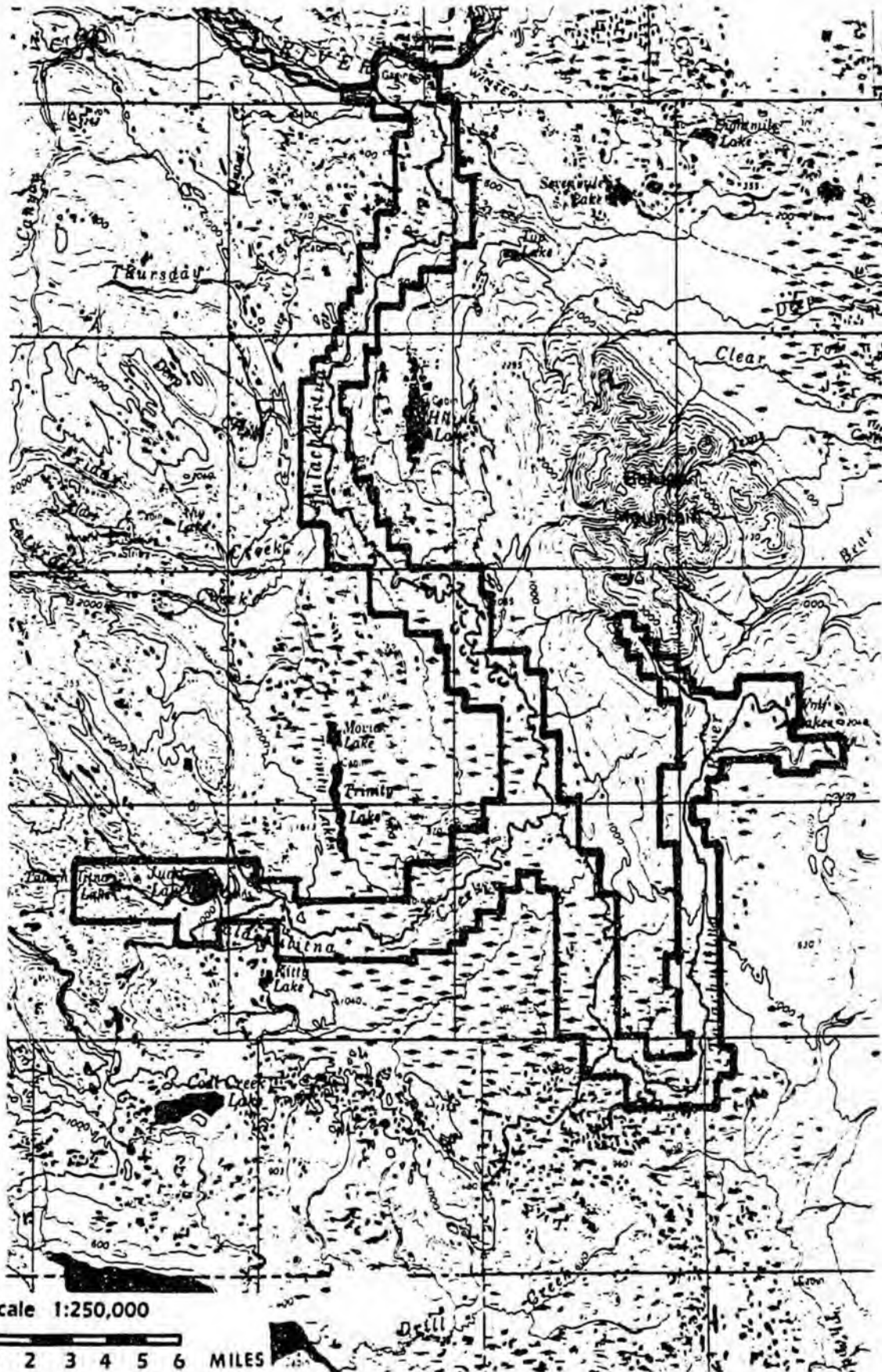


Scale 1:250,000



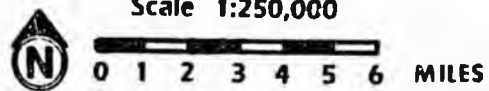
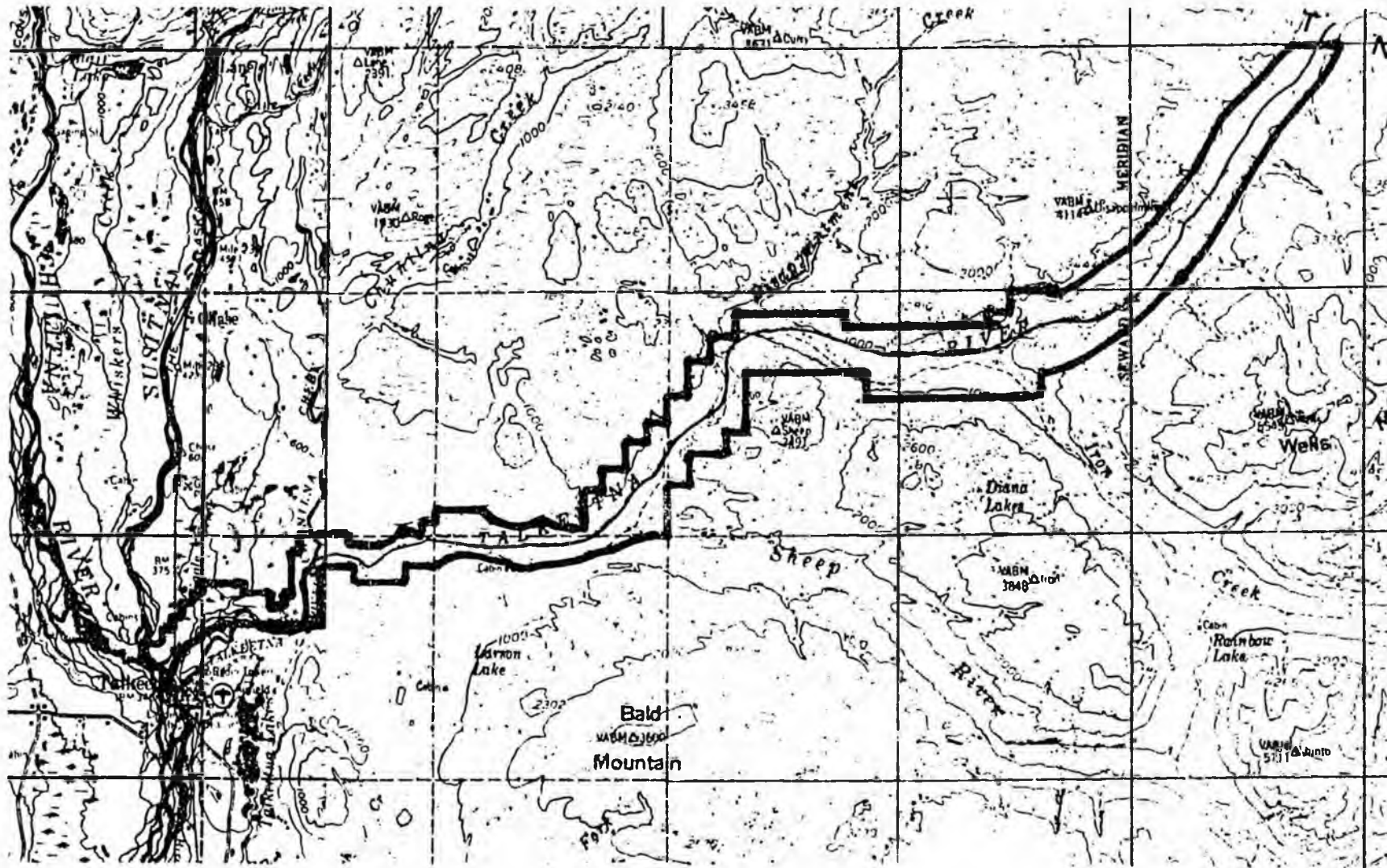
# TALACHULITNA CREEK

## Proposed Recreational River Corridor



# TALKEETNA RIVER

## Proposed Recreational River Corridor



Offered: 4/10/86  
Referred: Rules

Original sponsor: Rules/Governor

1 IN THE HOUSE BY THE FINANCE COMMITTEE  
2 CS FOR HOUSE BILL NO. 93 (Finance) am  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FOURTEENTH LEGISLATURE - SECOND SESSION  
5 A BILL  
6 For an Act entitled: "An Act establishing a system of recreation rivers;  
7 and providing for an effective date."  
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 2. STATE RECREATION RIVERS.  
11 Sec. 41.23.200. PURPOSES. (a) The purpose of AS 41.23.200 -  
12 41.23.280 is to establish management guidelines for those rivers  
13 designated for recreation under AS 41.23.200 - 41.23.280 while permit-  
14 ting each river to be individually managed under a multiple use man-  
15 agement plan.  
16 (b) The goals and objectives by which a recreation river shall  
17 be managed include  
18 (1) the protection and maintenance of the fish and wildlife  
19 populations and habitat on a sustained yield basis so as to maintain,  
20 restore, and enhance fishing, hunting, and trapping activities;  
21 (2) protection of the scenic and natural integrity of the  
22 river and continuation of the traditional recreational uses of the  
23 river by the public including boating, hiking, snowmachining, skiing,  
24 dog mushing, and wildlife viewing;  
25 (3) management of upland activities for the protection and  
26 maintenance of water quality and stream flow.  
27 (c) The commissioner shall allow an activity when compatible  
28 with (b)(1) - (3) of this section including, but not limited to use of  
29 aircraft, powerboats, snowmachines, all-terrain vehicles, and other

1 motorized transportation; harvest of wood products; sand and gravel  
2 extraction for public use; and public use facilities. AS 41.23.200 -  
3 41.23.280 may not be construed as permitting an activity that is  
4 incompatible with the purposes of AS 41.23.200(b)(1) - (3).

5 Sec. 41.23.210. GENERAL MANAGEMENT OF RECREATION RIVER. (a)

6 The land and water within the area designated as a recreation river  
7 under AS 41.23.280(c) is assigned to the Department of Natural Re-  
8 sources for multiple use management consistent with the purposes of  
9 AS 41.23.200 - 41.23.280.

10 (b) Within three years from the effective date of the desig-  
11 nation of a river as a recreation river under AS 41.23.280(c), the  
12 commissioner shall, after consultation with appropriate state agen-  
13 cies, reserve to the state under AS 46.15.145 an instream flow or  
14 level for the water in the river described in AS 41.23.280(c) that is  
15 adequate to achieve the purposes of AS 41.23.200 - 41.23.280.

16 (c) The provisions of AS 41.23.200 - 41.23.280 do not affect the  
17 responsibility of

18 (1) the Department of Fish and Game, the Board of Fisher-  
19 ies, the Board of Game, or the Guide Licensing and Control Board under  
20 AS 08.54, AS 16, or AS 41.99.010;

21 (2) the Department of Environmental Conservation under  
22 AS 46.03; or

23 (3) state agencies and municipalities under AS 44.19.145-  
24 (a)(11) and AS 46.40.100.

25 (d) The commissioner shall not infringe upon the use of weapons,  
26 including firearms, within a recreation river except in sites of high  
27 public use such as picnic areas, boat ramps, camping grounds, and  
28 parking areas when the commissioner determines that the use of weapons  
29 constitutes a threat to public safety. Except as provided in this

1 subsection, the commissioner may not restrict the exercise of fishing,  
2 hunting, or trapping within a recreation river.

3 (e) The commissioner may lease land competitively within a  
4 recreation river to a person for the construction and operation of a  
5 public use facility within the recreation river.

6 (f) The commissioner may not restrict commercial activities  
7 existing within the boundaries of an area designated as a recreation  
8 river under AS 41.23.280(c) at the time of the designation unless the  
9 commissioner determines that the commercial activity threatens the  
10 quality of the water or an essential habitat within the recreation  
11 river.

12 Sec. 41.23.220. MANAGEMENT PLAN. (a) The commissioner shall  
13 adopt and may revise a comprehensive multiple use management plan for  
14 a river designated as a recreation river under AS 41.23.280(c). The  
15 commissioner shall consult with the Department of Fish and Game during  
16 the formulation or revision of a management plan governing the use of  
17 an area within a recreation river. The commissioner shall comply with  
18 the notice requirements of AS 38.05.945 and shall hold at least one  
19 public hearing in the municipalities and communities that are proxi-  
20 mately located to the recreation river and with the local fish and  
21 game advisory committee in the area in the adoption or revision of a  
22 management plan. The comprehensive multiple-use management plan shall  
23 establish long-range guidelines and management practices consistent  
24 with the purposes of AS 41.23.200 - 41.23.280 to

25 (1) protect the fish and wildlife habitat and the free-  
26 flowing nature of the river;

27 (2) identify special recreational values and manage the  
28 level of intensity and types of recreational uses;

29 (3) designate compatible land uses and management

1 guidelines for associated development;

2 (4) manage commercial activities or development, including  
3 recreational services such as guiding;

4 (5) provide for necessary public services, such as trans-  
5 portation and utility corridors, public safety, and law enforcement;

6 (6) allow reasonable and necessary access to public land  
7 and private inholdings and to land beyond the recreation river corri-  
8 dor;

9 (7) establish criteria and timelines to review future  
10 proposed uses for compatibility with the purposes of AS 41.23.200 -  
11 41.23.280;

12 (8) establish guidelines and setback restrictions for an  
13 activity occurring under AS 41.23.200(c).

14 (b) The commissioner may adopt regulations necessary to imple-  
15 ment the plan.

16 (c) A comprehensive management plan adopted or revised by the  
17 commissioner under (a) of this section shall be submitted to the  
18 legislature for review within the first 10 days of the first regular  
19 session of the legislature to convene after its adoption or revision  
20 by the commissioner.

21 (d) The Department of Fish and Game and the Boards of Fish and  
22 Game shall consult with the commissioner before adopting or revising  
23 regulations governing fish and game management in an area designated  
24 as a recreation river.

25 Sec. 41.23.230. MANAGEMENT OF MUNICIPAL LAND. If a municipality  
26 commits land for inclusion in a recreation river designated under  
27 AS 41.23.280(c), the commissioner shall obtain the concurrence of the  
28 municipality to the management plan proposed under AS 41.23.220 as it  
29 applies to municipal land.

1           Sec. 41.23.240. ACQUISITION OF ADDITIONAL LAND. (a) The com-  
2           missioner may acquire in the name of the state land that is adjacent  
3           to or located within the land described in AS 41.23.280(c) by pur-  
4           chase, lease, gift, or exchange.

5           (b) The commissioner may not acquire land for inclusion in a  
6           recreation river by eminent domain.

7           Sec. 41.23.250. APPLICATION OF PUBLIC LAND LAWS. Except to the  
8           extent that a provision is inconsistent with a provision of AS 41.-  
9           23.200 - 41.23.280 the provisions of AS 38.04; AS 38.05; AS 38.35; and  
10          AS 38.95 apply to land described in AS 41.23.280(c).

11          Sec. 41.23.260. COOPERATIVE MANAGEMENT AGREEMENTS. (a) The  
12          commissioner may enter into a cooperative management agreement for the  
13          management of land and water described in AS 41.23.280(c) or of other  
14          adjacent land and water with a federal agency, a municipality of the  
15          state, another agency of the state, or a private landowner.

16          (b) The commissioner may transfer the management of a specific  
17          site within a recreation river described in AS 41.23.280(c) to a state  
18          agency to assist in the development of a facility or to carry out a  
19          program authorized by law.

20          (c) The commissioner may not manage a recreation river described  
21          in AS 41.23.280(c)(1) - (6) as a unit of the state park system.

22          Sec. 41.23.270. RECOMMENDATIONS BY COMMISSIONER. (a) Before  
23          recommending the establishment of a recreation river to the legisla-  
24          ture, the commissioner shall adopt a plan for the area encompassing  
25          the proposed recreation river.

26          (b) In the adoption of a plan recommending the establishment of  
27          a recreation river, the commissioner shall

28                  (1) after notice under AS 38.05.945, hold a public hearing  
29          in each community that is located proximately to or within the

1 boundaries of an area proposed for inclusion within a recreation  
2 river;

3 (2) prepare a summary of the testimony offered at each  
4 public hearing held under (1) of this subsection with regard to the  
5 establishment of the proposed recreation river for inclusion in the  
6 plan;

7 (3) consult with each fish and game advisory committee with  
8 responsibilities for an area within the boundaries of an area proposed  
9 for inclusion within a recreation river and include the recommenda-  
10 tions of the local fish and game advisory committee in the plan; and

11 (4) provide a copy of the plan to each community in which a  
12 hearing was held under (1) of this subsection.

13 Sec. 41.23.280. DESIGNATED RIVERS. (a) Subject to valid exist-  
14 ing rights, the state-owned land and water designated as a recreation  
15 river under (c) of this section constitute a special purpose area  
16 under art. VIII, sec. 7 of the Alaska Constitution. State-owned land  
17 and water may be designated as a recreation river only by the legis-  
18 lature.

19 (b) The state-owned land and water described in this section are  
20 closed to mineral entry and leasing under AS 38.05.150 - 38.05.175 and  
21 38.05.185 - 38.05.275. The state-owned land and water described in  
22 this section is closed to land disposals under AS 38.05.035(b),  
23 38.05.045 - 38.05.069; AS 38.08 and AS 38.09 within one- half mile  
24 upland of the meander of the ordinary high water mark of the river.

25 (c) The land and water presently owned by the state and all land  
26 and water acquired by the state in the future, including shore and  
27 submerged land, that lies within the following described parcels are  
28 designated recreation rivers:

29 (1) Talachulitna State Recreation River

1 (A) Township 16 North, Range 10 West, Seward Meridian  
2 Section 6: W1/2  
3 Section 7: NW1/4  
4 (B) Township 16 North, Range 11 West, Seward Meridian  
5 Section 1: E1/2, SW1/4  
6 Section 2: S1/2, NW1/4  
7 Section 3  
8 Section 11: N1/2  
9 Section 12: N1/2  
10 (C) Township 17 North, Range 10 West, Seward Meridian  
11 Section 6: W1/2, W1/2SE1/4  
12 Section 7  
13 Sections 18 - 19  
14 Sections 30 - 31  
15 (D) Township 17 North, Range 11 West, Seward Meridian  
16 Section 1: E1/2E1/2  
17 Section 3: W1/2  
18 Sections 4 - 5  
19 Section 6: S1/2  
20 Sections 7 - 8  
21 Section 9: N1/2, SE1/4  
22 Section 10  
23 Section 14: W1/2  
24 Section 15  
25 Section 17: NW1/4  
26 Section 18: N1/2, SW1/4  
27 Section 19: NW1/4NW1/4  
28 Section 22  
29 Section 23: W1/2

1                                   Section 25: E1/2E1/2  
 2                                   Section 26: W1/2  
 3                                   Section 27  
 4                                   Section 34  
 5                                   Section 35: W1/2  
 6                   (E) Township 17 North, Range 12 West, Seward Meridian  
 7                                   Section 7: S1/2  
 8                                   Section 12: S1/2  
 9                                   Section 13  
 10                                  Section 14: S1/2  
 11                                  Section 15: S1/2  
 12                                  Section 16: S1/2  
 13                                  Sections 17 - 18  
 14                                  Section 20: E1/2  
 15                                  Sections 21 - 23  
 16                                  Section 24: N1/2, N1/2S1/2  
 17                   (F) Township 17 North, Range 13 West, Seward Meridian  
 18                                  Section 9: S1/2  
 19                                  Section 10: S1/2  
 20                                  Section 11: S1/2  
 21                                  Section 12: S1/2  
 22                                  Sections 13 - 16  
 23                                  Section 24: N1/2  
 24                   (G) Township 18 North, Range 10 West, Seward Meridian  
 25                                  Section 18: SW1/4SW1/4  
 26                                  Section 19: NW1/4, S1/2NE1/4, E1/2SW1/4, SE1/4  
 27                                  Section 20: S1/2, NE1/4  
 28                                  Section 21  
 29                                  Section 22: W1/2W1/2

1 Section 26: W1/2SW1/4, SW1/4NW1/4  
2 Section 27: S1/2, S1/2N1/2  
3 Sections 28 - 29  
4 Section 30: E1/2, E1/2W1/2  
5 Section 31: NE1/4, S1/2NW1/4, NE1/4NW1/4,  
6 SW1/4, W1/2SE1/4  
7 Section 33: NE1/4NE1/4  
8 Section 34: N1/2NW1/4  
9 (H) Township 18 North, Range 11 West, Seward Meridian  
10 Section 6: W1/2, W1/2E1/2, E1/2SE1/4  
11 Section 7  
12 Section 11: E1/2SE1/4  
13 Section 12: SW1/4SW1/4  
14 Section 13: NW1/4, E1/2SW1/4, SE1/4  
15 Section 16: SW1/4  
16 Sections 17 - 18  
17 Section 19: NE1/4  
18 Section 20: N1/2, SE1/4  
19 Section 21: W1/2  
20 Section 24: E1/2NE1/4  
21 Section 28  
22 Section 29: E1/2  
23 Section 32: E1/2  
24 Section 33  
25 (I) Township 18 North, Range 12 West, Seward Meridian  
26 Sections 1 - 2  
27 Section 12: N1/2, SE1/4  
28 (J) Township 19 North, Range 12 West, Seward Meridian  
29 Section 3: N1/2, SW1/4

1 Section 4: E1/2E1/2, W1/2SE1/4, SE1/4SW1/4  
2 Section 9: E1/2, SW1/4, E1/2NW1/4, SW1/4NW1/4  
3 Section 10: NW1/4  
4 Section 15: W1/2SW1/4, SW1/4NW1/4  
5 Section 16  
6 Section 21  
7 Section 22: W1/2W1/2, E1/2SW1/4, SW1/4SE1/4  
8 Sections 27 - 28  
9 Section 34  
10 Section 35: S1/2, NW1/4  
11 (K) Township 20 North, Range 11 West, Seward Meridian  
12 Section 18: W1/2  
13 Section 19: W1/2  
14 (L) Township 20 North, Range 12 West, Seward Meridian  
15 Section 1  
16 Section 2: N1/2  
17 Section 11: E1/2  
18 Sections 12 - 13  
19 Section 14: E1/2  
20 Sections 23 - 24  
21 Section 25: N1/2  
22 Section 26  
23 Section 27: E1/2  
24 Section 34: S1/2, NE1/4, SE1/4NW1/4  
25 Section 35: NW1/4  
26 (M) Township 21 North, Range 11 West, Seward Meridian  
27 Section 31: SW1/4  
28 (N) Township 21 North, Range 12 West, Seward Meridian  
29 Section 15: that portion south of the Skwentna

1 River  
2 Section 26: that portion south of the Skwentna  
3 River  
4 Section 35: that portion south of the Skwentna  
5 River  
6 Section 36: that portion south of the Skwentna  
7 River  
8 (2) Alexander Creek State Recreation River  
9 (A) Township 16 North, Range 7 West, Seward Meridian  
10 Sections 6 - 7  
11 Sections 18 - 19  
12 (B) Township 17 North, Range 7 West, Seward Meridian  
13 Section 18: S1/2, W1/2NW1/4  
14 Section 19  
15 Sections 30 - 31  
16 Section 32: W1/2  
17 (C) Township 17 North, Range 8 West, Seward Meridian  
18 Section 1  
19 Section 2: E1/2, N1/2NW1/4  
20 Section 3: N1/2N1/2  
21 Section 4: N1/2, N1/2SE1/4  
22 Section 11: NE1/4  
23 Section 12  
24 Section 13: E1/2, E1/2NW1/4  
25 Section 24: NE1/4, E1/2SE1/4  
26 (D) Township 18 North, Range 8 West, Seward Meridian  
27 Section 4: W1/2  
28 Section 5  
29 Section 6: NE1/4

1 Section 8: N1/2, SE1/4  
2 Section 9  
3 Section 10: SW1/4  
4 Section 14: W1/2SW1/4, SE1/4SW1/4  
5 Section 15: W1/2, SE1/4, S1/2NE1/4  
6 Section 16: N1/2, SE1/4  
7 Section 22: N1/2, N1/2S1/2, S1/2SE1/4  
8 Section 23: W1/2, W1/2SE1/4  
9 Section 26: W1/2, W1/2E1/2, E1/2SE1/4  
10 Section 27: E1/2NE1/4  
11 Section 33: SW1/4, S1/2SE1/4  
12 Section 34: S1/2S1/2  
13 Section 35  
14 Section 36: W1/2  
15 (E) Township 19 North, Range 8 West, Seward Meridian  
16 Section 19: W1/2, W1/2E1/2  
17 Section 29: W1/2W1/2  
18 Section 30  
19 Section 31: E1/2, E1/2W1/2  
20 Section 32  
21 (F) Township 19 North, Range 9 West, Seward Meridian  
22 Sections 3 - 4  
23 Sections 9 - 10  
24 Section 13: S1/2  
25 Section 14: S1/2  
26 Sections 15 - 16  
27 Section 22: N1/2  
28 Section 23: N1/2  
29 Section 24

1 (3) Lake Creek State Recreation River  
2 (A) Township 21 North, Range 9 West, Seward Meridian  
3 Section 3  
4 Section 4: Excluding Tracts A, B, C and D  
5 Section 9: N1/2 Excluding Tracts A and B  
6 Section 10  
7 Section 15  
8 (B) Township 22 North, Range 9 West, Seward Meridian  
9 Section 4: NW1/4, S1/2  
10 Section 5: N1/2, E1/2SE1/4  
11 Section 9: N1/2, SE1/4, E1/2SW1/4  
12 Section 10: W1/2SW1/4, SW1/4NW1/4  
13 Section 15: W1/2  
14 Section 16: E1/2, E1/2W1/2  
15 Section 21: E1/2  
16 Section 22: W1/2  
17 Section 27: W1/2  
18 Section 28: E1/2  
19 Section 34  
20 (C) Township 23 North, Range 9 West, Seward Meridian  
21 Section 3: W1/2W1/2  
22 Section 4  
23 Section 5: E1/2, E1/2SW1/4  
24 Section 7: SE1/4, SE1/4NE1/4, E1/2SW1/4  
25 Section 8: S1/2, NE1/4, S1/2NW1/4, NE1/4NW1/4  
26 Section 9: N1/2NW1/4, SW1/4NW1/4, NW1/4SW1/4  
27 Section 17: W1/2, W1/2E1/2  
28 Section 18: E1/2  
29 Section 19: N1/2, SE1/4, E1/2SW1/4

1 Section 20: W1/2, SE1/4, S1/2NE1/4, NW1/4NE1/4  
2 Section 29  
3 Section 30: NE1/4, E1/2NW1/4, NE1/4SW1/4, SE1/4  
4 Section 32  
5 Section 33: S1/2SW1/4, NW1/4SW1/4  
6 (D) Township 24 North, Range 9 West, Seward Meridian  
7 Section 28: S1/2SW1/4, SW1/4SE1/4  
8 Section 29: NW1/4, S1/2  
9 Section 30  
10 Section 31: N1/2  
11 Section 32: NW1/4, E1/2  
12 Section 33  
13 Section 34: SW1/4SW1/4  
14 (E) Township 24 North, Range 10 West, Seward Meridian  
15 Section 3  
16 Section 4: E1/2  
17 Section 10  
18 Section 11: W1/2, W1/2SE1/4, SW1/4NE1/4  
19 Section 13: W1/2W1/2  
20 Section 14  
21 Section 15: NE1/4  
22 Section 23: N1/2, SE1/4  
23 Section 24: W1/2, S1/2SE1/4, NW1/4SE1/4  
24 Section 25  
25 Section 36: NE1/4, E1/2NW1/4  
26 (F) Township 25 North, Range 10 West, Seward Meridian  
27 Sections 6 - 7  
28 Section 8: S1/2, NW1/4  
29 Section 16: W1/2

1 Section 17  
 2 Section 18: E1/2  
 3 Section 20: SE1/4, N1/2  
 4 Section 21  
 5 Section 22: W1/2  
 6 Section 25: SW1/4  
 7 Section 26: S1/2  
 8 Section 27  
 9 Section 28: E1/2, NW1/4  
 10 Sections 34 - 35  
 11 Section 36: W1/2  
 12 (G) Township 25 North, Range 11 West, Seward Meridian  
 13 Section 1: E1/2  
 14 (H) Township 26 North, Range 10 West, Seward Meridian  
 15 Section 31  
 16 (I) Township 26 North, Range 11 West, Seward Meridian  
 17 Sections 3 - 4  
 18 Section 9: E1/2  
 19 Section 10  
 20 Section 14: W1/2  
 21 Section 15  
 22 Section 22: E1/2, E1/2NW1/4  
 23 Section 23  
 24 Section 25: S1/2, NW1/4  
 25 Section 26  
 26 Section 27: NE1/4  
 27 Section 35: NE1/4  
 28 Section 36  
 29 (J) Township 27 North, Range 11 West, Seward Meridian

1                   Section 6: SW1/4  
 2                   Section 7  
 3                   Section 8: SW1/4  
 4                   Sections 17 - 18  
 5                   Section 19: N1/2, SE1/4  
 6                   Section 20  
 7                   Section 21: SW1/4  
 8                   Sections 28 - 29  
 9                   Section 30: NE1/4  
 10                  Section 32: E1/2  
 11                  Section 33  
 12                  Section 34: W1/2  
 13                  (K) Township 27 North, Range 12 West, Seward Meridian  
 14                    Sections 1 - 3  
 15                    Section 10: N1/2, SE1/4  
 16                    Sections 11 - 14  
 17                    Section 15: NE1/4  
 18                    Section 23: NE1/4  
 19                    Section 24: N1/2  
 20                  (L) Township 28 North, Range 12 West, Seward Meridian  
 21                    Sections 1 - 5  
 22                    Sections 8 - 12  
 23                    Sections 13 - 17  
 24                    Sections 21 - 24  
 25                    Sections 25 - 28  
 26                    Sections 33 - 36  
 27                  (4) Kroto Creek and Moose Creek State Recreation River  
 28                  (A) Township 19 North, Range 6 West, Seward Meridian  
 29                    Section 2: SW1/4

1	Section 3
2	Section 10: E1/2
3	Section 11
4	Section 14
5	Section 15: E1/2E1/2
6	Section 22: E1/2E1/2
7	Section 23
8	Section 25: that portion west of the eastern-
9	most bank of the Susitna River
10	Section 26
11	Section 27: E1/2E1/2
12	Section 34: NE1/4NE1/4
13	Section 35
14	Section 36: that portion west of the eastern-
15	most bank of the Susitna River
16	(B) Township 20 North, Range 6 West, Seward Meridian
17	Section 4
18	Section 5: E1/2
19	Section 8: NE1/4, E1/2SE1/4
20	Section 9
21	Section 15: W1/2
22	Section 16
23	Section 21: E1/2, N1/2NW1/4, SE1/4NW1/4
24	Section 22: NW1/4, S1/2
25	Section 27
26	Section 34
27	(C) Township 21 North, Range 6 West, Seward Meridian
28	Section 3
29	Section 9: E1/2SE1/4, SE1/4NE1/4

1 Section 10  
2 Section 15: W1/2, W1/2NE1/4  
3 Section 16  
4 Section 20: E1/2  
5 Section 21  
6 Section 28  
7 Section 29: E1/2  
8 Section 32: E1/2E1/2, NW1/4NE1/4  
9 Section 33  
10 Section 34: SW1/4  
11 (D) Township 22 North, Range 6 West, Seward Meridian  
12 Sections 4 - 5  
13 Section 6: E1/2, E1/2W1/2  
14 Sections 7 - 9  
15 Sections 16 - 18  
16 Sections 20 - 21  
17 Section 27  
18 Section 28: N1/2, SE1/4, E1/2SW1/4  
19 Section 29: E1/2NE1/4  
20 Section 33: N1/2NE1/4, SE1/4NE1/4  
21 Section 34  
22 (E) Township 23 North, Range 6 West, Seward Meridian  
23 Section 4  
24 Section 7: W1/2  
25 Section 9  
26 Section 16  
27 Section 17: SW1/4SW1/4  
28 Sections 18 - 19  
29 Section 20: W1/2NW1/4

1	Section 21
2	Section 28
3	Sections 30 - 31
4	Section 32: S1/2
5	Section 33
6	(F) Township 23 North, Range 7 West, Seward Meridian
7	Section 1
8	Section 2: E1/2
9	Sections 12 - 13
10	Section 24
11	Section 25: N1/2, SE1/4
12	Section 36: N1/2NE1/4
13	(G) Township 24 North, Range 6 West, Seward Meridian
14	Section 4: W1/2
15	Section 5
16	Section 6: NE1/4, E1/2SE1/4
17	Section 8: N1/2, SE1/4, E1/2SW1/4
18	Section 9
19	Section 15: SW1/4, SW1/4NW1/4
20	Section 16
21	Section 17: NE1/4, N1/2SE1/4
22	Section 21: E1/2, SE1/4SW1/4
23	Section 22: NW1/4, N1/2SW1/4, SW1/4SW1/4
24	Section 28: E1/2W1/2, E1/2
25	Section 33
26	(H) Township 24 North, Range 7 West, Seward Meridian
27	Section 6: S1/2, NW1/4
28	Section 7
29	Section 8: S1/2SW1/4

1 Section 16: W1/2, W1/2E1/2  
2 Section 17  
3 Section 18: N1/2N1/2, SE1/4NW1/4, S1/2NE1/4,  
4 N1/2SE1/4, SE1/4SE1/4  
5 Section 19: NE1/4NE1/4  
6 Section 20: N1/2  
7 Section 21: W1/2, SE1/4, W1/2NE1/4  
8 Section 27  
9 Section 28: E1/2  
10 Section 33: NE1/4NE1/4  
11 Section 34: E1/2, E1/2W1/2, NW1/4NW1/4  
12 Section 35: W1/2, SE1/4, S1/2NE1/4  
13 Section 36: SW1/4  
14 (I) Township 24 North, Range 8 West, Seward Meridian  
15 Section 1: E1/2  
16 Section 12: NE1/4, E1/2SE1/4  
17 Section 13: NE1/4NE1/4  
18 (J) Township 25 North, Range 6 West, Seward Meridian  
19 Section 5  
20 Section 8  
21 Section 17  
22 Section 18: SE1/4  
23 Section 19: E1/2, E1/2W1/2  
24 Section 20: W1/2W1/2  
25 Section 29: W1/2W1/2  
26 Section 30: E1/2, E1/2W1/2  
27 S S S S S S S  
28 Section 32: W1/2W1/2, SE1/4SW1/4  
29 (K) Township 25 North, Range 7 West, Seward Meridian

1 Section 5

2 Section 6: SE1/4, S1/2NE1/4

3 Section 7: E1/2, SW1/4, E1/2NW1/4

4 Section 8: NW1/4, W1/2SW1/4

5 Sections 18 - 19

6 Sections 30 - 31

7 (L) Township 25 North, Range 8 West, Seward Meridian

8 Section 13: E1/2 SE1/4

9 Section 24: E1/2NE1/4

10 (M) Township 26 North, Range 6 West, Seward Meridian

11 Section 5

12 Section 8

13 Section 17: N1/2, SE1/4, N1/2SW1/4, SE1/4SW1/4

14 Section 19: SE1/4

15 Section 20: E1/2, SW1/4, S1/2NW1/4, NE1/4NW1/4

16 Section 29: E1/2, NW1/4

17 Section 30: S1/2, NE1/4, SE1/4NW1/4

18 Section 31: E1/2NE1/4, that portion of NW1/4-

19 NE1/4 within retained easement (50' each side

20 of MHWM)

21 Section 32: lands within 150' of MHWM

22 (N) Township 26 North, Range 7 West, Seward Meridian

23 Section 4: W1/2

24 Section 5: E1/2, S1/2SW1/4

25 Section 7: SE1/4

26 Section 8

27 Section 9: NW1/4, N1/2SW1/4

28 Section 17

29 Section 18: E1/2

1                   Section 19  
2                   Section 20: W1/2  
3                   Section 29: S1/2, NW1/4  
4                   Section 30  
5                   Section 31: NE1/4  
6                   Section 32  
7                   (O) Township 27 North, Range 6 West, Seward Meridian  
8                   Section 4  
9                   Section 5: E1/2  
10                  Section 8: E1/2  
11                  Section 9  
12                  Section 16  
13                  Section 17: E1/2  
14                  Section 20: E1/2  
15                  Section 21  
16                  Section 28: W1/2  
17                  Section 29: E1/2  
18                  Section 32: E1/2  
19                  Section 33: W1/2  
20                  (P) Township 27 North, Range 7 West, Seward Meridian  
21                  Section 7  
22                  Section 8: S1/2, NW1/4  
23                  Section 9: W1/2  
24                  Section 16  
25                  Section 17: N1/2, SE1/4  
26                  Section 20: E1/2  
27                  Section 21  
28                  Section 28: N1/2, SW1/4  
29                  Section 29: E1/2



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Section 25

Section 26: SE1/4

Section 31: S1/2

Section 32: S1/2 exclusive of ASLS 79-149

Section 33: S1/2S1/2 exclusive of ASLS 79-149

Section 34: S1/2S1/2 exclusive of ASLS 79-149  
and ASLS 76-138

Sections 35 - 36

(D) Township 27 North, Range 4 West, Seward Meridian

Section 36: S1/2SE1/4 exclusive of ASLS 74-78  
and ASLS 74-77

(6) Little Susitna State Recreation River: the water column of the main stream of the Little Susitna River from mean high water mark to mean high water mark, from the point at which the river crosses the section line dividing Sections 23 and 26 in Township 19 North, Range 1 East, Seward Meridian downstream to the point at which the river crosses the section line between Sections 15 and 22 in Township 16 North, Range 5 West, Seward Meridian; the water column of Lake Creek from mean high water mark to mean high water mark, from the point at which the creek crosses the section line dividing Sections 10 and 11, Township 18 North, Range 4 West, Seward Meridian downstream to the confluence with the Little Susitna River; and

(A) Township 16 North, Range 5 West, Seward Meridian

Section 3

Section 4: NE1/4NE1/4

Section 10: E1/2, E1/2W1/2

Section 15: E1/2, E1/2W1/2

(B) Township 17 North, Range 5 West, Seward Meridian

Section 12

1 Section 13  
 2 Section 14  
 3 Section 15  
 4 Section 21: NW1/4NE1/4, N1/2NW1/4  
 5 Section 22  
 6 Section 23: N1/2N1/2, SW1/4NW1/4, W1/2SW1/4  
 7 Section 26: W1/2W1/2  
 8 Section 27  
 9 Section 34  
 10 (C) Township 18 North, Range 1 East, Seward Meridian  
 11 Section 8: NW1/4, SW1/4NE1/4, S1/2NW1/4NE1/4  
 12 (D) Township 18 North, Range 1 West, Seward Meridian  
 13 Section 15: N1/2NW1/4  
 14 Section 16: NW1/4, N1/2NE1/4, SE1/4NE1/4  
 15 (E) Township 18 North, Range 2 West, Seward Meridian  
 16 Section 15: NW1/4, N1/2NE1/4, NW1/4SW1/4  
 17 Section 16: S1/2  
 18 Section 17: S1/2  
 19 Section 19: NW1/4, W1/2NE1/4, E1/2SW1/4.  
 20 (F) Township 18 North, Range 3 West, Seward Meridian  
 21 Section 19  
 22 Section 20: SW1/4, W1/2SE1/4, SE1/4NW1/4,  
 23 W1/2NW1/4  
 24 Section 30: NE1/4, SW1/4NW1/4, NW1/4SW1/4  
 25 (G) Township 18 North, Range 4 West, Seward Meridian  
 26 Section 11: SW1/4, SW1/4SE1/4, SW1/4NW1/4  
 27 Section 13: S1/2, SW1/4NW1/4  
 28 Section 14  
 29 Section 24

1                   Section 25: N1/2  
2                   Section 26  
3                   Section 27: S1/2  
4                   Section 33: S1/2, S1/2NE1/4  
5                   Section 34  
6                   Section 35: NW1/4, W1/2NE1/4

7                   ARTICLE 3. GENERAL PROVISIONS.

8                   Sec. 41.23.900. DEFINITION. In this chapter, "commissioner"  
9                   means the commissioner of natural resources.

10                  \* Sec. 2. Until a management plan has been adopted for a recreational  
11 river under AS 41.23.220(a) as enacted in sec. 1 of this Act, interim  
12 management shall be consistent with the purposes of AS 41.23.200 - 41.23.-  
13 280. The commissioner of natural resources shall adopt management plans  
14 for each recreation river established under AS 41.23.280(c) as enacted in  
15 sec. 1 of this Act by July 1, 1992, except that the commissioner of natural  
16 resources shall adopt a management plan for the most extensively used  
17 rivers by July 1, 1989.

18                  \* Sec. 3. This Act takes effect immediately in accordance with AS 01.-  
19 10.070(c).

BILL SHEFFIELD  
GOVERNOR



HB 93

STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

4/15

The Honorable Ben Grussendorf  
Speaker of the House  
Alaska State Legislature  
Pouch V  
Juneau, AK 99811

Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the creation of a system of recreation rivers.

The bill is based in part on legislation enacted last session creating the Kenai River Special Management Area. The establishment of the Kenai River Special Management Area was a significant beginning in our program to improve the quality of recreation for Alaskans and to reduce the resource damage that results from overuse.

This year I will be introducing several pieces of legislation directed at expanding and diversifying recreational opportunities in southcentral Alaska. To provide for the growing recreation demands of Alaskans, who are among the most active anglers, hikers, boaters, hunters and campers in the United States, we must take action now to designate appropriate state lands and waters for special use.

Today I am introducing two recreation bills: to establish a state recreation rivers system, including the Little Susitna River, and to designate the Willow Creek State Recreation Area. Both of these areas were recommended for special designation on the Willow Subbasin Plan adopted two years ago. On March 1, after the Susitna Area Plan is adopted, I will introduce legislation to create several more special areas as recommended in the final plan.

Section 1 of this bill amends AS 41.21.022 to allow the discharge of firearms for lawful hunting in recreation river corridors except when public safety requires otherwise.

Section 2 contains the body of the bill. New AS 41.21.308 states the purposes of the new sections in AS 41.21, which

include dedication of a recreation river and adjacent state land as a unit of the state park system. New AS 41.21.310 designates the Little Susitna River corridor and adjacent state lands as a recreation river. New AS 41.21.312 delegates to the Department of Natural Resources the regulatory responsibilities for the river corridor subject to the existing powers of the Department of Fish and Game, Board of Fisheries, Board of Game, Guide Licensing and Control Board, and Department of Environmental Conservation.

Under new AS 41.21.314, the commissioner of natural resources is directed to develop and adopt a comprehensive management plan for the river corridor through a public hearing process and consultation with affected local municipalities and other interested state and local agencies. Once the plan is adopted, the commissioner is directed to adopt regulations under the Administrative Procedure Act (AS 44.62) to implement the plan. These regulations, as a minimum, must designate appropriate transportation and utility corridors for the area in cooperation with the Department of Transportation and Public Facilities; establish guidelines for the extraction of sand and gravel for public purposes and the harvest of forest products; and establish appropriate land use controls where necessary to maintain the river in its natural and free flowing state. The commissioner is also directed in new AS 41.21.314(c) to reserve an in-stream flow or level for the river adequate to insure that there is sufficient water so that the purposes of the Act can be fulfilled.

Under new AS 41.21.316, the commissioner is given authority to acquire in the name of the state an interest in other land where acquisition would effectuate the purposes of the Act. The use of the power of eminent domain, however, is expressly prohibited. The commissioner is also given authority in new AS 41.21.318 to enter into cooperative agreements with other public and private parties.

Finally, new AS 41.21.320 gives the commissioner express authority to seek an injunction to enforce regulations adopted under AS 41.21.308 -- 41.21.320. The last three new sections all parallel sections adopted in the Kenai River legislation passed last session.

In light of the increasingly intensive recreational use of the Little Susitna River and other rivers throughout the state, and their importance both to the recreational needs of Alaskans and to the tourist industry, I urge your prompt action on this measure.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bill Sheffield". The signature is written in dark ink and is positioned above the typed name.

Bill Sheffield  
Governor

COMMITTEE REPORT  
SENATE

FURTHER: FINANCE

4/16/86

Date 4/25/86

Mr. President

The Committee on RESOURCES considered CSHB 93(FIN)am  
establishing a system of recreation rivers; efd.

and (a majority of the committee) (the committee) reports it back with  
the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt SCS for CS HB 93 (RESOURCES)
- new title
- same title and recommends \_\_\_\_\_
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

*Hubert*

*W. J. ...*

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MEMBERS HAVING  
OTHER RECOMMENDATIONS

*Hubert* *no*

~~Hubert~~ *no Rec*

*Fred F. Zhanoff* *no Rec*

\_\_\_\_\_

\_\_\_\_\_

*Adrian Stupulski*  
Chairman

*Do Pass*  
Chairman recommendation