

CSHB

18

SENATE COMMITTEE REPORT

FURTHER:

DATE TURNED INTO OFFICE 5/16/87

Mr. President:

FINANCE Committee considered CSHB 18 (RES)

establishing the Willow Creek State Recreation Area; efd

and recommended:

[] replace with CS FOR _____) [x] same title
[x] or adopt _____ SCS FOR CSHB 18 (CERA)) [] new title

[] attached amendment(s) and

[] do pass

[] do not pass

[] no recommendation

[x] individual recommendations

[] further referral to _____

[] letter of intent adopted _____

Committee [x] attached or [] adopted fiscal note(s)

[] new [] updated or [x] previous
[x] zero [] fiscal impact

MEMBERS SIGNING DO PASS

Paul Tucker

OTHER RECOMMENDATIONS

Paul C. [unclear] (No Rec)

Rich [unclear] (No Rec)

Willie [unclear] (No Rec)

[unclear] (No Rec)

[Signature] DO PASS
Chairman signature and recommendation

[] Committee Backup Attached

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

NO. 1

A/B

REQUEST:

Revision Date: March 9, 1987
Title: Willow Creek State Recreation Area
Sponsor: Rep. Larson, Rep. Menard
Requestor: House Resources

Bill Version: CSHB 18(Res)
Publish Date: HOBSE 3/20/87

Agency Affected: Natural Resources
BRU: Parks and Outdoor Recreation

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		-0-	-0-	-0-	-0-	-0-

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL		-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

This area will not be actively managed until funding for development, as described in the plan for the area, is obtained.

Prepared by: Carol Wilson Phone: 465-2400
Division: Commissioner's Office Date: 4/9/87

Approved by Commissioner: C. Wilson for JMB Date: 4/9/87
Agency: Natural Resources

Distribution (by preparer):

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

Original sponsors: Larson and Menard

1 IN THE HOUSE BY THE COMMUNITY AND
REGIONAL AFFAIRS COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 18 (C&RA)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Willow Creek State Recre-
7 ation Area; and providing for an effective date."

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

9 * Section 1. PURPOSE. The purpose of this Act is to:

10 (1) designate as a state recreation area the land and water
11 described in AS 41.21.491(a);

12 (2) emphasize and promote public and private recreational uses
13 and associated economic development activities in the unit; and

14 (3) maintain and enhance the fishery and wildlife habitat in the
15 unit.

16 * Sec. 2. AS 41.21 is amended by adding new sections to article 4 to
17 read:

18 Sec. 41.21.491. WILLOW CREEK STATE RECREATION AREA. (a) The
19 surface estate in the land and water owned by the state as of the
20 effective date of this Act and all land and water acquired by the
21 state in the future, including shore and submerged land, lying within
22 the parcels described in this subsection is designated as the Willow
23 Creek State Recreation Area:

24 Township 19 North, Range 4 West, Seward Meridian

25 Section 5: Lot 3, Lot 4, S1/2NE1/4NE1/4, SE1/4NW1/4NE1/4,
26 SW1/4NE1/4, N1/2NW1/4SE1/4, S1/2NW1/4

27 Section 6: Lot 3, Lot 4, Lot 5, SE1/4NW1/4

28 Township 19 North, Range 5 West, Seward Meridian

29 Section 1: SE1/4, W1/2, Tract A, Tract B, Tract C

1 Section 2

2 Section 3: N1/2

3 Township 20 North, Range 5 West, Seward Meridian

4 Section 34

5 Section 35

6 Section 36: S1/2

7 (b) The Department of Natural Resources may agree to manage land
8 owned by the Matanuska-Susitna Borough that is within the parcels
9 described in (a) of this section and that is designated by ordinance
10 or resolution of the borough as a part of the Willow Creek State
11 Recreation Area.

12 (c) Subject to valid existing rights, the land and water de-
13 scribed in (a) of this section are designated as a special purpose
14 area under art. VIII, sec. 7, Constitution of the State of Alaska.

15 (d) Except for oil and gas leasing under AS 38.05.180, the
16 mineral estate in the state-owned land and water described in (a) of
17 this section is closed to mineral entry under AS 38.05.181 - 38.05.-
18 280.

19 Sec. 41.21.492. DESIGNATION OF MANAGEMENT RESPONSIBILITIES. (a)
20 The land and water described in AS 41.21.491(a), including land and
21 water owned by the Matanuska-Susitna Borough and designated by the
22 borough in a management agreement under AS 41.21.491(b), are assigned
23 to the Department of Natural Resources for control, maintenance, and
24 development, consistent with the purposes of AS 41.21.491 - 41.21.495.

25 (b) Nothing in AS 41.21.491 - 41.21.495 affects the responsibil-
26 ities of

27 (1) the Department of Fish and Game, the Board of Fisher-
28 ies, or the Board of Game under AS 16 and AS 41.99.010;

29 (2) the Department of Environmental Conservation under

1 AS 46.03; or

2 (3) state agencies and municipalities under AS 44.19.-
3 145(a)(11) and AS 46.40.100.

4 Sec. 41.21.493. COMPREHENSIVE MANAGEMENT PLAN. The commissioner
5 shall develop and adopt a comprehensive management plan for the Willow
6 Creek State Recreation Area with the concurrence of the Matanuska-
7 Susitna Borough.

8 Sec. 41.21.494. REGULATIONS. The commissioner shall adopt
9 regulations under the Administrative Procedure Act (AS 44.62) that are
10 necessary to achieve the purposes of AS 41.21.491 - 41.21.495 and to
11 implement the plan adopted under AS 41.21.493. The regulations shall

12 (1) designate incompatible uses and prohibit or restrict
13 them;

14 (2) allow road, railroad, and utility crossing of Willow
15 Creek so as to minimize disturbance to the river's habitat and scenic
16 and recreation values;

17 (3) allow fishery rehabilitation or enhancement practices
18 under terms that are compatible with AS 41.21.491 - 41.21.495;

19 (4) allow the legal taking of fur-bearing animals; and

20 (5) allow for hunting, except where it must be prohibited
21 for reasons of public safety.

22 Sec. 41.21.495. COOPERATIVE MANAGEMENT AGREEMENTS. The commis-
23 sioner may enter into cooperative management agreements with a federal
24 agency, a municipality, another state agency, or a private landowner
25 to achieve the purposes of AS 41.21.491 - 41.21.495.

26 * Sec. 3. The commissioner of natural resources shall adopt the compre-
27 hensive management plan under AS 41.21.493, enacted by sec. 2 of this Act,
28 within two years after the effective date of this Act. Until a boat launch
29 is constructed in the recreation area, the commissioner may not restrict

1 boating activities within the Willow Creek State Recreation Area except to
2 protect public safety.
3 * Sec. 4. This Act takes effect immediately under AS 01.10.070(c).

Alaska State Legislature



Session Address:
STATE CAPITOL BUILDING
BOX V
JUNEAU, ALASKA 99811
(907) 485-3727

Interim Address:
BOX 53
PALMER, ALASKA 99845
(907) 745-3826 - Palmer
(907) 378-8828 - Wasilla

Representative Ronald L. Larson
District 16B

MEMORANDUM

TO: Representative Al Adams
Chairman-House Finance Committee
FROM: Representative Ron Larson *R.L.*
Original Sponsor of HB18
SUBJ: Willow Creek State Recreation Area
DATE: April 1, 1987

The intention of CSHB18 (Resources) is to create a state recreational area in a highly used area of the Matanuska-Susitna Borough. The mouth of Willow Creek is a prime destination for many southcentral residents, especially during the summer sportfishing season.

This bill sets aside public land and offers directives for its future management.

The natural theme of the Matanuska-Susitna valley is tourism. We see this bill, as a major step towards that destiny. This Willow Creek concept has been placed high on the local legislative priorities for years.

This bill has a history dating back several years. I am hopeful that this year Willow Creek State Recreational Area will again receive your committee's unanimous support.

MATANUSKA-SUSITNA BOROUGH

RESOLUTION SERIAL NO. 83-28

A RESOLUTION OF THE ASSEMBLY OF THE MATANUSKA-SUSITNA BOROUGH RECOMMENDING THAT THE STATE LEGISLATURE ESTABLISH THE WILLOW CREEK STATE RECREATION AREA.

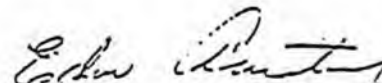
WHEREAS, the Matanuska-Susitna Borough and the State of Alaska, Division of Parks have jointly developed a plan for a proposed State recreation area along Willow Creek near Willow, Alaska; and

WHEREAS, the Matanuska-Susitna Borough has agreed to enter into a long term joint management agreement with the Division of Parks to manage Borough lands within the proposed recreational area; and

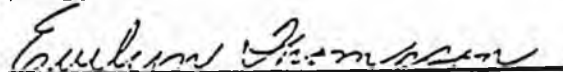
WHEREAS, the Assembly finds this projected plan to be of public interest and requiring legislative designation.

NOW THEREFORE, BE IT RESOLVED that the Assembly of the Matanuska-Susitna Borough recommends that the State Legislature support a bill such as is attached which would establish the Willow Creek State Recreation Area and provide for an effective date.

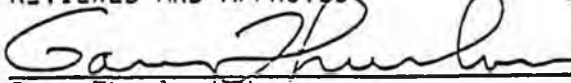
ACCEPTED AND APPROVED by the Assembly of the Matanuska-Susitna Borough this 23rd day of March, 1983.


EDNA ARMSTRONG, MAYOR

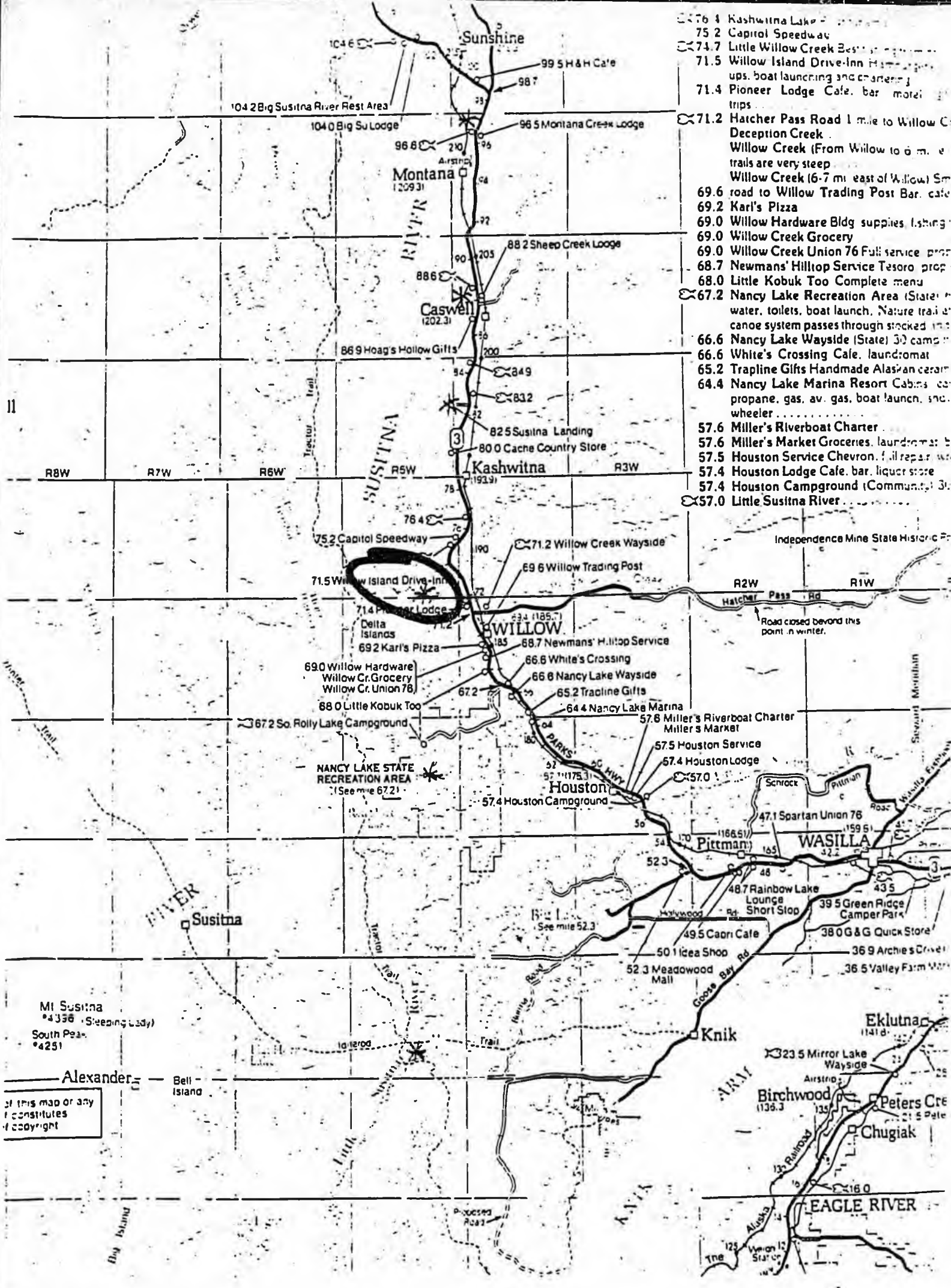
ATTEST:


Evelyn Thompson, Clerk

REVIEWED AND APPROVED:


Gary Thurlow, Manager

(Seal)



- 76.4 Kashwitna Lake
- 75.2 Capitol Speedway
- 74.7 Little Willow Creek Best
- 71.5 Willow Island Drive-Inn
- 71.4 Pioneer Lodge Cafe, bar, more
- 71.2 Hatcher Pass Road 1 mile to Willow Creek
- Deception Creek
- Willow Creek (From Willow to 6 m. e trails are very steep)
- Willow Creek (6-7 mi. east of Willow) S road to Willow Trading Post Bar, cafe
- 69.6 Karl's Pizza
- 69.0 Willow Hardware Bldg supplies, fishing
- 69.0 Willow Creek Grocery
- 69.0 Willow Creek Union 76 Full service
- 68.7 Newmans' Hilltop Service Tesoro prop
- 68.0 Little Kobuk Too Complete menu
- 67.2 Nancy Lake Recreation Area (State) water, toilets, boat launch, Nature trail canoe system passes through stocked
- 66.6 Nancy Lake Wayside (State) 30 camp
- 66.6 White's Crossing Cafe, laundromat
- 65.2 Trampoline Gifts Handmade Alaskan ceramic
- 64.4 Nancy Lake Marina Resort Cabins, propane, gas, av. gas, boat launch, snow wheeler
- 57.6 Miller's Riverboat Charter
- 57.6 Miller's Market Groceries, laundromat
- 57.5 Houston Service Chevron, full repair
- 57.4 Houston Lodge Cafe, bar, liquor store
- 57.4 Houston Campground (Community)
- 57.0 Little Susitna River

of this map or any
it constitutes
copyright

STATE OF ALASKA
THE LEGISLATURE

POUCH Y. STATE CAPITOL
JUNEAU, ALASKA 99811
907 465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 31, 1987

SUBJECT: CSHB 18 (Resources): Willow Creek State
Recreation Area A sectional analysis

TO: Representative Ron Larson

FROM: Richard A. Bradley
Legislative Counsel

You have requested a sectional analysis of the above described bill.

As a preliminary matter, note that a sectional analysis or summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1 states the purpose of the bill. The provision of the CS vary "purpose (2)."

Section 2 adopts the substantive, permanent law provisions of the bill. The provisions are additions to AS 41.21, a chapter dealing with "parks and recreational facilities."

Sec. 41.21.491(a) establishes the Willow Creek State Recreation Area. It described the land and water that are to be included within the Area.

Sec. 41.21.491(b) permits the Mat-Su Borough to agree that the Department of Natural Resources will manage borough land described in Sec. 41.21.491(a) as a part of the Area.

Sec. 41.21.491(c) constitutes a declaration that the land described in Sec. 41.21.491(a) be dedicated to a less than multiple purpose use. Compare art. VIII, sec. 7, Alaska Constitution.

Representative Larson
March 31, 1987
Page 2

Sec. 41.21.491(d) permits oil and gas development within the area and otherwise closes the Area to mining development.

Sec. 41.21.492(a) assigns the land within the Area to the Department of Natural Resources for management. The CS makes stylistic changes to the subsection.

Sec. 41.21.492(b) constitutes reassurances to the Department of Fish and Game, the Board of Fisheries, the Board of Game, the Department of Environmental Conservation, and other state agencies and municipalities about the continued vitality of certain of their responsibilities.

Sec. 41.21.493 directs the commissioner of natural resources to prepare a comprehensive management plan with the concurrence of the Mat-Su Borough.

Sec. 41.21.494 directs the commissioner of natural resources to adopt regulations necessary to implement the Act and the management plan. The regulations are directed to address five stated concerns of the legislature.

Sec. 41.21.495 permits the commissioner of natural resources to acquire land or an interest in land that is within or adjacent to the boundaries of the Area to further the purposes of the Act. The acquisition must be voluntary.

Sec. 41.21.496 permits cooperative management agreements.

Sec. 41.21.497 permits the commissioner to request the attorney general to seek an injunction or damages for violation of a regulation either implementing the management plan or otherwise generally applicable to the Area.

Section 3 of the Act is uncodified temporary law directing the commissioner of natural resources to adopt the management plan for the Area within two years of the effective date of the Act. The CS provides that boating activities within the area may not be restricted until a boat launch is established.

Section 4 constitutes an immediate effective date.

If I may be of further assistance, please advise.

RAB:csh
c7/111



Alaska Sportfishing Association

3605 Arctic Blvd., Suite 800 • Anchorage, Alaska 99503

February 9, 1987

Governor Steve Cowper
Pouch A
Juneau, AK 99811

Dear Governor Cowper:

RE: LEGISLATIVE PRIORITIES

The Alaska Sportfishing Association is a statewide organization headquartered in Anchorage. We currently have approximately 2,000 individual members and 135 business members. This organization stands ready to work cooperatively with you for good resource legislation.

Since we publish a monthly newsletter, we regularly pass along information to our members about resource and sportfishing issues. We feel we can assist your administration in disseminating information to sportfishing interests. We have worked with ADF&G in the past to this end.

We appreciate your support for the sportfishing industry as evidenced by your answers to our questionnaire last July. We understand the difficult job that you and the legislature face this session determining the course this great state must take for continued progress under a greatly restricted budget. This restriction may have a major impact on our short and long-term future. Thus our legislative priorities for 1987 address legislation that is important to the economic future of this state, but legislation without cost to the General Fund of the state.

All three of the Alaska Sportfishing Associations' legislative priorities address an important step forward in the necessary expansion of recreational fishing for Alaskans, and of Alaska's fledgling tourism industry of which recreation fishing is the major drawing card. As you have identified, development and expansion of this one industry will lead to increased trade with Pacific Rim and other countries. There are many actions that need to be taken to improve our ability to attract and provide suitable facilities for Alaskans, as well as U.S. and foreign tourists. The following are important steps forward and are our top priorities:

1. *Letter of Support
(see 2nd page for Willow
Creek endorsement)*

Governor Steve Cowper

Page 2

February 9, 1987

1. Passage of HB 93 to create an effective Recreational Rivers system that will protect both the fishery and environmental resource of six rivers in the Susitna drainage. Members of our organization will be in contact with legislators to work out details and work for passage. This legislation is of top priority to just about every outdoor and environmental organization in the state.
2. Passage of legislation which creates an effective public access acquisition and/or development program. Passage of SB 62 (and SB 26) will go a long way toward making possible the acquisition of critically needed public access sites and/or development of those sites. This legislation will not result in any General Fund expenditures. These bills raise the percentage of Federal Aid Breaux-Wollop funds which must be committed to access from 10 percent to 20 percent. The Breaux-Wollop funds are generated at the federal level by a tax on certain fishing items, and the funds must be used for sport fish projects. Since those funds are generated by sportfishermen, the sport fishing community should have a strong hand in deciding how they should be spent. Sport fishermen strongly support SB 62 and SB 26.
3. Passage of legislation to establish the Willow Creek State Recreational Area. HB 18 is enabling legislation which jointly involves Mat-Su Borough and state lands. It is not a duplication of the Recreation Rivers Bill mentioned above and will go a long way toward long-term protection of the Willow Creek area and access to a series of Susitna Drainage salmon and trout fisheries. }

We wish you, your administration, and the 1987 legislature the best in your endeavors.

Sincerely,

Alaska Sportfishing Association
Legislative Committee

Bob Hunter

Robert L. Hunter, Chairman

Russ Redick

Russ Redick

Jeff Parker

Jeff Parker

Virginia Hilliker

Virginia Hilliker

Jim Richardson

Jim Richardson

cc: Each Legislator
Commissioner, ADF&G
Commissioner, DNR
Alaska Outdoor Council

Kenai River Sportfishing Association
Mat-Su Valley Sportsmens Association
Alaska Professional Guide Association
Resource Development Council

Original sponsors: Larson and Menard

1 IN THE HOUSE BY THE RESOURCES COMMITTEE
2 CS FOR HOUSE BILL NO. 18 (Resources)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act establishing the Willow Creek State Recre-
7 ation Area; and providing for an effective date."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. PURPOSE. The purpose of this Act is to:
10 (1) designate as a state recreation area the land and water
11 described in AS 41.21.491(a);
12 (2) emphasize and promote public and private recreational uses
13 and associated economic development activities in the unit; and
14 (3) maintain and enhance the fishery and wildlife habitat in the
15 unit.
16 * Sec. 2. AS 41.21 is amended by adding new sections to article 4 to
17 read:
18 Sec. 41.21.491. WILLOW CREEK STATE RECREATION AREA. (a) The
19 surface estate in the land and water owned by the state as of the
20 effective date of this Act and all land and water acquired by the
21 state in the future, including shore and submerged land, lying within
22 the parcels described in this subsection is designated as the Willow
23 Creek State Recreation Area:
24 Township 19 North, Range 4 West, Seward Meridian
25 Section 5: Lot 3, Lot 4, S1/2NE1/4NE1/4, SE1/4NW1/4NE1/4,
26 SW1/4NE1/4, N1/2NW1/4SE1/4, S1/2NW1/4
27 Section 6: Lot 3, Lot 4, Lot 5, SE1/4NW1/4
28 Township 19 North, Range 5 West, Seward Meridian
29 Section 1: SE1/4, W1/2, Tract A, Tract B, Tract C

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

Section 2

Section 3: N1/2

Township 20 North, Range 5 West, Seward Meridian

Section 34

Section 35

Section 36: S1/2

(b) The Department of Natural Resources may agree to manage land owned by the Matanuska-Susitna Borough that is within the parcels described in (a) of this section and that is designated by ordinance or resolution of the borough as a part of the Willow Creek State Recreation Area.

(c) Subject to valid existing rights, the land and water described in (a) of this section are designated as a special purpose area under art. VIII, sec. 7, Constitution of the State of Alaska.

(d) Except for oil and gas leasing under AS 38.05.180, the mineral estate in the state-owned land and water described in (a) of this section is closed to mineral entry under AS 38.05.181 - 38.05.-280.

Sec. 41.21.492. DESIGNATION OF MANAGEMENT RESPONSIBILITIES. (a) The land and water described in AS 41.21.491(a), including land and water owned by the Matanuska-Susitna Borough and designated by the borough in a management agreement under AS 41.21.491(b), are assigned to the Department of Natural Resources for control, maintenance, and development, consistent with the purposes of AS 41.21.491 - 41.21.497.

(b) Nothing in AS 41.21.491 - 41.21.497 affects the responsibilities of

(1) the Department of Fish and Game, the Board of Fisheries, or the Board of Game under AS 16 and AS 41.99.010;

(2) the Department of Environmental Conservation under

1 AS 46.03; or

2 (3) state agencies and municipalities under AS 44.19.-
3 145(a)(11) and AS 46.40.100.

4 Sec. 41.21.493. COMPREHENSIVE MANAGEMENT PLAN. The commissioner
5 shall develop and adopt a comprehensive management plan for the Willow
6 Creek State Recreation Area with the concurrence of the Matanuska-
7 Susitna Borough.

8 Sec. 41.21.494. REGULATIONS. The commissioner shall adopt
9 regulations under the Administrative Procedure Act (AS 44.62) that are
10 necessary to achieve the purposes of AS 41.21.491 - 41.21.497 and to
11 implement the plan adopted under AS 41.21.493. The regulations shall

12 (1) designate incompatible uses and prohibit or restrict
13 them;

14 (2) allow road, railroad, and utility crossing of Willow
15 Creek so as to minimize disturbance to the river's habitat and scenic
16 and recreation values;

17 (3) allow fishery rehabilitation or enhancement practices
18 under terms that are compatible with AS 41.21.491 - 41.21.497;

19 (4) allow the legal taking of fur-bearing animals; and

20 (5) allow for hunting, except where it must be prohibited
21 for reasons of public safety.

22 Sec. 41.21.495. ADDITIONAL LAND. (a) The commissioner may
23 acquire, in the name of the state, title to or an interest in land or
24 improvements on land that is adjacent to or within the boundaries of
25 the Willow Creek State Recreation Area in order to achieve the pur-
26 poses of AS 41.21.491 - 41.21.497. This acquisition may be by lease,
27 purchase, exchange under AS 38.50, bequest, gift, or other lawful
28 means, but not by eminent domain.

29 (b) The commissioner may adjust the boundaries of the Willow

1 Creek State Recreation Area under AS 38.05.295 - 38.05.300 by adding
2 state-owned land and water to achieve the purposes of AS 41.21.491 -
3 41.21.497.

4 Sec. 41.21.496. COOPERATIVE MANAGEMENT AGREEMENTS. The commis-
5 sioner may enter into cooperative management agreements with a federal
6 agency, a municipality, another state agency, or a private landowner
7 to achieve the purposes of AS 41.21.491 - 41.21.497.

8 Sec. 41.21.497. CIVIL ENFORCEMENT. In addition to any other
9 remedy provided by law, the attorney general may seek an injunction
10 and damages, at the request of the commissioner, for a violation of a
11 regulation adopted under AS 41.21.494 or a regulation that is applica-
12 ble to the Willow Creek State Recreation Area established under
13 AS 41.21.491.

14 * Sec. 3. The commissioner of natural resources shall adopt the compre-
15 hensive management plan under AS 41.21.493, enacted by sec. 2 of this Act,
16 within two years after the effective date of this Act. Until a boat launch
17 is constructed in the recreation area, the commissioner may not restrict
18 boating activities within the Willow Creek State Recreation Area except to
19 protect public safety.

20 * Sec. 4. This Act takes effect immediately under AS 01.10.070(c).

Original sponsors: Larson and Menard

1 IN THE HOUSE BY THE COMMUNITY AND
2 SENATE CS FOR CS FOR HOUSE BILL NO. 18 (C&RA) REGIONAL AFFAIRS COMMITTEE
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act establishing the Willow Creek State Recre-
7 ation Area; and providing for an effective date."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. PURPOSE. The purpose of this Act is to:
10 (1) designate as a state recreation area the land and water
11 described in AS 41.21.491(a);
12 (2) emphasize and promote public and private recreational uses
13 and associated economic development activities in the unit; and
14 (3) maintain and enhance the fishery and wildlife habitat in the
15 unit.
16 * Sec. 2. AS 41.21 is amended by adding new sections to article 4 to
17 read:
18 Sec. 41.21.491. WILLOW CREEK STATE RECREATION AREA. (a) The
19 surface estate in the land and water owned by the state as of the
20 effective date of this Act and all land and water acquired by the
21 state in the future, including shore and submerged land, lying within
22 the parcels described in this subsection is designated as the Willow
23 Creek State Recreation Area:
24 Township 19 North, Range 4 West, Seward Meridian
25 Section 5: Lot 3, Lot 4, S1/2NE1/4NE1/4, SE1/4NW1/4NE1/4,
26 SW1/4NE1/4, N1/2NW1/4SE1/4, S1/2NW1/4
27 Section 6: Lot 3, Lot 4, Lot 5, SE1/4NW1/4
28 Township 19 North, Range 5 West, Seward Meridian
29 Section 1: SE1/4, W1/2, Tract A, Tract B, Tract C

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

Section 2

Section 3: N1/2

Township 20 North, Range 5 West, Seward Meridian

Section 34

Section 35

Section 36: S1/2

(b) The Department of Natural Resources may agree to manage land owned by the Matanuska-Susitna Borough that is within the parcels described in (a) of this section and that is designated by ordinance or resolution of the borough as a part of the Willow Creek State Recreation Area.

(c) Subject to valid existing rights, the land and water described in (a) of this section are designated as a special purpose area under art. VIII, sec. 7, Constitution of the State of Alaska.

(d) Except for oil and gas leasing under AS 38.05.180, the mineral estate in the state-owned land and water described in (a) of this section is closed to mineral entry under AS 38.05.181 - 38.05.-280.

Sec. 41.21.492. DESIGNATION OF MANAGEMENT RESPONSIBILITIES. (a) The land and water described in AS 41.21.491(a), including land and water owned by the Matanuska-Susitna Borough and designated by the borough in a management agreement under AS 41.21.491(b), are assigned to the Department of Natural Resources for control, maintenance, and development, consistent with the purposes of AS 41.21.491 - 41.21.495.

(b) Nothing in AS 41.21.491 - 41.21.495 affects the responsibilities of

(1) the Department of Fish and Game, the Board of Fisheries, or the Board of Game under AS 16 and AS 41.99.010;

(2) the Department of Environmental Conservation under

1 AS 46.03; or

2 (3) state agencies and municipalities under AS 44.19.-
3 145(a)(11) and AS 46.40.100.

4 Sec. 41.21.493. COMPREHENSIVE MANAGEMENT PLAN. The commissioner
5 shall develop and adopt a comprehensive management plan for the Willow
6 Creek State Recreation Area with the concurrence of the Matanuska-
7 Susitna Borough.

8 Sec. 41.21.494. REGULATIONS. The commissioner shall adopt
9 regulations under the Administrative Procedure Act (AS 44.62) that are
10 necessary to achieve the purposes of AS 41.21.491 - 41.21.495 and to
11 implement the plan adopted under AS 41.21.493. The regulations shall

12 (1) designate incompatible uses and prohibit or restrict
13 them;

14 (2) allow road, railroad, and utility crossing of Willow
15 Creek so as to minimize disturbance to the river's habitat and scenic
16 and recreation values;

17 (3) allow fishery rehabilitation or enhancement practices
18 under terms that are compatible with AS 41.21.491 - 41.21.495;

19 (4) allow the legal taking of fur-bearing animals; and

20 (5) allow for hunting, except where it must be prohibited
21 for reasons of public safety.

22 Sec. 41.21.495. COOPERATIVE MANAGEMENT AGREEMENTS. The commis-
23 sioner may enter into cooperative management agreements with a federal
24 agency, a municipality, another state agency, or a private landowner
25 to achieve the purposes of AS 41.21.491 - 41.21.495.

26 * Sec. 3. The commissioner of natural resources shall adopt the compre-
27 hensive management plan under AS 41.21.493, enacted by sec. 2 of this Act,
28 within two years after the effective date of this Act. Until a boat launch
29 is constructed in the recreation area, the commissioner may not restrict

1 boating activities within the Willow Creek State Recreation Area except to
2 protect public safety.

3 * Sec. 4. This Act takes effect immediately under AS 01.10.070(c).

SENATE COMMITTEE REPORT

FURTHER: FINANCE

4/29/87

DATE TURNED INTO OFFICE _____

Mr. President:

RESOURCES _____ Committee considered _____ CSHB 18(Res) _____

establishing the Willow Creek State Recreation Area; efd.

and recommended:

[] replace with _____ CS FOR _____) [] same title
[] or adopt _____ CS FOR _____) [] new title

[] attached amendment(s) and

my
[x] do pass

[] do not pass

[] no recommendation

[] individual recommendations

[] further referral to _____

[] letter of intent adopted _____

Committee [] attached or [x] adopted fiscal note(s)

[] new [] updated or [x] previous
Amend [x] zero [] fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Mark Jones

Antonia Jurgulinski

Jim Durca

Paul Frabi

Frank J. Zimic (Notec)

John J. Smith

Chairman signature and recommendation

[] Committee Backup Attached

SENATE COMMITTEE REPORT

FURTHER: RESOURCES FINANCE

4/14/87

DATE TURNED INTO OFFICE 4/28/87

Mr. President:

C&RA Committee considered CSHB 18(Res)

establishing the Willow Creek State Recreation Area; efd.

and recommended:

replace with Senate CS FOR CSHB 18 (C+RA)) same title
 or adopt _____ CS FOR _____) new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted _____

Committee attached or adopted fiscal note(s)

new updated or previous House
House zero fiscal impact

MEMBERS SIGNING DO PASS

Rick Halford

OTHER RECOMMENDATIONS

Tim Kelly - No Rec
Mike J. Jaramola - No Rec
Fred D. Zharoff - No Rec

Arthur Stangorovich - Do Pass
Chairman signature and recommendation

Committee Backup Attached