

HB

227

1-LS0949\G
Kurtz
5/15/99

CS FOR HOUSE BILL NO. 227(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE HOUSE RESOURCES COMMITTEE

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVE OGAN

A BILL

FOR AN ACT ENTITLED

1 **"An Act modifying the Department of Natural Resources' power to control and**
2 **manage certain land within the Hatcher Pass Public Use Area and making that**
3 **land available for selection by the Matanuska-Susitna Borough."**

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

5 *** Section 1. FINDINGS OF FACT.** The legislature finds that making the lands specified
6 in sec. 2(b) of this Act available to the Matanuska-Susitna Borough for selection and
7 conveyance is consistent with the testimony and position of the Department of Natural
8 Resources at the time the Hatcher Pass Public Use Area was created. Furthermore, the
9 selection is consistent with that area of the public use area that is contained within the
10 development lease and authorized for development purposes in the Hatcher Pass Management
11 Plan, as amended.

12 *** Sec. 2. AVAILABILITY OF HATCHER PASS PUBLIC USE AREA LAND FOR**
13 **GENERAL GRANT LAND ENTITLEMENT OF THE MATANUSKA-SUSITNA**
14 **BOROUGH.** (a) Notwithstanding the reservation of land, designation of the reserved land

1 as the Hatcher Pass Public Use Area, and assignment of control and management of the land
2 to the Department of Natural Resources made by AS 41.23.130, and notwithstanding selection
3 procedures applicable to municipal general grant land entitlements under AS 29.65.010 -
4 29.65.140, the acreage necessary to accommodate the Hatcher Pass Ski Area, including a 100-
5 foot right-of-way, parking, maintenance, a day lodge, a ski lift base, a trail head, and utilities,
6 not to exceed a total of 160 acres of the land described in (b) of this section, is available for
7 selection by and, subject to AS 38.05.035 and 38.05.945 and a finding of compatibility with
8 the Hatcher Pass Management Plan as amended in November 1989, may be conveyed to the
9 Matanuska-Susitna Borough to fulfill the borough's general grant land entitlement under
10 AS 29.65.010 - 29.65.140.

11 (b) The Matanuska-Susitna Borough may select the acreage described in (a) of this
12 section from the following land within Township 19 North, Range 1 East, Seward Meridian,
13 that is part of the Hatcher Pass Public Use Area:

14 Section 2: S1/2SW1/4SW1/4

15 Section 10: E1/2E1/2

16 Section 11: Tract A

17 Section 14: Tract A

18 Section 15: E1/2E1/2

19 Section 22: E1/2E1/2

20 Section 27: E1/2E1/2.

21 (c) Any of the land described in (b) of this section

22 (1) that has not been selected by the Matanuska-Susitna Borough before
23 January 1, 2000, shall remain in the Hatcher Pass Public Use Area;

24 (2) that is selected by the Matanuska-Susitna Borough but not conveyed by the
25 Department of Natural Resources shall remain available for conveyance to the Matanuska-
26 Susitna Borough until all administrative and judicial appeals regarding the failure to convey
27 the selected land have been exhausted; and

28 (3) that is not ultimately conveyed to the Matanuska-Susitna Borough
29 following the exhaustion of administrative and judicial appeals shall remain in the Hatcher
30 Pass Public Use Area unless otherwise specified by law.

31 (d) The commissioner of natural resources shall promptly notify the revisor of statutes

- 1 of the conveyance made by the Department of Natural Resources to the Matanuska-Susitna
- 2 Borough of land described in (b) of this section.

AMENDMENT
to

HB 227 (Res) version 1-LS 0949\G

Page 2,

Line 5,

After the word "utilities," insert additional language to read, "and a 100 ft. right of way to village area."

Rationale: This access corridor was omitted and by delineating it gives additional assurances that the land desired for selection is strictly for access and not for recreational residential development.

Adopted

WRITTEN TESTIMONY

Please oppose HB 227. If the state of Alaska gives the land of Hatcher Pass to the Mat-Su Borough, the Borough has plans to sell the land to private development to make money for the ski area. The ski area was supposed to stand on its own financially.

Hatcher Pass is more economically valuable, undeveloped for its scenic drive and public access. I bet most people in the state do not want to see shops and houses along the Hatcher Pass Road. The Little Su River corridor is supposed to be protected, forever, for public access, recreation and river protection under the Hatcher Pass Management Plan. I do not think it is fair to change its designation.

The area by Government Peak is important wild life habitat since the rampant development occurring now in the valley is pushing the wild life all the way to the mountains, just the area the Borough wants to develop.

Please oppose HB 227. Don't give Hatcher Pass to the Mat-Su Borough. Do you want the area to look like the lower 48? Many people come to Hatcher Pass from the lower 48 ~~to~~ to enjoy its scenic beauty.

Ellen Americas
Palmer, Alaska

P.O. Box 875384
Wasilla, AK 99687
907-246-1492

FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. HB 227

Revision Date: 5-7-99
Title: Hatcher Pass Public Use Area

Dept. Affected DNR
BRU _____
Component _____

Sponsor: Representative Ogan
Requester: _____

Component Serial No. _____

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 00	FY 01	FY 02	FY 03	FY 04	FY 05
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES []						
------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1091 Designated Program Receipts						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY98) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by Lorali Meier, Lorali Meier

Phone 465-3715

House Resources Committee Aide

Phone _____

Date 5-7-99



Alaska State Legislature

Please enter into the record my testimony to the HOUSE REVENUES
 committee name
 committee on HB 227, dated 5-7-99
 bill/subject

TO WHOM IT MAY CONCERN;

PLEASE ACCEPT THIS AS MY
 TESTIMONY ON THE HATCHER PASS
 LANDS - I WAS UNABLE TO STAY
 @ THE WASHITA OFFICE 20 TO 2 SMALL
 KIDS OF MINE. I AM VERY CONCERNED
 ABOUT THIS CONVEYANCE OF LANDS TO
 THE BOROUGH WITHOUT LANGUAGE TO
 SAFEGUARD THE INTENT OF THE
 HATCHER PASS MANAGEMENT PLAN WHICH
 GUIDES & DIRECTS DEVELOPMENT. MY
 NEW \$250,000 HOME IS 75' FROM
 THE PLAN LANDS & I BUILT IT
 THE PLAN IN MIND. THANKS

Signed:

Testifier

NORM STOUT

Representing (Optional)

Address

Phone No.

HL 5 BOX 6878, PALMER

907-746-4055



Greater
Wasilla
Chamber of Commerce

Wasilla . . . "Home of the Iditarod"

415 E. Railroad Avenue • Wasilla, AK 99684 • Telephone (907) 376-1299 • Fax (907) 373-2560
Home Page: www.chamber.wasilla.ak.us • Email: chamber@wasilla.ak.us

May 3, 1999

Senator Lyda Green
Senate Finance Committee
State Capitol
Juneau, AK 99801-1182

Dear Senator Green:

The Board of Directors and Membership of the Greater Wasilla Chamber of Commerce wish to express our support for the Hatcher Pass Portion of S.B.140. Support for this Hatcher Pass Development Project has been overwhelming and is Valley-wide. The Valley Chambers have held numerous luncheon programs concerning the progress of this project, and the attendance has been excellent.

This project is part of our Chamber's Strategic Plan due to its importance to the Valley economy. It is anticipated that the Hatcher Pass Development Project will result in a four-season destination location for tourists, and the first phase of the project will provide approximately one hundred and seventy new jobs for our economy. In this time of fiscal challenges, we believe it is essential that the Legislature join with local governments and the private sector to develop employment opportunities to their full potential.

It is our understanding that the Hatcher Pass portions of S.B.140, when passed, will not change the use of the narrow strip of Public Use Area, that the Mat-Su Borough would be required to adhere to the Hatcher Pass Management Plan which was adopted ten years ago. We believe last minute opposition, six years after implementation of the ski resort lease, is another clear example of special interest "preservationists" who are committed to turning back the clock of progress, economic development, and job creation in the Mat-Su Borough and throughout Alaska. Responsible development of our resources is an economic imperative for our State! The Hatcher Pass Development Plan represents an example of responsible, considered economic development which has overwhelming support from citizens and the private sector, as well as local governments and all of our elected officials.

Senator, I sincerely hope that the endorsement of our Chamber provides you with all the encouragement and support needed for the Hatcher Pass portion of S.B.140 to be accepted by your committee. If you consider it necessary, I can "rally the troops" and inundate you with fax and email support from all of our members, but I believe you probably have an overabundance of communications to deal with already. Please let me know if you have any unanswered questions or reservations concerning the importance and popularity of the Hatcher Pass Development Project to the Mat-Su Borough.

Sincerely,

Ed Brittingham
Executive Director

EB/ml

MAT ♦ SU RC&D

Resource Conservation & Development Council

May 4, 1999

Senator Lyda Green
Senate Finance Committee
State Capitol
Juneau, AK 99801-1182

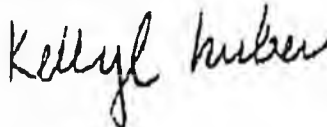
Dear Senator:

The Mat Su Resource Conservation & Development (RC&D) Council is the principle economic development entity for the region and is a partnership of the USDA RC&D program and the state's Alaska Regional Development Organization (ARDOR). The board of directors is made up of 23 representatives from the region's chambers of commerce, city councils, borough government, utilities, farmers, soil & water conservation districts, banking, school district and other principal economic interests.

The Mat Su RC&D Council has long been an active supporter of the Hatcher Pass development. We fully support the Hatcher Pass sections of Senate Bill 140 that authorizes municipal selection of the portion of the Hatcher Pass Public Use Area as described in the bill. The borough has agreed to manage these lands adhering to the Hatcher Pass Management Plan adopted 10 years ago. This action, supporting the ski resort development, will help boost our economy with new jobs.

The Council urges members of Senate Finance to retain the language in Senate Bill 140 relating to the Hatcher Pass land transfer.

Sincerely,



Kelly Huber
President

USDA



MAY- 5-99 WED 12:17 PM

May 08 08 08:09a

AK Rim Engineering, Inc.

807-748-0222

P. 1
p. 1

me's

Alaska
Rim
Engineering

Phone (907) 748-0222
Fax (907) 748-0222



P.O. Box 2749
Palmer, Alaska 99645

May 6, 1999

Dear Senator:

We support Senate Bill 140, that section of the bill authorizing conveyance of approximately 939 acres of state land to the Matanuska-Susitna Borough for the proposed Hatcher Pass Ski area. The economic impact of 170+ new jobs for phase I, ski resort development, is critical to the Valley economy.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Paul Campbell".

H. Paul Campbell
President



231 W. EVERGREEN AVE.
PALMER, ALASKA 99645

CITY OF PALMER



A HOME RULE CITY



Phone (907) 745-3271

May 5, 1999

Senator Lyda Green
Juneau
FAX one page

Dear Lyda,

The land problems that seem to be appearing over the future use of land in the Hatcher Pass area trouble me greatly. I seldom write you during session unless I regard Hatcher Pass development to be a major issue.

The Mat-Su Borough and the Palmer Chamber of Commerce have supported of a ski resort in Hatch Pass for many years. This is close to coming into reality, but there remains an important land issue that could block the development.

It appears that there is a problem with a portion of the land designated as a Public Use Area. There is such a large amount of land available in the Pass that if the one section of land is deeded over to the borough there will be enough land there for other public uses.

The ski resort planned would not put construction on the property in question. The land, although titled to the borough, would be available for the public to use. There would be no conflict with the original Hatcher Pass Management Plan.

The State did lease the questioned land for the Rogers Ski Resort, the one that failed. I see no conflict allowing the borough to hold the title to the land and leasing it for the latest ski resort planned by Davis Construction.

One complaint I often here is that the state has not been releasing land to the local governments. The borough request would answer these complaints. At a future time I would take of the issue of Palmer not receiving and land under the Municipal Land Act.

From information I have it appears a portion of SB 140 will make the changes the borough requests. I would add my support to SB140. We need the get leases in place to make the ski resort a reality. This is a good economic project that is being hindered by rules the legislature can change. I urge you to help get these changes enacted.

Many in this borough will fight any change in any area in the borough or cities. We go through major battles when we make zoning changes in Palmer. We have major battles each time we mention annexation. There is usually no valid reason for most objections other than we don't want any change. The "no change people" will object to Hatcher Pass, the ski resort, and any other change.

Now comes another request, a favor. We are without a city manager. This makes my life busy and sometime complicated. Since you are on the finance committee would you send copies of this letter to other members of the committee? Please?

Sincerely,

Henry Guinotte, Mayor

May 5, 1999

Senate Finance Members
Alaska State Legislature
Juneau, Alaska

Re: Senate Bill 140.

Dear Senators:

The Hatcher Pass Management Area Plan (HPMA) was adopted in 1986 with amendment in 1989. The original plan was a three year DNR effort starting in 1983. I attended all the public hearings in the planning process.

The Hatcher Pass Public Use Area (HPPUA) lies entirely within the HPMA which governs what is permissible. What is pertinent is that whether the land in question in SB140 is left in or taken out of the HPPUA, the management plan has primacy, except on the question of land transfer. This was the additional condition imposed by the HPPUA.

What is interesting is that the HPMA planning process was an administrative process with intensive local participation and the HPPUA was a legislative initiative by Senator Kertula with almost no local participation that took many of the participants in the planning process by surprise. At the time it seemed a gratuitous power play.

Another interesting occurrence is that up until the early 1990's cattle grazing took place in and was protected by the HPPUA. But the environmental interests wanted the grazing stopped and through the administrative process of HPMA planning were able to accomplish this. During this time you heard not one word from environmental interests about the HPPUA conditions. It seems they use the process for their own ends, not fair play.

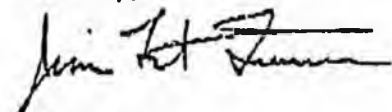
Salient Points:

1. The purpose of the Municipal Land Act is to transfer land from the state to the municipalities to encourage economic development and self-sufficiency of the municipalities. The transfer of this land in SB140 eminently accomplishes this.
2. The removal of this land from the HPPUA and allowing transfer to the Mat-Su Borough will not release the state, borough, or the developer from the obligation to adhere to the HPMA.

3. This strip of land is in the lease to the Hatcher Pass Development Company and major portions of the development will occur in this area, governed by the HPMA, regardless of whether the state or borough holds title.
4. The campaign by certain interests to derail this portion of SB140 is a blatant effort to undermine the ski resort development without regard for the facts. These interests have in the past acquiesced to this development as a part of a compromise in HPMA.

I appreciate your attention to this matter and thank you for this opportunity to address this issue.

Sincerely,



Jim Turner,
Matanuska-Susitna Borough Assemblymember

Hatcher Pass



Alaska At Its Best

GREATER PALMER CHAMBER OF COMMERCE

May 4, 1999

Senator Lyda Green
State Capitol
Juneau AK 99801-1182

Re: Senate Bill 140

Dear Senator Green:

The membership of the Greater Palmer Chamber of Commerce and the Board of Directors support the Hatcher Pass portion of Senate Bill 140 "which modifies the Department of Natural Resource's power to control and manage land within the Hatcher Pass Public Use Area and authorizes municipal selection of that land".

We have actively supported development of Hatcher Pass for many years and understand this legislation will facilitate that development. We supported the lease when it was issued in 1993 and still believe this project has great economic advantages for the entire Matanuska-Susitna Borough. The additional job opportunities for local residents, the tax revenue for the Borough and the spin-off businesses created as a result of a Hatcher Pass ski resort are some of the economic benefits from its development.

People were afforded ample opportunity to protest the lease during the many hours of public testimony which surrounded its approval and the property in question was included in that lease. To come out in protest 6 years after lease approval is ridiculous and is a blatant attempt to undermine the project. Acts by special interest groups to stop economic development is beginning to wear very thin to those of us who must earn a living and support our families.

Hatcher Pass development is one of Palmer Chamber of Commerce top priorities as it is with other Valley chambers of commerce. We have had large attendance at every meeting regarding Hatcher Pass that we sponsored and there has been no negative comments at any of these meetings.

If you have any questions or would like additional information, please contact me at the number listed below.

Sincerely,

Delores L. Prickett
Executive Director

To: All Greater Wasilla Chamber of Commerce Members
 From: Ed Brittingham, Executive Director
 Date: Tuesday May 3, 1999
 Subject: Member Fax

URGENT!**(Hatcher Pass Project Needs Your Support!)**

Senator Lydia Green, member of the Legislature's Senate Finance Committee, needs our support to save the Hatcher Pass portion of Senate Bill 140. This section of the Bill authorizes municipal selection and conveyance to the Mat-Su Borough of approximately 939 acres. This narrow strip of land, a portion of which is Public Use Area, is integral to the project development plans which the Mat-Su Borough is pursuing.

- This land will continue to be managed in adherence to the ten year old Hatcher Pass Management Plan.
- Part of this acreage was included by the State in their ski resort lease of 1993.
- The economic impact of 170+ new jobs from phase I, ski resort development, is critical to the Valley economy.
- Subsequent phases of the project, plus services which would also develop, will create additional growth and new jobs for our residents.
- Your support must be voiced today to the Senate Finance Committee

Members:

Senator John Torgerson - Co-Chair	- FAX# 465-4779
Senator Sean Farrell - Co-Chair	465-6892
Senator Dave Donley	465-6895
Senator Pate Kelly	465-5241
Senator Loren Lehman	465-3810
Senator Randy Phillips	465-4979
Senator Gary Wilken	465-4714
Senator Al Adams	465-4821
Senator Lydia Green	465-3805

Emails for all Senate Members are as follows:

Senator_firstname_lastname@legis.state.ak.us

Please speak out for Valley growth and development - the Hatcher Pass Project represents responsible, considered economic development which will provide new employment opportunities for you and your children. Do not allow more of Alaska to be locked away and placed off limits to us!

Thanks you,

Ed Brittingham,
 Executive Director
 Greater Wasilla Chamber of Commerce



REPRESENTATIVE SCOTT OGAN

Alaska State Legislature

House District 27 • Palmer • Greater Palmer • Sutton • Chickaloon • Sheep Mountain

MEMORANDUM

To: All House Resource Committee Members

From: Representative Ogan *AS*

Date: May 6, 1999

Re: HB 227 Hatcher Pass Resource Use Area

- This bill was introduced to specifically authorize in statute a transfer of a very small portion of DNR managed land from the Hatcher Pass Public Use Area to the Mat-Su Borough.
- This narrow strip of land is critical to the development of the Hatcher Pass ski area.
- The Department of Natural Resources has worked with the Borough to arrive at the language to proceed with the transfer.
- The language was not finalized until after the Bill was introduced, so it is included in the form of a Committee Substitute as underlined for your easy reference.
- I would appreciate any questions you might have being brought to me in advance of the meeting.
- Thank you.

1-LS0949AD
Kurtz/
5/6/99

CS FOR HOUSE BILL NO. 227()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE OGAN

A BILL

FOR AN ACT ENTITLED

1 "An Act modifying the Department of Natural Resources' power to control and
2 manage certain land within the Hatcher Pass Public Use Area and making that
3 land available for selection by the Matanuska-Susitna Borough; and providing
4 for an effective date."

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

6 * **Section 1.** FINDINGS OF FACT. The legislature finds that making the lands specified
7 in sec. 3(a) of this Act available to the Matanuska-Susitna Borough for selection and
8 conveyance is consistent with the testimony and position of the Department of Natural
9 Resources at the time the Hatcher Pass Public Use Area was created. Furthermore, the
10 selection is consistent with that area of the public use area that is contained within the
11 development lease and authorized for development purposes in the Hatcher Pass Management
12 Plan, as amended.

13 * **Sec. 2.** AS 41.23.130 is amended to read:

14 **Sec. 41.23.130. Hatcher Pass Public Use Area.** The vacant and

1 unappropriated state-owned land and water and the state land and water acquired in the
 2 future that lie within the boundaries described in this section are designated as the
 3 Hatcher Pass Public Use Area. are reserved for all uses compatible with their primary
 4 function as public use land. and are assigned to the department for control and
 5 management:

6 Township 19 North. Range 1 East. Seward Meridian

7 Section 1: NW1/4NW1/4, NW1/4NE1/4NW1/4, W1/2SW1/4NW1/4,
 8 NE1/4SW1/4NW1/4

9 Section 2: NE1/4. SE1/4NW1/4, SE1/4NE1/4NW1/4,
 10 SE1/4SW1/4NW1/4, SW1/4 exclusive of S1/2SW1/4SW1/4,
 11 NW1/4SE1/4, SW1/4SE1/4, NW1/4SE1/4SE1/4,
 12 W1/2NE1/4SE1/4, NE1/4NE1/4SE1/4

13 [SECTION 10: E1/2E1/2]

14 Section 11: W1/2. NW1/4NE1/4, exclusive of Tract A

15 Section 14: W1/2, exclusive of Tract A

16 [SECTION 15: E1/2E1/2]

17 [SECTION 22: E1/2E1/2]

18 Section 23: W1/2

19 Section 26: W1/2SW1/4, SW1/4NW1/4

20 [SECTION 27: E1/2E1/2]

21 Township 20 North. Range 1 East. Seward Meridian

22 Section 25: S1/2S1/2SE1/4

23 Section 35: SE1/4, SE1/4SE1/4NE1/4

24 Section 36: NE1/4, SW1/4, E1/2NW1/4, SW1/4NW1/4,
 25 SE1/4NW1/4NW1/4, NW1/4SE1/4, NW1/4NE1/4SE1/4,
 26 NW1/4SW1/4SE1/4

27 Township 20 North. Range 2 East. Seward Meridian

28 Section 9: E1/2SE1/4, E1/2SW1/4SE1/4, SE1/4SE1/4NE1/4

29 Section 10: W1/2SW1/4, E1/2NW1/4, SW1/4NW1/4,
 30 E1/2NW1/4NW1/4, W1/2NE1/4SW1/4, NW1/4NE1/4,
 31 NW1/4SW1/4NE1/4

- 1 Section 15: W1/2W1/2NW1/4
 2 Section 16: SE1/4, E1/2NE1/4, E1/2W1/2NE1/4
 3 Section 21: E1/2SW1/4, E1/2SW1/4SW1/4, SW1/4SW1/4SW1/4,
 4 SE1/4NW1/4SW1/4, NW1/4SE1/4, W1/2SW1/4SE1/4,
 5 NE1/4SW1/4SE1/4, W1/2NE1/4, W1/2NE1/4NE1/4,
 6 NW1/4SE1/4NE1/4, SE1/4NW1/4, E1/2NE1/4NW1/4,
 7 SW1/4NE1/4NW1/4
 8 Section 28: NW1/4, W1/2NW1/4NE1/4, NW1/4SW1/4,
 9 NW1/4SW1/4SW1/4, NW1/4NE1/4SW1/4
 10 Section 29: E1/2SE1/4, SE1/4NE1/4, SW1/4SE1/4, S1/2 NW1/4SE1/4,
 11 NE1/4NW1/4SE1/4, S1/2SW1/4, S1/2NE1/4SW1/4
 12 Section 30: S1/2S1/2S1/2, S1/2SE1/4
 13 Section 31: NW1/4, N1/2NE1/4, N1/2S1/2NE1/4
 14 Section 32: N1/2NW1/4, N1/2SW1/4NW1/4, NW1/4NW1/4NE1/4.

15 * Sec. 3. AVAILABILITY OF HATCHER PASS PUBLIC USE AREA LAND FOR
 16 GENERAL GRANT LAND ENTITLEMENT OF THE MATANUSKA-SUSITNA
 17 BOROUGH. (a) Notwithstanding the reservation of land, designation of the reserved land
 18 as the Hatcher Pass Public Use Area, and assignment of control and management of the land
 19 to the Department of Natural Resources made by AS 41.23.130, and notwithstanding selection
 20 procedures applicable to municipal general grant land entitlements under AS 29.65.010 -
 21 29.65.140, the following land within Township 19 North, Range 1 East, Seward Meridian, that
 22 is part of the Hatcher Pass Public Use Area is available for selection by and, subject to
 23 AS 38.05.035 and 38.05.945 and a finding of compatibility with the Hatcher Pass Management
 24 Plan, may be conveyed to the Matanuska-Susitna Borough to fulfill the borough's general
 25 grant land entitlement under AS 29.65.010 - 29.65.140:

- 26 Section 2: S1/2SW1/4SW1/4
 27 Section 10: E1/2E1/2
 28 Section 11: Tract A
 29 Section 14: Tract A
 30 Section 15: E1/2E1/2
 31 Section 22: E1/2E1/2

1 Section 27: E1/2E1/2.

2 (b) Any of the land described in (a) of this section

3 (1) that has not been selected by the Matanuska-Susitna Borough before
4 January 1, 2000, shall remain in the Hatcher Pass Public Use Area:

5 (2) that is selected by the Matanuska-Susitna Borough but not conveyed by the
6 Department of Natural Resources shall remain available for conveyance to the Matanuska-
7 Susitna Borough until all administrative and judicial appeals regarding the failure to convey
8 the selected land have been exhausted; and

9 (3) that is not ultimately conveyed to the Matanuska-Susitna Borough
10 following the exhaustion of administrative and judicial appeals shall remain in the Hatcher
11 Pass Public Use Area unless otherwise specified by law.

12 * Sec. 4. Section 2 of this Act takes effect on the date of conveyance by the Department
13 of Natural Resources to the Matanuska-Susitna Borough of all land described in sec. 3(a) of
14 this Act. The commissioner of natural resources shall promptly notify the revisor of statutes
15 of the conveyance made by the Department of Natural Resources to the Matanuska-Susitna
16 Borough of land described in sec. 3(a) of this Act.

