

LEG. FINANCE - BILLS 1983 - 1984 2022

CSSB 108

2022

**COMMITTEE REPORT**  
**HOUSE**

(11)

FURTHER:

5/27/83

Date: 6-1-83

Mr. Speaker:

The Committee on FINANCE has had CSSB 108 (Res)

"An Act establishing the Tanana Valley State Forest and a program for the management of state forests and forest land of the state; and providing for an effective date."

under consideration and reports it back as follows:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for CSSB 108 (Fin)  same title  
 new title
- and recommends 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation  Zero Fiscal Note Attached
- referred to the \_\_\_\_\_ Committee

**MEMBERS SIGNING  
DO PASS**

**MEMBERS HAVING  
OTHER RECOMMENDATIONS:**

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**CHAIRMAN**

Original sponsors: Fahrenkamp, V. Fischer,  
Sturgulewski, et al

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 108 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Tanana Valley State Forest  
7 and a program for the management of state forests and  
8 forest land of the state; and providing for an effective  
9 date."

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

11 \* Section 1. AS 41.17 is amended by adding new sections to read:

12 ARTICLE 2. STATE FOREST SYSTEM.

13 Sec. 41.17.200. STATE FOREST PURPOSES. The purpose of AS 41.-  
14 17.200 - 41.17.230 is to permit the establishment of designated state-  
15 owned or acquired land and water areas as state forests. The primary  
16 purpose in the establishment of state forests is the perpetuation of  
17 personal, commercial, and other beneficial uses of resources through  
18 multiple-use management.

19 Sec. 41.17.210. STATE FORESTS. (a) The governor may propose to  
20 the legislature the establishment of state forests consisting primar-  
21 ily of commercially valuable forest land determined by the governor to  
22 be necessary for retention in state ownership for management under the  
23 principles of multiple use and sustained yield and consistent with  
24 AS 38.04.005. The proposal of the governor shall include a report and  
25 recommendations of the commissioner including

26 (1) a preliminary forest inventory;

27 (2) a summary of the testimony offered at public hearings  
28 held on the management of the proposed state forest in communities  
29 proximately located to a proposed state forest;

1 (3) the findings of the commissioner on anticipated incompatibilities of uses described in AS 41.17.230(e) under AS 41.17.-  
2 230(f);  
3

4 (4) written comments from appropriate state agencies on the  
5 compatibility of the uses described in AS 41.17.230(e) within the  
6 proposed state forest;

7 (5) an estimate of the cost of a full implementation of an  
8 operational level forest inventory and the management plan.

9 (b) A state forest established by the legislature shall be  
10 retained in state ownership.

11 Sec. 41.17.220. MANAGEMENT OF STATE FORESTS. Land within a  
12 state forest or within a unit of a state forest shall be managed under

- 13 (1) the principles of multiple-use and sustained yield;  
14 (2) this chapter; and  
15 (3) a management plan prepared by the department.

16 Sec. 41.17.230. MANAGEMENT PLANS. (a) The commissioner shall  
17 prepare a management plan consistent with AS 33.04.005 and this chap-  
18 ter for each state forest and for each unit of a state forest to  
19 assist in meeting the requirements of this chapter. An operational  
20 level forest inventory shall be completed before a management plan for  
21 the state forest or the unit of a state forest is adopted. The man-  
22 agement plan shall be adopted, implemented and maintained within three  
23 years of the establishment of a state forest by the legislature.

24 (b) The commissioner shall review a management plan at least  
25 once every five years and may revise the plan when necessary.

26 (c) A management plan may not be adopted or revised after the  
27 establishment of the state forest without prior review by the Board of  
28 Forestry and by other appropriate state agencies or without public  
29 hearings held in a community proximately located to the state forest

1 or to a unit of a state forest.

2 (d) A copy of a management plan or a revision to a management  
3 plan adopted or prepared by the commissioner shall be provided to the  
4 legislature within 30 days of its adoption or revision or within the  
5 first 10 days of the first regular session of the legislature to  
6 convene after its adoption or revision.

7 (e) The commissioner shall consider and permit the following  
8 uses under a management plan prepared under (a) or (b) of this section  
9 subject to a determination under (f) of this section:

- 10 (1) commercial timber harvest and related activities;
- 11 (2) harvest of forest products for personal use;
- 12 (3) mining, mining claim, and mineral leasehold location;
- 13 (4) mineral leasing;
- 14 (5) material extraction;
- 15 (6) recreation;
- 16 (7) wildlife and fisheries habitat management including  
17 critical habitat management;
- 18 (8) greenbelts;
- 19 (9) trapping and sport and subsistence fishing and hunting;
- 20 (10) grazing;
- 21 (11) watershed management;
- 22 (12) research;
- 23 (13) uses consistent with the policies of AS 38.04.015; and
- 24 (14) other traditional, compatible uses.

25 (f) A management plan prepared by the commissioner shall con-  
26 sider and permit the uses described in (e) of this section. If the  
27 commissioner finds that a permitted use is incompatible with one or  
28 more other uses in a portion of a state forest, the commissioner shall  
29 affirmatively state in the management plan that finding of

1 incompatibility for the specific area where the incompatibility is  
2 anticipated to exist and the time period when the incompatibility is  
3 anticipated to exist together with the reasons for each finding.

4 \* Sec. 2. AS 41.17 is amended by adding new sections to read:

5 ARTICLE 3. STATE LAND REFORESTATION.

6 Sec. 41.17.300. STATE LAND REFORESTATION FUND. A state land  
7 reforestation fund is established in the department. The money in the  
8 state land reforestation fund may be used only for the reforestation  
9 of state land, including site preparation, seed and seedling acquisi-  
10 tion and cultivation, planting, and other reforestation measures,  
11 timber stand improvement, and the development of materials and tech-  
12 niques for the reforestation of state land.

13 Sec. 41.17.310. APPROPRIATIONS TO STATE LAND REFORESTATION FUND.

14 (a) The state land reforestation fund consists of money appropriated  
15 by the legislature and contributions from private donors. It is the  
16 intent of the legislature that the appropriations made to the fund  
17 equal no less than 25 percent of the revenues from the sale of timber  
18 and other forest products from state land as well as the total reve-  
19 nues from

20 (1) compensation for loss or damage to land within a state  
21 forest; and

22 (2) the federal government and other governmental units for  
23 reforestation.

24 (b) Money appropriated to or paid into the state land reforesta-  
25 tion fund does not lapse.

26 Sec. 41.17.320. REPORT TO THE LEGISLATURE. The commissioner  
27 shall make an annual report to the legislature within the first 10  
28 days of each session of the legislature on the uses of the money in  
29 the state land reforestation fund, the proposed uses of the fund in

1 the following fiscal year, and the balance in the fund.

2 \* Sec. 3. AS 41.17 is amended by adding a new section to read:

3 ARTICLE 4. TANANA VALLEY STATE FOREST.

4 Sec. 41.17.400. TANANA VALLEY STATE FOREST. (a) Subject to  
5 valid existing rights and except for land owned by or transferred to  
6 the University of Alaska under a settlement agreement between the  
7 state and the university, the state-owned or acquired land and water  
8 lying within the parcels described in (d) of this section is desig-  
9 nated as the Tanana Valley State Forest.

10 (b) The commissioner shall prepare a management plan for the  
11 Tanana Valley State Forest under AS 41.17.230. The commissioner shall  
12 submit the management plan to the legislature for its approval within  
13 the first 10 days of the Second Session of the Fourteenth State  
14 Legislature. The management plan for the Tanana Valley State Forest  
15 is approved unless the legislature adopts legislation disapproving the  
16 management plan.

17 (c) The commissioner shall consider and permit the uses de-  
18 scribed in AS 41.17.230(e) within the Tanana Valley State Forest,  
19 subject to the procedures established in AS 41.17.230(f). The commis-  
20 sioner may establish transportation corridors within the Tanana Valley  
21 State Forest.

22 (d) The Tanana Valley State Forest includes the state-owned or  
23 acquired land and water lying within the following described parcels.

24 Township 1 North, Range 2 East, Fairbanks Meridian

25 Sections 1 - 3

26 Sections 10 - 12

27 Sections 13 - 15, N1/2

28 Township 1 North, Range 3 East, Fairbanks Meridian

29 Section 1, E1/2, E1/2SW1/4, SW1/4SW1/4, SE1/4NW1/4

1 Section 2, NW1/4, NW1/4SW1/4  
2 Sections 3 - 5  
3 Section 6, N1/2  
4 Section 7, E1/2E1/2  
5 Sections 8 - 9  
6 Section 10, NW1/4SW1/4, N1/2NW1/4, SW1/4NW1/4  
7 Section 11, E1/2, S1/2SW1/4  
8 Sections 12 - 14  
9 Section 15, S1/2NE1/4, NE1/4NE1/4, S1/2  
10 Township 1 North, Range 4 East, Fairbanks Meridian  
11 Sections 1 - 12  
12 Sections 16 - 18  
13 Township 1 North, Range 5 East, Fairbanks Meridian  
14 Sections 6 - 10  
15 Sections 15 - 16  
16 Township 1 North, Range 4 West, Fairbanks Meridian  
17 Section 5, W1/2  
18 Sections 6 - 11  
19 Section 15  
20 Sections 16 - 24  
21 Section 27  
22 Section 28, NE1/4, NE1/4SE1/4  
23 Section 29, S1/2, W1/2NW1/4  
24 Sections 30 - 32  
25 Section 33, W1/2  
26 Township 1 North, Range 5 West, Fairbanks Meridian  
27 Township 1 North, Range 8 West, Fairbanks Meridian  
28 Sections 17 - 20, except for the area south of the  
29 Tanana River

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Sections 29 - 34, except for the area south of the  
Tanana River

Section 35, W1/2, except for the area south of the  
Tanana River

Township 1 North, Range 9 West, Fairbanks Meridian

Sections 13 - 36, except for the area south of the  
Tanana River

Township 1 North, Range 10 West, Fairbanks Meridian

Sections 13 - 36, except for the area south of the  
Tanana River

Township 1 North, Range 11 West, Fairbanks Meridian

Sections 5 - 7  
Sections 18 - 19  
Sections 30 - 36

Township 1 North, Range 12 West, Fairbanks Meridian

Township 1 North, Range 13 West, Fairbanks Meridian

Sections 1 - 3  
Sections 10 - 15  
Sections 22 - 26  
Sections 35 - 36

Township 2 North, Range 2 East, Fairbanks Meridian

Sections 34 - 36

Township 2 North, Range 3 East, Fairbanks Meridian

Sections 13 - 16  
Sections 21 - 20  
Sections 31 - 36

Township 2 North, Range 4 East, Fairbanks Meridian

Sections 5 - 8  
Sections 17 - 19

1                   Section 30, R1/2  
2           Township 2 North, Range 3 West, Fairbanks Meridian  
3                   Section 11, S1/2  
4                   Section 12, S1/2  
5                   Sections 13 - 17  
6                   Sections 19 - 24  
7           Township 2 North, Range 4 West, Fairbanks Meridian  
8                   Sections 2 - 6  
9           Township 2 North, Range 5 West, Fairbanks Meridian  
10          Township 2 North, Range 10 West, Fairbanks Meridian  
11                   Sections 4 - 7  
12          Township 2 North, Range 11 West, Fairbanks Meridian  
13                   Sections 1 - 12  
14                   Sections 16 - 21  
15                   Sections 28 - 33  
16          Township 2 North, Range 12 West, Fairbanks Meridian  
17          Township 2 North, Range 13 West, Fairbanks Meridian  
18                   Sections 1 - 30  
19                   Sections 33 - 36  
20          Township 2 North, Range 14 West, Fairbanks Meridian  
21                   Sections 23 - 26  
22          Township 3 North, Range 2 West, Fairbanks Meridian  
23                   Section 7, Tract E, ASLS 81-20  
24                   Section 8, Tracts H,J,K,L, ASLS 81-20  
25                   Section 17, Tracts M,N,O, ASLS 81-20  
26                   Section 18, Tracts A,B, ASLS 81-20  
27                   Section 19  
28          Township 3 North, Range 3 West, Fairbanks Meridian  
29                   Section 13

1                   Sections 19 - 31

2                   Township 3 North, Range 4 West, Fairbanks Meridian

3                   Section 3, west of Washington Creek

4                   Sections 4 - 8

5                   Township 3 North, Range 5 West, Fairbanks Meridian

6                   Section 1

7                   Sections 4 - 5, north of left limit of Tatalina River

8                   Sections 6 - 7

9                   Sections 11 - 36

10                  Township 3 North, Range 6 West, Fairbanks Meridian

11                  Sections 1 - 12

12                  Township 3 North, Range 7 West, Fairbanks Meridian

13                  Sections 1 - 3

14                  Sections 10 - 12

15                  Township 3 North, Range 10 West, Fairbanks Meridian

16                  Sections 1 - 10

17                  Sections 15 - 33

18                  Township 3 North, Range 11 West, Fairbanks Meridian

19                  Sections 1 - 3

20                  Sections 10 - 15

21                  Sections 19 - 36

22                  Township 3 North, Range 12 West, Fairbanks Meridian

23                  Sections 19 - 21, east of right limit of Hutlitakwa  
24                  Creek

25                  Sections 22 - 29

26                  Section 30, east of right limit of Hutlitakwa Creek

27                  Sections 31 - 36

28                  Township 3 North, Range 13 West, Fairbanks Meridian

29                  Sections 3 - 4

1 Section 9  
2 Sections 16 - 17  
3 Sections 19 - 20  
4 Section 21, W1/2  
5 Sections 25 - 26, east of right limit of Hutlitakwa  
6 Creek  
7 Sections 29 - 32  
8 Sections 34 - 35, east of right limit of Hutlitakwa  
9 Creek  
10 Section 36  
11 Township 3 North, Range 14 West, Fairbanks Meridian  
12 Section 25, E1/2  
13 Section 36  
14 Township 4 North, Range 5 West, Fairbanks Meridian  
15 Section 1, west of left limit of Tatalina River  
16 Sections 2 - 10  
17 Sections 11 - 12, west of left limit of Tatalina River  
18 Sections 14 - 15, west of left limit of Tatalina River  
19 Sections 16 - 21  
20 Section 22, west of left limit of Tatalina River  
21 Sections 27 - 28, west of left limit of Tatalina River  
22 Sections 29 - 32  
23 Section 33, west of left limit of Tatalina River  
24 Township 4 North, Range 6 West, Fairbanks Meridian  
25 Section 1  
26 Sections 10 - 15  
27 Sections 22 - 36  
28 Township 4 North, Range 7 West, Fairbanks Meridian  
29 Sections 25 - 29

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Sections 32 - 36

Township 4 North, Range 13 West, Fairbanks Meridian

Section 27

Section 33, SE1/4

Section 34

Township 5 North, Range 5 West, Fairbanks Meridian

Sections 1 - 2, west of Slate Creek

Sections 3 - 5

Section 6, E1/2

Section 7, E1/2

Sections 8 - 11

Section 12, west of Slate Creek

Sections 13 - 17

Section 18, E1/2

Sections 19 - 36

Township 6 North, Range 4 West, Fairbanks Meridian

Section 5, west of Alyeska Pipeline right-of-way  
and north of left limit of Slate Creek

Section 6, west of Alyeska Pipeline right-of-way

Sections 7 - 8, west of left limit of Slate Creek

Sections 18 - 19, west of left limit of Slate Creek

Township 6 North, Range 5 West, Fairbanks Meridian

Sections 1 - 4

Section 5, E1/2

Section 8, E1/2

Sections 9 - 16

Section 17, E1/2

Sections 20 - 23

Sections 24 - 26, west of left limit of Slate Creek

1 Sections 27 - 29  
2 Sections 32 - 34  
3 Section 35, west of left limit of Slate Creek  
4 Township 7 North, Range 4 West, Fairbanks Meridian  
5 Sections 30 - 31, west of Alyeska Pipeline right-  
6 of-way  
7 Township 7 North, Range 5 West, Fairbanks Meridian  
8 Section 15, west of Alyeska Pipeline right-of-way  
9 Section 16, E1/2  
10 Section 21, E1/2  
11 Sections 22 - 23, west of Alyeska Pipeline right-  
12 of-way  
13 Sections 25 - 26, west of Alyeska Pipeline right-  
14 of-way  
15 Section 27  
16 Section 28, E1/2  
17 Section 33, E1/2  
18 Sections 34 - 36  
19 Township 15 North, Range 11 East, Copper River Meridian  
20 Sections 1 - 2  
21 Section 3, excl. ASLS 78-42  
22 Sections 4 - 8  
23 Sections 17 - 19  
24 Section 30  
25 Section 31  
26 Township 16 North, Range 11 East, Copper River Meridian  
27 Sections 1 - 3  
28 Sections 10 - 15  
29 Sections 22 - 36

1 Township 16 North, Range 12 East, Copper River Meridian

2 Sections 1 - 12

3 Sections 14 - 22

4 Sections 28 - 32

5 Township 17 North, Range 11 East, Copper River Meridian

6 Sections 1 - 3

7 Sections 10 - 15

8 Township 17 North, Range 12 East, Copper River Meridian

9 Sections 5 - 6, west of Eagle Trail

10 Sections 7 - 8

11 Section 9, west of Eagle Trail

12 Sections 15 - 16, west of Eagle Trail

13 Sections 17 - 21

14 Sections 22 - 23, west of Eagle Trail

15 Section 26, west of Eagle Trail

16 Sections 27 - 34

17 Section 35, west of Eagle Trail

18 Township 18 North, Range 11 East, Copper River Meridian

19 Section 26, west of Eagle Trail

20 Sections 27 - 33

21 Sections 34 - 36, west of Eagle Trail

22 Township 19 North, Range 9 East, Copper River Meridian

23 Sections 1 - 21

24 Township 19 North, Range 13 East, Copper River Meridian

25 Sections 1 - 4

26 Sections 5 - 6, excl. F028758

27 Sections 7 - 16

28 Section 17, northeast of Tanana River

29 Section 18, north of Tanana River

1 Section 20, northeast of Tanana River

2 Section 21, north of Tanana River

3 Sections 22 - 27

4 Section 28, north of Tanana River

5 Section 29, east of Tanana River

6 Section 34, north and east of Tanana River

7 Section 35, north of Tanana River

8 Section 36

9 Township 19 North, Range 14 East, Copper River Meridian

10 Township 19 North, Range 15 East, Copper River Meridian

11 Township 20 North, Range 9 East, Copper River Meridian

12 Township 20 North, Range 10 East, Copper River Meridian

13 Sections 1 - 4

14 Section 7, excl. NA, Par. E, F1655

15 Sections 8 - 12

16 Sections 15 - 16

17 Sections 17 - 18, excl. NA, Par. D, F12113

18 Sections 19 - 21

19 Sections 28 - 33

20 Township 20 North, Range 11 East, Copper River Meridian

21 Sections 1 - 16

22 Section 17, excl. NA, Par. C, F12548

23 Section 18

24 Sections 20 - 23

25 Sections 28 - 29

26 Section 32

27 Section 33, excl. USS 4377, NA, Par. A, F12549, NA,

28 Par. B, F-14422

29 Township 20 North, Range 12 East, Copper River Meridian

1 Sections 20 - 23

2 Section 24, excl. NA, F-12107

3 Sections 25 - 29

4 Sections 34 - 36

5 Township 20 North, Range 13 East, Copper River Meridian

6 Township 21 North, Range 8 East, Copper River Meridian

7 Sections 1 - 5

8 Sections 9 - 17

9 Sections 23 - 25

10 Section 27, excl. USS 3620

11 Section 36

12 Township 21 North, Range 9 East, Copper River Meridian

13 Sections 3 - 23

14 Sections 26 - 35

15 Township 21 North, Range 10 East, Copper River Meridian

16 Township 22 North, Range 8 East, Copper River Meridian

17 Sections 1 - 5

18 Sections 8 - 18

19 Sections 20 - 24

20 Sections 27 - 32

21 Sections 34 - 36

22 Township 22 North, Range 9 East, Copper River Meridian

23 Sections 4 - 9

24 Sections 16 - 36

25 Township 23 North, Range 5 East, Copper River Meridian

26 Sections 1 - 3

27 Sections 10 - 15

28 Sections 21 - 24

29 Township 23 North, Range 6 East, Copper River Meridian

1                   Sections 5 - 7  
2           Township 23 North, Range 7 East, Copper River Meridian  
3                   Sections 1 - 30  
4           Township 23 North, Range 8 East, Copper River Meridian  
5                   Sections 6 - 7  
6                   Section 18  
7                   Sections 25 - 27  
8                   Sections 32 - 36  
9           Township 23 North, Range 9 East, Copper River Meridian  
10          Township 24 North, Range 5 East, Copper River Meridian  
11                   Sections 1 - 5  
12                   Sections 8 - 17  
13                   Sections 20 - 29  
14                   Sections 34 - 36  
15          Township 24 North, Range 7 East, Copper River Meridian  
16                   Sections 1 - 30  
17                   Sections 32 - 36  
18          Township 25 North, Range 6 East, Copper River Meridian  
19          Township 25 North, Range 8 East, Copper River Meridian  
20          Township 26 North, Range 5 East, Copper River Meridian  
21                   Sections 1 - 20  
22          Township 26 North, Range 6 East, Copper River Meridian  
23          Township 1 South, Range 3 East, Fairbanks Meridian  
24                   Section 1  
25                   Sections 11 - 14  
26                   Section 15, S1/2, S1/2NW1/2  
27                   Section 16  
28                   Section 23, NE1/4  
29                   Section 24, N1/2

1 Township 1 South, Range 4 East, Fairbanks Meridian

2 Sections 1 - 2

3 Section 4, S1/2

4 Section 5, S1/2, NW1/4

5 Sections 6 - 7

6 Section 8, north of Chena River

7 Section 9, the NW1/4 north of Chena River, N1/2NE1/4

8 Section 10, NE1/4

9 Section 11

10 Section 12, N1/2

11 Section 17, north of Chena River

12 Section 18

13 Township 1 South, Range 5 East, Fairbanks Meridian

14 Section 6

15 Township 1 South, Range 4 West, Fairbanks Meridian

16 Section 4, SW1/4

17 Sections 7 - 8

18 Section 9, NW1/4

19 Section 18, N1/2

20 Section 23, SE1/4, SE1/4NE1/4

21 Sections 24 - 29

22 Section 32, N1/2N1/2

23 Section 34, excl. NW1/4NW1/4

24 Sections 35 - 36

25 Township 1 South, Range 5 West, Fairbanks Meridian

26 Sections 2 - 12

27 Section 13, N1/2

28 Sections 14 - 23

29 Sections 28 - 30

1 Section 31, N1/2, N1/2S1/2

2 Section 32, N1/2, N1/2S1/2

3 Township 1 South, Range 6 West, Fairbanks Meridian

4 Sections 1 - 4

5 Sections 9 - 16

6 Sections 21 - 28

7 Sections 32 - 34

8 Section 35, E1/2

9 Section 36, N1/2

10 Township 1 South, Range 8 West, Fairbanks Meridian

11 Sections 3 - 10, except for the area south of the  
12 Tanana River

13 Sections 15 - 22, except for the area south of the  
14 Tanana River

15 Sections 27 - 34, except for the area south of the  
16 Tanana River

17 Township 1 South, Range 10 West, Fairbanks Meridian

18 Sections 1 - 6, except for the area south of the  
19 Tanana River

20 Township 1 South, Range 11 West, Fairbanks Meridian

21 Sections 1 - 24, except for the area south of the  
22 Tanana River

23 Sections 27 - 34, except for the area south of the  
24 Tanana River

25 Township 1 South, Range 12 West, Fairbanks Meridian

26 Sections 1 - 2

27 Sections 11 - 14

28 Section 21, south of the unnamed creek

29 Sections 22 - 28

1 Sections 31 - 32, south of right limit of Tanana River

2 Sections 33 - 36

3 Township 1 South, Range 13 West, Fairbanks Meridian

4 Section 27, north of a branch of Tanana River

5 Sections 34 - 36, north of a branch of Tanana River

6 Township 2 South, Range 3 West, Fairbanks Meridian

7 Sections 6 - 7

8 Sections 18 - 19

9 Sections 20 - 24, north of military reservation

10 Sections 28 - 29, north of military reservation

11 Sections 30 - 31

12 Section 32, north of military reservation

13 Township 2 South, Range 4 West, Fairbanks Meridian

14 Sections 1 - 3

15 Section 7, SE1/4SE1/4

16 Sections 10 - 15

17 Sections 22 - 27

18 Sections 34 - 36

19 Township 2 South, Range 5 West, Fairbanks Meridian

20 Sections 1 - 2

21 Sections 7 - 22

22 Township 2 South, Range 6 West, Fairbanks Meridian

23 Section 3

24 Section 4, N1/2, SE1/4, SW1/4SW1/4

25 Section 5

26 Sections 10 - 12

27 Section 16

28 Township 2 South, Range 7 West, Fairbanks Meridian

29 Section 35, SE1/4SE1/4

1 Section 36, SE1/4, SE1/4NE1/4, E1/2SW1/4, SW1/4SW1/4  
2 Township 2 South, Range 11 West, Fairbanks Meridian  
3 Section 6, except for the area south of the Tanana  
4 River  
5 Township 2 South, Range 12 West, Fairbanks Meridian  
6 Sections 1 - 24, except for the area south of the  
7 Tanana River  
8 Sections 27 - 34, except for the area south of the  
9 Tanana River  
10 Township 2 South, Range 13 West, Fairbanks Meridian  
11 Sections 1 - 6  
12 Section 7, Tracts A,B and C, ASLS 81-54 SW1/4  
13 Section 8, NE1/4, Tracts D,E,F, ASLS 81-54  
14 Sections 9 - 30  
15 Sections 33 - 36  
16 Township 3 South, Range 3 West, Fairbanks Meridian  
17 Sections 6 - 7, north of military reservation  
18 Township 3 South, Range 4 West, Fairbanks Meridian  
19 Sections 1 - 11  
20 Section 12, north of military reservation  
21 Sections 14 - 15, north of military reservation  
22 Section 16  
23 Section 17, north of military reservation  
24 Sections 20 - 22, north of military reservation  
25 Township 3 South, Range 5 West, Fairbanks Meridian  
26 Section 1  
27 Sections 11 - 12  
28 Section 13, NW1/4NW1/4, Lots 2 - 4  
29 Sections 14 - 15

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Section 19, north of right limit of Tanana River,  
excl. NE1/4NE1/4

Section 20, north of right limit of Tanana River,  
excl. Lot 3

Section 21, north of right limit of Tanana River  
Section 31, Lot 2

Township 3 South, Range 6 West, Fairbanks Meridian  
Sections 13 - 36

Township 3 South, Range 7 West, Fairbanks Meridian  
Sections 33 - 36

Township 3 South, Range 12 West, Fairbanks Meridian  
Sections 3 - 10

Sections 15 - 19  
Section 30

Township 3 South, Range 13 West, Fairbanks Meridian  
Section 12, E1/2

Section 13  
Section 14, E1/2

Sections 24 - 25  
Section 26, E1/2

Sections 35 - 36

Township 4 South, Range 6 West, Fairbanks Meridian  
Sections 1 - 12

Sections 14 - 18

Township 4 South, Range 7 West, Fairbanks Meridian  
Sections 1 - 12

Sections 13 - 14, north of left limit of Tanana River  
Section 18, Lots 3-6

Township 4 South, Range 13 West, Fairbanks Meridian

1                   Sections 1 - 2

2                   Sections 3 - 4, east of left limit of Kantishna River

3                   Sections 8 - 10, east of left limit of Kantishna River

4                   Section 11

5                   Section 15

6                   Sections 16 - 17, east of left limit of Kantishna

7                   River

8                   Sections 20 - 21, east of left limit of Kantishna

9                   River

10                  Section 22

11                  Sections 27 - 29, east of left limit of Kantishna

12                  River

13                  Sections 33 - 34, east of left limit of Kantishna River

14                  Township 5 South, Range 5 East, Fairbanks Meridian

15                  Sections 25 - 29

16                  Sections 33 - 36

17                  Township 5 South, Range 6 East, Fairbanks Meridian

18                  Sections 28 - 29

19                  Section 30, S1/2

20                  Sections 31 - 34

21                  Section 36, S1/2

22                  Township 5 South, Range 8 East, Fairbanks Meridian

23                  Sections 1 - 6

24                  Sections 8 - 17

25                  Sections 20 - 30

26                  Sections 32 - 36

27                  Township 5 South, Range 9 East, Fairbanks Meridian

28                  Sections 4 - 9

29                  Sections 13 - 36

1 Township 6 South, Range 5 East, Fairbanks Meridian

2 Sections 1 - 4

3 Sections 9 - 15

4 Section 16, S1/2, NE1/4

5 Section 20, S1/2

6 Sections 21 - 28

7 Section 29, N1/2

8 Section 36

9 Township 6 South, Range 6 East, Fairbanks Meridian

10 Section 1

11 Sections 3 - 9

12 Section 10, W1/2

13 Section 11, E1/2

14 Sections 12 - 36

15 Township 6 South, Range 7 East, Fairbanks Meridian

16 Sections 3 - 36

17 Township 6 South, Range 8 East, Fairbanks Meridian

18 Township 6 South, Range 9 East, Fairbanks Meridian

19 Township 6 South, Range 10 East, Fairbanks Meridian

20 Township 7 South, Range 6 East, Fairbanks Meridian

21 Sections 1 - 5

22 Sections 8 - 15

23 Township 7 South, Range 7 East, Fairbanks Meridian

24 Sections 1 - 12, excl. ASLS 81-213 except Tract A

25 Township 7 South, Range 8 East, Fairbanks Meridian

26 Sections 1 - 12

27 Township 7 South, Range 9 East, Fairbanks Meridian

28 Sections 3 - 10

29 Sections 15 - 16, N1/2

1 Township 7 South, Range 10 East, Fairbanks Meridian

2 Sections 24 - 25

3 Sections 35 - 36

4 Township 7 South, Range 11 East, Fairbanks Meridian

5 Sections 1 - 2

6 Sections 11 - 14

7 Sections 19 - 36

8 Township 7 South, Range 12 East, Fairbanks Meridian

9 Township 8 South, Range 5 East, Fairbanks Meridian

10 Section 1

11 Sections 2 - 3, north of military reservation

12 Sections 11 - 12, north of military reservation

13 Township 8 South, Range 10 East, Fairbanks Meridian

14 Sections 1 - 2

15 Section 8, excl. Quartz Lake Subdivision

16 Sections 9 - 15

17 Section 21, E1/2

18 Section 22

19 Section 23, W1/2

20 Sections 27 - 28

21 Section 29, E1/2

22 Sections 31 - 32

23 Sections 33 - 34, north of Tanana River

24 Township 8 South, Range 11 East, Fairbanks Meridian

25 Sections 1 - 18

26 Sections 22 - 27

27 Section 36

28 Township 8 South, Range 12 East, Fairbanks Meridian

29 Sections 1 - 10

1 Sections 15 - 22  
2 Sections 27 - 34  
3 Township 9 South, Range 10 East, Fairbanks Meridian  
4 Sections 4 - 6, north of left limit of Tanana River  
5 Section 7, GL-1  
6 Township 9 South, Range 11 East, Fairbanks Meridian  
7 Section 3, S1/2  
8 Sections 4 - 5  
9 Sections 8 - 11  
10 Sections 13 - 16  
11 Section 17, E1/2, NE1/4SW1/4, SW1/4NW1/4  
12 Sections 21 - 27  
13 Section 28, excl. F02662  
14 Township 9 South, Range 12 East, Fairbanks Meridian  
15 Sections 19 - 21  
16 Sections 28 - 36  
17 Township 9 South, Range 16 East, Fairbanks Meridian  
18 Township 10 South, Range 12 East, Fairbanks Meridian  
19 Sections 1 - 3  
20 Sections 4 - 6, north of left limit of Tanana River  
21 Sections 10 - 12, north of left limit of Tanana River  
22 Township 10 South, Range 13 East, Fairbanks Meridian  
23 Sections 1 - 6  
24 Sections 7 - 8, north of left limit of Tanana River  
25 Sections 9 - 12  
26 Sections 14 - 15, N1/2  
27 Township 10 South, Range 14 East, Fairbanks Meridian  
28 Sections 1 - 20  
29 Section 21, NE1/4SE1/4, W1/2, N1/2NE1/4

1 Sections 22 - 24

2 Section 25, excl. Tract C

3 Section 26, excl. SW1/4SW1/4

4 Section 27, N1/2NE1/4, NE1/4NW1/4

5 Section 28, W1/2

6 Section 29

7 Section 30, NE1/4NE1/4

8 Section 32, excl. Tract U, Delta I

9 Section 33, W1/2

10 Township 10 South, Range 16 East, Fairbanks Meridian

11 Sections 1 - 35

12 Township 11 South, Range 14 East, Fairbanks Meridian

13 Section 4, NW1/4, Tracts A,B,E

14 Section 5, excluding Tract U, Delta Barley I

15 Section 9, Tracts A,B, E1/2

16 Section 10, Tracts B,C

17 Section 15, Tracts B,C

18 Section 16, E1/2, Tracts A,B

19 Section 21, Tracts A,B

20 Section 22, NW1/4, Tracts A,B,D

21 Section 23, Tracts A,B,D,E

22 Section 26, Tracts A,B,C,D

23 Section 35, E1/2, Tracts A,B

24 Section 36, Tracts A,B,C,D,E

25 Township 11 South, Range 16 East, Fairbanks Meridian

26 Township 12 South, Range 16 East, Fairbanks Meridian

27 Sections 1 - 5

28 Sections 9 - 16

29 Sections 21 - 28



1 Township 1 South, Range 3 East, Fairbanks Meridian

2 Section 11, N1/2SE1/4, N1/2S1/2SE1/4, SE1/4SE1/4SE1/4,  
3 E1/2SW1/4SE1/4SE1/4, NW1/4SW1/4SE1/4SE1/4, NE1/4-  
4 SE1/4SW1/4SE1/4, W1/2SE1/4SW1/4SE1/4, SW1/4SW1/4SE1/4  
5 Section 14, W1/2W1/2NE1/4, W1/2NE1/4SW1/4NE1/4, SE1/4-  
6 SW1/4NE1/4, W1/2NW1/4SE1/4, NE1/4NW1/4SE1/4, NW1/4-  
7 SE1/4NW1/4SE1/4, NW1/4NW1/4SW1/4SE1/4, N1/2SW1/4,  
8 N1/2NE1/4SE1/4SW1/4, N1/2NE1/4SW1/4SW1/4, NW1/4SW1/4-  
9 SW1/4SW1/4, NW1/4SW1/4SW1/4, NW1/4

10 Section 15, S1/2N1/2, S1/2

11 Section 16

12 Martin Site:

13 Township 1 North, Range 4 West, Fairbanks Meridian

14 Section 23, S1/2

15 Section 24, S1/2

16 Section 27, NE1/4, S1/2

17 \* Sec. 5. AS 41.17.020(c) is repealed.

18 \* Sec. 6. This Act takes effect July 1, 1983.

STATE OF ALASKA  
FISCAL NOTE

Revision Date: 1983

REQUEST

11. FISCAL DETAIL

Bill/Resolution No.: HCS CSSB 108 (fin)  
Title: Tanana Valley State Forest  
Sponsor: Fahrenkamp  
Requestor:

Agency Affected: Natural Resources  
Program Category Affected: Forestry  
BRU, Program or Subprogram(s) Affected:

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES		46.3	49.1	52.0	55.1	58.5
200 TRAVEL		25.0	26.5	28.1	29.8	31.6
300 CONTRACTUAL		3.8	4.0	4.3	4.5	4.8
400 COMMODITIES		3.8	4.0	4.3	4.5	4.8
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		78.9	83.5	88.7	93.9	99.7
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME		1	1	1	1	1
PART-TIME						
TEMPORARY						

11. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for any Analysis \*See attached sheet.

Prepared By: Sharon Barton Phone: 465-2400  
Division: Commissioner's Office Date: 5/30/83  
Approved by Commissioner: *Wm D. James, Deputy* Date: 5/30/83  
Department: Natural Resources

Distribution:

Original to Legislative Finance  
Copy to Office of Management and Budget (for Legislature introduced bills)  
Copy to Department (for Governor introduced bills)

#### IV. Analysis

The additional position is necessary to coordinate and develop the management plan required by this bill.

Other funding included (200 - 20.0, 300 - .8, 400 - .8) will provide funding for the Board of Forestry to cover level of involvement indicated in the bill. Should the Board of Forestry be funded through other sources, these funds could be deleted.

The following individuals may testify on SB 108:

Senator Bettye Farenkamp, prime sponsor

John Ringstad, Co-Chair, House Resources Committee

Sharon Barton, Special Assistant to the Commissioner,  
DNR

THE LEGISLATURE OF THE STATE OF ALASKA  
THIRTEENTH LEGISLATURE

FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. HCS CSSB 108 (Resources)  
 Title Establishing Tanana valley State forest  
 Requested by \_\_\_\_\_ Date May 25, 1983

II. FISCAL DETAIL  
 Agency Affected DNR Division of Forestry  
 Program Category Affected \_\_\_\_\_  
 BRU, Program, Or Subprogram(s) Affected \_\_\_\_\_  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		2,000.				

FUNDING (Thousands of Dollars)

GENERAL FUND		2,000				
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

IV. DATE May 25, 1983 PREPARED BY Rep. John Ringstad  
 AGENCY House Resources

Original: Legislative Finance PHONE 465-3715  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

# Alaska Statutes

## Title 38. Public Lands.

### Chapter

- 04. Policy for Use and Classification of State Land Surface (§§ 38.04.005 — 38.04.910)
- 95. Miscellaneous Provisions (§§ 38.95.010 — 38.95.160)

### Chapter 4. Policy for Use and Classification of State Land Surface.

#### Article

- 1. Public and Private Land Use (§§ 38.04.005 — 38.04.015)
- 2. Land Availability for Private Use (§§ 38.04.020 — 38.04.055)
- 3. Inventory, Planning, and Classification (§§ 38.04.060 — 38.04.070)
- 4. General Provisions (§§ 38.04.900 — 38.04.910)

**Editor's notes.** — As to designation of land for disposal under the homesite entry program established in AS 38.08.010 — 38.08.120 and the open-to-entry program established in AS 38.05.077 and the assessment of supply and demand of land under such programs, see §§ 1 and 2, ch. 181, SLA 1978, in the 1978 Temporary and Special Acts and Resolves.

As to redesignation and disposal of

mental health land, see § 3, ch. 181, SLA 1978.

Section 49, ch. 113, SLA 1981, provides: "The commissioner of natural resources may disallow a municipal selection of mental health lands allowed under sec. 1(b), ch. 181, SLA 1978 if the commissioner determines that the municipality is not complying with land disposal requirements in chapter 181, SLA 1978."

### Article 1. Public and Private Land Use.

#### Section

- 05. Policy
- 10. Public interest in making land available for private use

#### Section

- 15. Public interest in retaining state land in public ownership

**Sec. 38.04.005. Policy.** (a) In order to provide for maximum use of state land consistent with the public interest, it is the policy of the State of Alaska to plan and manage state-owned land to establish a balanced combination of land available for both public and private purposes. The choice of land best suited for public and private use shall be determined through the inventory, planning, and classification processes set out in AS 38.04.060 — 38.04.070.

(b) In classifying state land for private use and settlement purposes, the director shall make adequate provision for public open space which

is accessible to communities so that natural areas are easily reached from all communities and settled areas. The amount of that land shall be sufficient to meet existing and projected needs for accessible public recreation land. Special care shall be taken to preserve public access to public water and to retain state ownership of sufficient land which combine high value for recreation and other public purposes with accessibility to settled areas. This classification for public purposes does not constitute dedication to open space, but the division's management of land so classified shall be in a manner to preserve the identified values.

(c) In allocating land for private use and public retention, the requirements of future generations shall be considered. To this end, a supply of state land of a variety of types and locations shall be reserved to provide an opportunity for future decisions.

(d) Private land use rights are integral to the material well-being of the people of Alaska and our society.

(e) Involvement of municipalities and local residents is essential in the decision-making process which leads to making state land available for private use. (§ 5 ch 181 SLA 1978)

Sec. 38.04.010. Public interest in making land available for private use. (a) The primary public interest in conveying rights to state land surface to private parties is to make them available to individuals and other persons for direct use in areas classified as suitable for these purposes. In making state land available for private use, the director shall seek to guide year-round settlement to areas where public services already exist, or can be extended with reasonable economy, or where development of a viable economic base is probable.

(b) State land which is located beyond the range of existing schools and other necessary public services, or which is located where development of sources of employment is improbable, may be made available for seasonal recreational purposes or for low density settlement, with sufficient separation between residences so that public services will not be necessary or expected. (§ 5 ch 181 SLA 1978)

Sec. 38.04.015. Public interest in retaining state land in public ownership. The primary public interests in retaining areas of state land surface in public ownership are

(1) to make them available on a sustained-yield basis for a variety of beneficial uses including subsistence, energy development, aquaculture, forestry, grazing, sport hunting and fishing, hiking, snowmobiling, skiing, and other activities of a type which can generally be made available to more people and conducted more successfully if the land is in public rather than private ownership;

(2) to facilitate mining and mineral leasing by managing appropriate public land for surface uses which are compatible with subsurface uses:

- (3) to provide recreational areas;
- (4) to provide floodplains;
- (5) to provide public cost (SLA 1978)

- Section
- 20. Land disposal
  - 21. Disposal of mineral
  - 25. Variety
  - 30. Land availability

Sec. 38.04.020. Public interest in establishing disposal of state land

- (b) The primary public interest in conveying rights to state land surface to private parties is to make them available to individuals and other persons for direct use in areas classified as suitable for these purposes. In making state land available for private use, the director shall seek to guide year-round settlement to areas where public services already exist, or can be extended with reasonable economy, or where development of a viable economic base is probable.
- (1) land surface to private parties is to make them available to individuals and other persons for direct use in areas classified as suitable for these purposes. In making state land available for private use, the director shall seek to guide year-round settlement to areas where public services already exist, or can be extended with reasonable economy, or where development of a viable economic base is probable.
- (2) land which is located beyond the range of existing schools and other necessary public services, or which is located where development of sources of employment is improbable, may be made available for seasonal recreational purposes or for low density settlement, with sufficient separation between residences so that public services will not be necessary or expected. (§ 5 ch 181 SLA 1978)
- (3) land which is located beyond the range of existing schools and other necessary public services, or which is located where development of sources of employment is improbable, may be made available for seasonal recreational purposes or for low density settlement, with sufficient separation between residences so that public services will not be necessary or expected. (§ 5 ch 181 SLA 1978)
- (4) land which is located beyond the range of existing schools and other necessary public services, or which is located where development of sources of employment is improbable, may be made available for seasonal recreational purposes or for low density settlement, with sufficient separation between residences so that public services will not be necessary or expected. (§ 5 ch 181 SLA 1978)

(c) Land which is located beyond the range of existing schools and other necessary public services, or which is located where development of sources of employment is improbable, may be made available for seasonal recreational purposes or for low density settlement, with sufficient separation between residences so that public services will not be necessary or expected. (§ 5 ch 181 SLA 1978)

- (d) The primary public interests in retaining areas of state land surface in public ownership are
- (1) to make them available on a sustained-yield basis for a variety of beneficial uses including subsistence, energy development, aquaculture, forestry, grazing, sport hunting and fishing, hiking, snowmobiling, skiing, and other activities of a type which can generally be made available to more people and conducted more successfully if the land is in public rather than private ownership;

- (3) to protect critical wildlife habitat and areas of special scenic, recreational, scientific, or other environmental concern;
- (4) to restrict development in hazardous locations such as floodplains and avalanche zones; and
- (5) to guide the location of settlement and development to minimize public costs and maximize social and economic benefits. (§ 5 ch 18: SLA 1978)

**Article 2. Land Availability for Private Use.**

Section	Section
20. Land disposal bank	35. Criteria for program selection
21. Disposal of municipal grant land entitlements	40. Availability of university land
25. Variety of uses	45. Survey and subdivision
30. Land availability programs	50. Access to private use areas
	55. Access through private use areas

**Sec. 38.04.020. Land disposal bank.** (a) The commissioner shall establish a land disposal bank containing state land classified for disposal into private ownership.

(b) The land disposal bank does not include

- (1) land nominated for selection or selected by a municipality to satisfy a general grant land entitlement under AS 29.18.201 — 29.18.213;
- (2) land retained in state ownership for multiple-use management;
- (3) land where less than a fee simple title has been conveyed;
- (4) land retained in state ownership under an enactment of the legislature or by the governor or a state agency under authority of law.

(c) Land to be retained in state ownership may be classified by the commissioner into multiple-use management categories under AS 38.05.300. Land within a municipality retained in state ownership consists of land classified for retention in state ownership as of December 31, 1980. Land outside a municipality to be retained in state ownership consists of land classified for retention in state ownership by the commissioner by July 1, 1983. Land conveyed to the state by the federal government that is to be retained in state ownership consists of land classified by the commissioner within two years of receipt of tentative approval or patent, whichever occurs first. State land not classified for retention in state ownership or selected by the municipality under this section shall be classified and included in the land disposal bank. The commissioner shall ensure that the bank includes at least 500,000 acres.

(d) On January 15 of each year, the commissioner shall report to the legislature on the status of land in the land disposal bank under the following categories:

- (1) land suitable for remote parcel disposal;

- (2) land suitable for subdivision disposal;
- (3) land suitable for agricultural, commercial, or industrial disposal; and
- (4) land suitable for other purposes.

(e) The commissioner shall annually submit to the governor an appropriation request necessary for the disposal of state land in the land disposal bank that shall be included in the budget submitted to the legislature by the governor. For each fiscal year, the request shall include an estimate of the amount necessary

(1) for survey and disposal of land proposed to be made available for remote parcel staking, with the general location of the land;

(2) for survey and disposal of land to be offered as agricultural, commercial, industrial, or other uses under AS 38.05.055 or 38.05.057, with the general location of the land;

(3) for the survey and disposal of land proposed to be offered as subdivisions, with the general location of the land;

(4) for preliminary feasibility studies, engineering design work, and construction of access roads and capital improvements required by municipal subdivision ordinance or regulation of the platting board under AS 29.33.150; if an accurate determination of the amounts necessary for access roads or capital improvements cannot be made at the time the estimate is submitted, a schedule for obtaining the estimates, constructing the access roads or capital improvements, and disposing of the land shall be submitted;

(5) for identification of land that will be proposed for disposal under this subsection in future fiscal years.

(f) The request of the commissioner under (e) of this section shall be based on an annual written assessment by the commissioner of the market for state land in the different regions of the state. If the state land is in or adjacent to municipalities or unincorporated communities, the assessment shall be developed in consultation with the municipalities or unincorporated communities. The assessment must include a survey of the supply of privately owned land offered for sale, municipal land for which a disposal plan has been completed, and federal land available for sale, lease, or permit for specific activities. The assessment of the market for state land shall be based on an analysis of the amount of private, municipal, and federal land available for disposal on terms equivalent to those used in comparable state land disposal programs and shall include the length of time land remains on the market before it is sold. The assessment must include findings regarding the amount and general location of state land, in addition to land offered by private landowners or available from a municipal government or the federal government, that is necessary to meet the statewide demand for at least five fiscal years immediately after the year in which the assessment is made. The assessment must also state the general location of land proposed for disposal in the next fiscal year and recommendations for the method of disposal under which the land will be offered to the public.

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(g) After July 1 of each year, the commissioner shall direct the expenditure of money appropriated for the disposal of land in response to requests made under (e) and (f) of this section for the following:

(1) Land designated as suitable for remote parcel disposal shall be classified and surveyed under AS 38.04.005 — 38.04.910 and AS 38.05.005 — 38.05.370 and made available for staking and lease under AS 38.05.077.

(2) Land designated as suitable for subdivision disposal shall be surveyed, subdivided, classified, and disposed of as follows:

(A) up to 80 percent of the parcels shall be sold under the lottery sale procedures established in AS 38.05.057 and 38.05.065;

(B) at least 10 percent of the parcels shall be disposed of as homesites under AS 38.08.010 — 38.08.120; and

(C) at least an additional 10 percent of the parcels shall be disposed of as homesites under AS 38.08.010 — 38.08.120 except that, notwithstanding AS 38.08.040(b), parcels offered under this subparagraph shall be offered by lottery under AS 38.05.057.

(3) Land designated agricultural, commercial, industrial, or suitable for other disposal shall be sold under AS 38.05.055 or 38.05.057.

(h) Individual parcels disposed of in subdivisions may not exceed five acres unless the commissioner determines that a larger size is necessary to comply with zoning ordinances or to permit the design of a viable subdivision because of topographical features, soil conditions, on-site sewage disposal requirements, or water drainage or supply considerations that are unique to the subdivision.

(i) Nothing in this section prevents the disposal of other land by the commissioner in accordance with AS 38.05.055, 38.05.057, 38.05.070, the issuance of remote cabin permits under AS 38.05.079, AS 38.08.010 — 38.08.120, or other law.

(j) A person or an agency of the state may nominate land retained in state ownership for inclusion in the land disposal bank or may nominate land in the land disposal bank for retention in state ownership. The commissioner shall hold public hearings semiannually to take nominations under this subsection. A transfer of land from retention in state ownership to the land disposal bank or from the land disposal bank to retention in state ownership shall be accomplished through a classification order under AS 38.05.300 and with notice under AS 38.05.345. The commissioner shall make a written determination within six months after receipt of a nomination if he determines that land nominated will not be classified or reclassified as requested.

(k) The commissioner may withdraw from the land disposal bank state land that has been offered for disposal but not conveyed within five years after inclusion in the land disposal bank. State land withdrawn from the land disposal bank under this section must be reclassified under AS 38.04.065. (§ 5 ch 181 SLA 1978; am § 11 ch 85 SLA 1979; am § 4 ch 113 SLA 1981)

Revisor's notes. — In the first sentence of subsection (g), the words "e) and" were added preceding "f) of this section" and in the third sentence of subsection (j), the word "with" was added preceding "notice under" by the revisor of statutes pursuant to AS 01.05.031.

Effect of amendments. — The 1979 amendment rewrote this section.

The 1981 amendment rewrote this section.

Editor's notes. — See Editor's notes following the chapter analysis.

Legislative history reports. — For adoption of the Free Conference Committee letter of intent on AS 38.04.020(a) as repealed and reenacted in House Bill No. 66 (ch. 85, SLA 1979), see 1979 House Journal, pp. 1330 — 1333, 1355; 1979 Senate Journal, pp. 1120 — 1124.

**Sec. 38.04.021. Disposal of municipal grant land entitlements.**

(a) A municipality may apply for financial assistance for the execution of a land disposal program of general grant land entitlements received from the state under AS 29.18.201 — 29.18.213 by submitting a request to the commissioner for inclusion in the request submitted to the legislature under AS 38.04.020(e). A municipality may request financial assistance for expenses of surveying land, designing subdivision plats, installing improvements required by municipal ordinance or regulation of the local platting board, and other reasonable direct costs of land disposal.

(b) A request by a municipality under this section must be accompanied by

1) a schedule for the disposal of municipal land for the next five years; the schedule shall be based on an assessment of the demand for private land within the municipality and included in the assessment submitted under AS 38.04.020(f);

(2) an estimate of the number of acres of municipal land that the municipality plans to dispose of during each fiscal year of the five-year period;

(3) a description of the methods to be used for the disposal of municipal land and the terms under which it will be offered to the public; and

(4) a description of the municipal land that the municipality plans to dispose of each fiscal year during the five-year period.

(c) The commissioner shall determine that a request by a municipality meets the requirements of this section before it is submitted to the legislature. The commissioner shall administer money appropriated by the legislature for financial assistance to a municipality under this section. Money spent under this section constitutes a grant unless otherwise provided by the legislature.

(d) A grant made under this section may not exceed five times the amount of money appropriated by a first class city, a borough, or a municipality unified under AS 29.68.240 — 29.68.440 for the disposal of municipal land in the current fiscal year unless the commissioner exempts the municipality from this subsection.

(e) A grant made under this section may not exceed seven times the amount of money appropriated in the current fiscal year for disposal of municipal land by

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- (1) a second class city; or
- (2) a first class city, a borough, or a municipality unified under AS 29.68.240 — 29.68.440 which is exempted by the commissioner under (d) of this section. (§ 5 ch 113 SLA 1981)

**Revisor's notes.** — In the first sentence of subsection (a), the word "request" was substituted for "estimate" following "inclusion in the" by the revisor of statutes under AS 01.05.031.

**Sec. 38.04.025. Variety of uses.** In making state land available for private use, the director shall endeavor to accommodate persons with a current need and anticipated use for the land. To this end, the director shall assess the nature of the supply and demand for state land in different regions and locations of the state, taking into account the supply of available land under other ownership, and shall make land available in locations and under programs suited to the differing needs of prospective users throughout the state. (§ 5 ch 181 SLA 1978)

**Sec. 38.04.030. Land availability programs.** Programs which may be used by the director to make the state's land surface available for private use under this section include sale of whole or partial rights to the fee simple estate, including conveyance of agricultural use rights; leasing; open-to-entry; homesiting; homesteading; permitting for construction and occupation of cabins in isolated locations on land retained in state ownership; and other methods as provided by law. (§ 5 ch 181 SLA 1978)

**Sec. 38.04.035. Criteria for program selection.** In determining which land availability program is appropriate for state lands in different locations, the director shall be guided by the following criteria:

(1) To cover public costs associated with private land use and to provide the public with a fair return for publicly owned property, conveyance of state land to private parties should be at fair market value except where otherwise authorized by statute, or by an administrative regulation the adoption of which is specifically permitted by statute.

(2) Sale or lease programs should be used where land is readily accessible to a major community center or where, because of a prime location on waterfront or a transportation route or some other location characteristic, land has relatively high real estate value.

(3) Sale programs are preferred but lease programs should be used

(A) where special land use controls are required and there is a high public interest in having certain types of land used for particular purposes;

(B) when the intended use is a temporary one;

(C) in commercial or industrial situations when a leasehold can provide cash flow advantages to the lessee;

(D) when a unique location with special public values is involved, as in a deep water port, hydroelectric site, or aquaculture facility;

(E) where current demand for private use is high, but projections suggest that, in the future, the land may be more valuable for public use, as in accessible waterfront recreation areas.

(4) For enabling isolated cabin development in remote locations where survey and conveyance is impractical, a system for cabin permits on public land may be used.

(5) Limited or conditional title may be granted when the state's best interest so dictates. Among other things, title limitations may include grants of agricultural interest only, retention of development rights, and retention of scenic or other easements. A conditional title may be tied to a development schedule or other standards of performance. (§ 5 ch 181 SLA 1978)

**Sec. 38.04.040. Availability of university land.** University land may be made available at fair market value for private use under the purpose of AS 38.04.005 — 38.04.910; however, any action to do so shall be in accordance with statutes pertaining to these lands and the authority of the Board of Regents of the University of Alaska. (§ 5 ch 181 SLA 1978; am § 6 ch 113 SLA 1981)

*Effect of amendments.* — The 1981 amendment substituted "university" for "The Board of Education and" preceding "school land and university" preceding "land may be made available" and deleted "The Board of Education and" preceding "the Board of Regents."

**Sec. 38.04.045. Survey and subdivision.** (a) State land to be conveyed in fee simple or less than fee simple estate shall be subdivided so that lots and tracts are of a size which fits the requirements of individual users and reflects the physical characteristics of the land, except that in locations where there is an inadequate margin between the demand for and the supply of vacant land, the state may make land available for private acquisition in parcels that are larger than required for individual use.

(b) Before the conveyance of surface rights to state land, an official cadastral survey shall be accomplished, unless a comparable, acceptable survey exists that has been conducted by the federal Bureau of Land Management. The rectangular survey section corner positions shall be monumented and shown on a cadastral survey plat approved by the state. However, for those areas where the state may wish to convey surface estate outside of an official cadastral survey grid, the director may waive monumentation of all individual section corner positions and substitute an official control survey with control points being monumented at approximately two-mile intervals and shown on control survey plats approved by the state. No portion of land to be conveyed may be located more than two miles from such a survey control monument. The lots and tracts in state subdivisions shall be

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monumented and the cadastral survey and plats for the subdivision shall be approved by the state. Where land is located within a municipality with planning, platting, and zoning powers, plats for state subdivisions shall comply with local ordinances and regulations in the same manner and to the same extent as plats for subdivisions by other landowners. State subdivisions shall be filed in the district recorder's office. The requirements of this section do not apply to land made available through a cabin permit system, material sales, or short-term leases; however, for short-term leases the lessee must comply with local subdivision ordinances unless waived by the municipality under procedures specified by ordinance. (§ 5 ch 181 SLA 1978)

**Sec. 38.04.050. Access to private use areas.** Wherever state land is surveyed for purposes of private use, adequate rights-of-way and easements shall be reserved as necessary for access and, where appropriate, for power and telephone service to each parcel of land. Where necessary and appropriate for the use intended, the director shall arrange for the development of surface access as part of the land availability program. The direct cost of local access development shall be borne by the recipient of the land unless otherwise provided by state statutes or regulations. (§ 5 ch 181 SLA 1978)

**Sec. 38.04.055. Access through private use areas.** The director shall reserve easements and rights-of-way on and across land which is made available for private use as necessary to reach or use public water and public and private land. An easement or right-of-way reserved under this section may include established trails traditionally used for commerce, recreation, or transportation. (§ 5 ch 181 SLA 1978; am § 7 ch 113 SLA 1981)

**Effect of amendments.** — The 1981 amendment added the second sentence of the section.

### Article 3. Inventory, Planning, and Classification.

#### Section

- 60. Inventory
- 65. Land use planning and classification
- 70. Management categories

**Sec. 38.04.060. Inventory.** (a) The commissioner shall prepare and maintain on a continuing basis an inventory of all state land and water and their resource and other values, giving priority to areas of potential settlement, economic development, and critical environmental concern. This inventory shall be kept current so as to reflect changes in conditions and to identify new and emerging resource and other values.

(b) The commissioner's inventory shall include land and water under interagency assignment of land management authority and land

and water proposed for such an assignment. That land and water must be reviewed at regular intervals to analyze current and proposed uses as these uses relate to alternative uses for all or part of the land and to determine the uses which best provide for the public interest.

(c) As funds and manpower are made available, the commissioner shall provide local and federal governments and major private landowners with data from the inventory for the purpose of planning and managing the uses of land in proximity to state land. (§ 5 ch 181 SLA 1978)

**Sec. 38.04.065. Land use planning and classification.** (a) The commissioner shall, with local governmental and public involvement in accordance with AS 38.05.305, develop, maintain and, when appropriate, revise land use plans which provide, by regions or areas, for the use of the state-owned land.

(b) In the development and revision of land use plans, the commissioner shall

(1) use and observe the principles of multiple use and sustained yield;

(2) consider physical, economic, and social factors affecting the region or area and involve other agencies and the public in achieving a systematic interdisciplinary approach;

(3) give priority to planning and classification in areas of potential settlement and critical environmental concern;

(4) rely, to the extent that it is available, on the inventory of the state land, its resources, and other values;

(5) consider present and potential uses of state land;

(6) consider the supply, resources, and present and potential use of land under other ownership within the area or region of concern;

(7) plan for compatible surface and mineral land use classifications; and

(8) provide for meaningful participation in the planning process by affected local governments, state and federal agencies, adjacent landowners, and the general public.

(c) As a basis for more detailed land use planning and classification, the commissioner shall develop regional land use plans for the use of all state land. These regional plans shall identify and delineate

(1) areas of settlement and settlement impact, where land must be classified for various private uses and for public recreation, open space, and other public uses desirable in and around settlement; and

(2) areas which must be retained in state ownership and planned and classified for various uses and purposes in accordance with AS 38.04.015.

(d) Official regional or area plans and subsequent amendments adopted by the commissioner after public and local governmental participation shall be signed and dated by the commissioner. After adoption of an official regional or area plan, land classifications shall be made in accordance with these official plans.

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(e) Land shall be classified as provided in AS 38.05.300.

(f) Decision about the location of easements and rights-of-way, other than for minor access, shall be integrated with land use planning and classification for the appropriate area or region.

(g) Land use plans adopted by the commissioner under this section shall be consistent with local governmental land use plans to the maximum extent he determines to be consistent with the state interests and the purposes of AS 38.04.005 — 38.04.910. (§ 5 ch 181 SLA 1978; am § 8 ch 113 SLA 1981)

**Effect of amendments.** — The 1981 amendment substituted "after adoption of an official regional or area plan, land" for "land" preceding "classifications" in the second sentence of subsection (d).

**Editor's notes.** — AS 38.05.305, referred to in subsection (a), was repealed by § 45, ch. 113, SLA 1981. For present provisions on notice requirements, see AS 38.05.345.

**Sec. 38.04.070. Management categories.** State land classified for uses and purposes involving retention in public ownership may be included in the following management categories:

(1) state public reserve lands: areas of public land to be managed for a wide variety of compatible uses and purposes in accordance with the principles of multiple use and sustained yield; land designated to this category may include, but need not be limited to, state forest reserves and state wildlife reserves as well as land classified for public purposes within settlement impact areas;

(2) state parks: areas with special recreational, scenic, cultural, historical, wilderness, or similar values, to be managed primarily for the public use and enjoyment of these values;

(3) state trails: a system of public historic or recreational trails;

(4) wild and scenic rivers: a system of rivers and adjacent state land with special natural, scenic, and recreational values located within or adjacent to a wild and scenic river area managed as part of the national system of wild and scenic rivers in accordance with the federal Wild and Scenic Rivers Act (82 Stat. 906; 16 U.S.C. 1271 et seq.);

(5) state public domain: land within areas designated on regional plans as settlement and settlement impact which are not part of the management categories listed in (1) — (4) of this section; through classification, this land may be made available for private use, settlement, and development as well as for public uses associated with settlement and development. (§ 5 ch 181 SLA 1978)

#### Article 4. General Provisions.

##### Section

900. Regulations

910. Definitions

Sec. 38.04.900. Regulations. (a) The commissioner shall adopt under the Administrative Procedure Act (AS 44.62.010 — 44.62.650) regulations he believes are necessary to carry out the purposes of this chapter. Within 120 days after the effective date of this act, the director shall submit to the commissioner draft regulations implementing this chapter and revising regulations in effect on the effective date of this act pertaining to planning, classification, management, and disposal of the state's surface estate in land. New and revised regulation shall be integrated in a single comprehensive draft compatible with the structure of the Alaska Administrative Code. In preparing this draft, the director shall seek to simplify and clarify regulations governing land planning, classification, management, and disposal.

(b) A municipality has standing to petition the commissioner for the adoption of a regulation, or for the amendment or repeal of an existing regulation, or to appeal a decision of the commissioner with respect to classification, management, or disposal of land made under authority of a regulation adopted under (a) of this section with respect to state land outside the corporate boundaries of the municipality to protect any interest which the municipality is authorized to regulate outside its boundaries under AS 29.48.037.

(c) If the regulations adopted by the commissioner under (a) of this section fail to provide for a process by which decisions of the commission may be appealed, an interested person may petition for reconsideration of a decision. The petition shall contain the information required to be submitted by AS 44.62.220 and shall be acted upon by the commissioner in the manner provided in AS 44.62.230. For purposes of this section, a municipality is an interested person with respect to its interests in land defined in (b) of this section. (§ 5 ch 181 SLA 1978)

Sec. 38.04.910. Definitions. In AS 38.04.005 — 38.04.910, unless the context otherwise requires.

(1) "commissioner" means the commissioner of the Department of Natural Resources;

(2) "director" means the director of the division of lands of the Department of Natural Resources;

(3) "fair market value" means the price at which a willing seller and a willing buyer will trade;

(4) "multiple use" means the management of state land and its various resource values so that it is used in the combination that will best meet the present and future needs of the people of Alaska, making the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions: it includes

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(B) a combination of balanced and diverse resource uses that takes into account the short-term and long-term needs of present and future generations for renewable and nonrenewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific, and historic values;

(5) "official cadastral survey" means a United States public land survey or a survey executed under survey instructions issued by the division for the purpose of preparing a cadastral survey plat, and approved and accepted by the division for the state's official records;

(6) "official control survey" means a position marked on the ground by triangulation or traverse stations established in conformity with standards adopted by United States Coastal and Geodetic Survey for first, second and third order work, whose geodetic positions have been rigidly adjusted on the North American datum of 1927 and approved by the division;

(7) "short-term lease" means a lease for a term of five years or less;

(8) "state park" means an area of state land designated by law to be managed for public use and enjoyment of recreational, scenic, cultural, historical, wilderness, and similar values, including but not limited to areas designated under

(A) AS 41.20.050 — 41.20.060, roadside rests and recreational beaches;

(B) AS 41.20.130 — 41.20.160, 41.20.330 — 41.20.345, ch. 61 SLA 1966, and ch. 26 SLA 1967, state recreation areas;

(C) AS 41.20.170 — 41.20.320, state parks; and

(D) AS 41.35.030, state monuments and historic sites;

(9) "state trail" means an area designated by law to be managed as a public historic or recreational trail including but not limited to

(A) trails designated under AS 41.20.070 — 41.20.120, wilderness trails and campsites; and

(B) trails and footpaths designated under AS 41.20.355 — 41.20.375;

(10) "sustained yield" means the achievement and maintenance in perpetuity of a high level annual or regular periodic output of the various renewable resources of the state lands consistent with multiple use;

(11) "wild and scenic river" means a free-flowing river or stream designated as provided in the federal Wild and Scenic Rivers Act (82 Stat. 906; 16 U.S.C. 1271-1287). (§ 5 ch 181 SLA 1978)

## Chapter 05. Alaska Land Act.

### NOTES TO DECISIONS

Chapter enacted pursuant, etc. accordance with Alas. Const., art. VIII,  
The Alaska Land Act was enacted in § 10. North Slope Borough v. LeResche.

Sup. Ct. Op. No. 1687 (File No. 3275), 581 P.2d 1112 (1978).  
Cited in Thomas v. Bailey, Sup. Ct. Op. No. 1835 (File Nos. 4204, 4220), 595 P.2d

1 (1979); Hammond v. North Slope Borough, Sup. Ct. Op. No. 2499 (File Nos. 5550, 5558), 645 P.2d 750 (1982).

Article 1. Administration.

Section

- 20. Authority and duties of the commissioner
- 30. Exceptions
- 32. [Repealed]

Section

- 35. Powers and duties of the director
- 36. Audit of royalty and net profit payments

Sec. 38.05.020. Authority and duties of the commissioner. (a) The commissioner shall supervise the administration of the land division.

(b) The commissioner may

(1) establish reasonable procedures and adopt reasonable rules and regulations necessary to carry out this chapter and may, whenever necessary, issue directives or orders to the director to carry out specific functions and duties; all rules and regulations adopted by the commissioner shall be adopted under the Administrative Procedure Act (AS 44.62); orders by the commissioner classifying lands issued after January 3, 1959, are not required to be adopted under the Administrative Procedure Act (AS 44.62);

(2) enter into agreements which he considers necessary to carry out the purposes of this chapter, including agreements with federal and state agencies;

(3) review any order or action of the director;

(4) exercise the powers and do the acts necessary to carry out the provisions and objectives of this chapter;

(5) notwithstanding the provisions of any other section of this chapter, grant an extension of the time within which payments due on any lease or sale of state land, minerals, or materials may be made, including payment of rental and royalties, if he finds that compliance with the requirements is or was prevented by reason of war, riots, or acts of God.

(6) classify tracts for agricultural uses and require the prequalification, including the submission of conservation plans, development plans, or other plans, schedules, or programs, of persons who apply to participate in an agricultural development project under AS 44.33.475.

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p.o. box 1267 520 fifth ave. fairbanks, alaska 99707 907-452-4761



May 26, 1983

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House Finance Committee  
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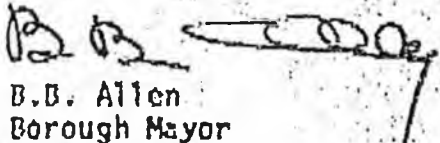
Dear Committee Members:

The Fairbanks North Star Borough supports SB 108, the proposed Tanana Valley State Forest, as originally proposed. We do not support the deletions made in the House Resource Committee substitute bill.

We strongly oppose two provisions of the Committee substitute bill. First, it is unrealistic and unwarranted to expect that an amount equal to one-fifth of the acreage included in the bill be transferred into private ownership within two years. In order to best serve the local community, we must encourage timely but also orderly disposal of the land that is best suited for residential use. Areas for settlement are currently being identified in the Tanana Basin Plan and the Borough Comprehensive Plan. In the meantime, the State is proceeding with the disposal of land at a rapid pace.

Second, we oppose the withdrawal from the bill of land along the Parks and Richardson Highways. The removal of these lands will encourage strip development.

Sincerely,

  
B.B. Allen  
Borough Mayor

BBA/cmg

HCS CS SB 108 (RESOURCES)

SECTION BY SECTION SUMMARY

Sec. 1 Requires DNR to dispose of one acre of state land into private ownership for every five acres classified for public ownership that does not allow for multiple use. The area named for that application of policy is north of latitude 64°15' and east of longitude 141°00'. In layman's terms, that part of the state north of the Alaska Range.

ARTICLE 2

Sect. 2  
Sec. 41.17.200 Outlines the general rationale for establishing state forests.

Sec. 210 Covers the criteria that the governor and DNR follow before recommending an area to the legislature for classification as a state forest.

Sec. 220-230 Requires DNR to complete a forest inventory and management plan before the legislature makes a final decision on establishing a state forest.

Sets up a mandatory review process of the management plan by DNR and specifically spells out multiple uses to be included in state forest management plans as well as legislative review.

Mandates that the commissioner of DNR must explain where, when, and why any use so listed, must be curtailed based on incompatibility with other uses.

ARTICLE 3

Sec. 3  
Sec. 41.17.310 Outlines the reforestation fund setting up a percentage to be put into that fund based on timber sale revenues, loss or damage to land within a state forest, or federal government or other governmental units revenues.

Sec. 41.17.320 Requires annual report to the legislature from DNR on the uses of the reforestation fund monies.

ARTICLE 4

Sec. 4  
Sec. 41.17.400(a) Designates Tanana Valley State Forest.

(b) Requires a management plan for legislative review and approval by the first 10 days of the First Session of the Fourteenth Legislature (January 1985).

(c) Outlines permitted uses in Tanana Valley State Forest.

(d) Legal descriptions of state forest.

Sec. 5 Authorizes Fairbanks North Star Borough to select a site for an industrial park from specific areas of the state forest.

Sec. 6 Repeals present criteria enabling the governor to recommend state forests.

Sec. 7 Conditions the establishment of the Tanana Valley State Forest upon the one to five private vs. public acre ratio outlined in Sec. 1 of the bill.

Sec. 8 Conditions the establishment of the Tanana Valley State Forest upon legislative approval of a management plan by July 1, 1985.

Sec. 9 Effective Date.

SENATE  
LETTER OF INTENT  
CSSB 108 (RES)

The committee substitute passed out by the Resources Committee represents an integration of many of the provisions of SB 108 originally sponsored by Senator Fahrenkamp and SB 14 originally sponsored by Senator Ziegler. Both bills, in turn, reflect many provisions contained in SB 582 which passed out of the Committee in the second session of the 12th Legislature.

While the Committee fully recognizes and intends that the harvesting of timber and other forest products for both personal and commercial purposes be a permitted and important use of state forests, including the Tanana Valley State Forest, it is also the intent of the Committee that this legislation not statutorially subjugate or favor one permitted use vis a vis another permitted use. It is recognized that under the multiple-use management direction provided for in the bill that some uses will be permitted in some areas of a state forest to the possible exclusion of others due to the particular resources involved. However, it is the intent of the Committee that state forest lands shall accommodate many varied uses and activities to the maximum extent possible.

The legislation requires the completion of a management plan or plans for state forests within 5 years of enactment, and that such plans be based on a forest inventory. The Committee encourages the Department to consider the adoption of interim plans for smaller units of a designated forest such as the Tanana Valley State Forest following completion of the inventory for the particular unit of the forest.

Adopted as a Senate Letter of Intent 4/20/83.

Original sponsors: Fahrenkamp, V.Fischer,  
Sturgulewski, et al

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 108 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Tanana Valley State Forest  
7 and a program for the management of state forests and  
8 forest land of the state; and providing for an effective  
9 date."

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

11 \* Section 1. AS 38.05 is amended by adding a new section to read:

12 Sec. 38.05.302. ESTABLISHMENT OF SPECIAL USE AREAS. The  
13 governor may not propose the establishment of a state forest under  
14 AS 41.17.210(a), the establishment of a state park or recreation area  
15 under AS 41.20, or the establishment of any other closing of state  
16 land, water, or land and water to multiple purpose use if the area  
17 contains more than 640 acres unless the proposal contains a  
18 certification by the governor that land north of latitude 64°15' and  
19 west of longitude 141°00' with an acreage equal to one-fifth of the  
20 acreage contained in state forests, state parks and recreation areas,  
21 and other areas closed to multiple purpose use that have been  
22 established since the effective date of this Act have been transferred  
23 by contract of sale or patent by the Department of Natural Resources  
24 into private ownership since the effective date of this Act.

25 \* Sec. 2. AS 41.17 is amended by adding new sections to read:

26 ARTICLE 2. STATE FOREST SYSTEM.

27 Sec. 41.17.200. STATE FOREST PURPOSES. The purpose of AS 41.-  
28 17.200 - 41.17.230 is to permit the establishment of designated state-  
29 owned or acquired land and water areas as state forests. The primary

1 purpose in the establishment of state forests is the perpetuation of  
2 land, water, scenic, and recreational resources to ensure a variety of  
3 personal, commercial, and other beneficial uses through multiple-use  
4 management.

5 Sec. 41.17.210. STATE FOREST RECOMMENDATIONS AND DESIGNATIONS.

6 (a) After planning and classification procedures identifying primary  
7 uses of the state lands in an area under AS 38.04 and AS 38.05 have  
8 been completed, the governor may propose to the legislature the estab-  
9 lishment of state forests consisting primarily of commercially valu-  
10 able forest land determined by the governor to be necessary for reten-  
11 tion in state ownership for management under the principles of multi-  
12 ple-use and sustained yield and to be consistent with the policies of  
13 AS 38.04.005.

14 (b) A state forest established by the legislature shall be  
15 retained in state ownership.

16 Sec. 41.17.220. MANAGEMENT OF STATE FORESTS. Land within a  
17 state forest or within a unit of a state forest shall be managed under

18 (1) the principles of multiple-use and sustained yield;

19 (2) this chapter; and

20 (3) a management plan prepared by the department.

21 Sec. 41.17.230. MANAGEMENT PLANS. (a) The commissioner shall  
22 prepare a management plan consistent with AS 38.04.005 and this  
23 chapter for each proposed state forest and for each unit of a proposed  
24 state forest to assist in meeting the requirements of this chapter.  
25 An operational level forest inventory shall be completed before a  
26 management plan for the proposed state forest or the unit of a  
27 proposed state forest is adopted. The management plan shall be  
28 adopted, implemented and maintained immediately upon the establishment  
29 of a state forest by the legislature.

1 (b) The commissioner shall review a management plan at least  
2 once every five years and may revise the plan when necessary.

3 (c) A management plan may not be revised after the establishment  
4 of the state forest without prior review by the Board of Forestry and  
5 by other appropriate state agencies or without public hearings held in  
6 a community proximately located to the state forest or to a unit of a  
7 state forest. The commissioner shall permit and encourage public  
8 participation in any revision of a management plan by holding frequent  
9 public hearings during the development of a revised management plan in  
10 the communities proximately located to the state forest or to a unit  
11 of the state forest.

12 (d) A copy of a management plan or a revision to a management  
13 plan adopted or prepared by the commissioner shall be provided to the  
14 legislature within 30 days of its adoption or revision or within the  
15 first 10 days of the first regular session of the legislature to  
16 convene after its adoption or revision.

17 (e) The commissioner shall consider and permit the following  
18 uses under a management plan prepared under (a) or (b) of this section  
19 subject to a determination under (f) of this section:

- 20 (1) commercial timber harvest and related activities;
- 21 (2) harvest of forest products for personal use;
- 22 (3) mining, mining claim, and mineral leasehold location;
- 23 (4) mineral leasing;
- 24 (5) material extraction;
- 25 (6) recreation;
- 26 (7) wildlife and fisheries habitat management including  
27 critical habitat management;
- 28 (8) greenbelts;
- 29 (9) trapping and sport and subsistence fishing and hunting;

- 1 (10) grazing;  
2 (11) watershed management;  
3 (12) research;  
4 (13) uses consistent with the policies of AS 38.04.015; and  
5 (14) other traditional, compatible uses.

6 (f) A management plan prepared by the commissioner shall con-  
7 sider and permit the uses described in (e) of this section. If the  
8 commissioner finds that a permitted use is incompatible with one or  
9 more other uses in a portion of a proposed state forest, the commis-  
10 sioner shall affirmatively state in the proposed management plan that  
11 finding of incompatibility for the specific area where the  
12 incompatibility is anticipated to exist and the time period when the  
13 incompatibility is anticipated to exist together with the reasons for  
14 each finding.

15 \* Sec. 3. AS 41.17 is amended by adding new sections to read:

16 ARTICLE 3. STATE LAND REFORESTATION.

17 Sec. 41.17.300. STATE LAND REFORESTATION FUND. A state land  
18 reforestation fund is established in the department. The money in the  
19 state land reforestation fund may be used only for the reforestation  
20 of state land, including site preparation, seed and seedling acquisi-  
21 tion and cultivation, planting, and other reforestation measures,  
22 timber stand improvement, and the development of materials and tech-  
23 niques for the reforestation of state land.

24 Sec. 41.17.310. APPROPRIATIONS TO STATE LAND REFORESTATION FUND.

25 (a) The state land reforestation fund consists of money appropriated  
26 by the legislature and contributions from private donors. It is the  
27 intent of the legislature that the appropriations made to the fund  
28 equal no less than 25 percent of the revenues from the sale of timber  
29 and other forest products from state land as well as the total

1 revenues from

2 (1) compensation for loss or damage to land within a state  
3 forest; and

4 (2) the federal government and other governmental units for  
5 reforestation.

6 (b) Money appropriated to or paid into the state land reforesta-  
7 tion fund does not lapse.

8 Sec. 41.17.320. REPORT TO THE LEGISLATURE. The commissioner  
9 shall make an annual report to the legislature within the first 10  
10 days of each session of the legislature on the uses of the money in  
11 the state land reforestation fund, the proposed uses of the fund in  
12 the following fiscal year, and the balance in the fund.

13 \* Sec. 4. AS 41.17 is amended by adding a new section to read:

14 ARTICLE 4. TANANA VALLEY STATE FOREST.

15 Sec. 41.17.400. TANANA VALLEY STATE FOREST. (a) Subject to  
16 valid existing rights and except for land owned by or transferred to  
17 the University of Alaska under a settlement agreement between the  
18 state and the university, the state-owned or acquired land and water  
19 lying within the parcels described in (d) of this section is desig-  
20 nated as the Tanana Valley State Forest.

21 (b) The commissioner shall prepare a management plan for the  
22 Tanana Valley State Forest. The commissioner shall permit and  
23 encourage public participation in the preparation of the management  
24 plan for the Tanana Valley State Forest by holding frequent public  
25 hearings during the development of the management plan in the  
26 communities proximately located to the Tanana Valley State Forest.  
27 The management plan shall be reviewed by the Board of Forestry and by  
28 other appropriate state agencies and at public hearings in each commu-  
29 nity proximately located to the Tanana Valley State Forest. The

1 management plan shall be submitted to the legislature for its approval  
2 within the first 10 days of the First Session of the Fourteenth State  
3 Legislature. The management plan for the Tanana Valley State Forest  
4 is approved unless the legislature adopts a concurrent resolution  
5 disapproving the management plan within 90 days of its submission to  
6 the legislature.

7 (c) The commissioner shall consider and permit the uses  
8 described in AS 41.17.230(e) within the Tanana Valley State Forest,  
9 subject to the procedures established in AS 41.17.230(f). The  
10 commissioner may establish transportation corridors within the Tanana  
11 Valley State Forest.

12 (d) The Tanana Valley State Forest includes the state-owned or  
13 acquired land and water lying within the following described parcels.

14 Township 1 North, Range 2 East, Fairbanks Meridian

15 Sections 1 - 3

16 Sections 10 - 12

17 Sections 13 - 15, N1/2

18 Township 1 North, Range 3 East, Fairbanks Meridian

19 Section 1, E1/2, E1/2SW1/4, SW1/4SW1/4, SE1/4NW1/4

20 Section 2, NW1/4, NW1/4SW1/4

21 Sections 3 - 5

22 Section 6, N1/2

23 Section 7, E1/2E1/2

24 Sections 8 - 9

25 Section 10, NW1/4SW1/4, N1/2NW1/4, SW1/4NW1/4

26 Section 11, E1/2, S1/2SW1/4

27 Sections 12 - 14

28 Section 15, S1/2NE1/4, NE1/4NE1/4, S1/2

29 Township 1 North, Range 4 East, Fairbanks Meridian

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Sections 1 - 12

Sections 16 - 18

Township 1 North, Range 5 East, Fairbanks Meridian

Sections 6 - 10

Sections 15 - 16

Township 1 North, Range 5 West, Fairbanks Meridian

Township 1 North, Range 8 West, Fairbanks Meridian

Sections 17 - 20, except for the area south of the  
Tanana River

Sections 29 - 34, except for the area south of the  
Tanana River

Section 35, W1/2, except for the area south of the  
Tanana River

Township 1 North, Range 9 West, Fairbanks Meridian

Sections 13 - 36, except for the area south of the  
Tanana River

Township 1 North, Range 10 West, Fairbanks Meridian

Sections 13 - 36, except for the area south of the  
Tanana River

Township 1 North, Range 11 West, Fairbanks Meridian

Sections 5 - 7

Sections 18 - 19

Sections 30 - 36

Township 1 North, Range 12 West, Fairbanks Meridian

Township 1 North, Range 13 West, Fairbanks Meridian

Sections 1 - 3

Sections 10 - 15

Sections 22 - 26

Sections 35 - 36

1 Township 2 North, Range 2 East, Fairbanks Meridian  
2 Sections 34 - 36  
3 Township 2 North, Range 3 East, Fairbanks Meridian  
4 Sections 13 - 16  
5 Sections 21 - 29  
6 Sections 31 - 36  
7 Township 2 North, Range 4 East, Fairbanks Meridian  
8 Sections 5 - 8  
9 Sections 17 - 19  
10 Section 30, N1/2  
11 Township 2 North, Range 4 West, Fairbanks Meridian  
12 Sections 2 - 6  
13 Township 2 North, Range 5 West, Fairbanks Meridian  
14 Township 2 North, Range 10 West, Fairbanks Meridian  
15 Sections 4 - 7  
16 Township 2 North, Range 11 West, Fairbanks Meridian  
17 Sections 1 - 12  
18 Sections 16 - 21  
19 Sections 28 - 33  
20 Township 2 North, Range 12 West, Fairbanks Meridian  
21 Township 2 North, Range 13 West, Fairbanks Meridian  
22 Sections 1 - 30  
23 Sections 33 - 36  
24 Township 2 North, Range 14 West, Fairbanks Meridian  
25 Sections 23 - 26  
26 Township 3 North, Range 4 West, Fairbanks Meridian  
27 Sections 4 - 6  
28 Township 3 North, Range 5 West, Fairbanks Meridian  
29 Section 1

1                   Sections 4 - 5, north of left limit of Tatalina River  
2                   Sections 6 - 7  
3                   Sections 11 - 36  
4                   Township 3 North, Range 6 West, Fairbanks Meridian  
5                   Sections 1 - 12  
6                   Township 3 North, Range 7 West, Fairbanks Meridian  
7                   Sections 1 - 3  
8                   Sections 10 - 12  
9                   Township 3 North, Range 10 West, Fairbanks Meridian  
10                  Sections 1 - 10  
11                  Sections 15 - 33  
12                  Township 3 North, Range 11 West, Fairbanks Meridian  
13                  Sections 1 - 3  
14                  Sections 10 - 15  
15                  Sections 19 - 36  
16                  Township 3 North, Range 12 West, Fairbanks Meridian  
17                  Sections 19 - 21, east of right limit of Hutlitakwa  
18                  Creek  
19                  Sections 22 - 29  
20                  Section 30, east of right limit of Hutlitakwa Creek  
21                  Sections 31 - 36  
22                  Township 3 North, Range 13 West, Fairbanks Meridian  
23                  Sections 3 - 4  
24                  Section 9  
25                  Sections 16 - 17  
26                  Sections 19 - 20  
27                  Section 21, W1/2  
28                  Sections 25 - 26, east of right limit of Hutlitakwa  
29                  Creek

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Sections 29 - 32

Sections 34 - 35, east of right limit of Hutlitakwa  
Creek

Section 36

Township 3 North, Range 14 West, Fairbanks Meridian

Section 25, E1/2

Section 36

Township 4 North, Range 5 West, Fairbanks Meridian

Section 1, west of left limit of Tatalina River

Sections 2 - 10

Sections 11 - 12, west of left limit of Tatalina River

Sections 14 - 15, west of left limit of Tatalina River

Sections 16 - 21

Section 22, west of left limit of Tatalina River

Sections 27 - 28, west of left limit of Tatalina River

Sections 29 - 32

Section 33, west of left limit of Tatalina River

Township 4 North, Range 6 West, Fairbanks Meridian

Section 1

Sections 10 - 15

Sections 22 - 36

Township 4 North, Range 7 West, Fairbanks Meridian

Sections 25 - 29

Sections 32 - 36

Township 4 North, Range 13 West, Fairbanks Meridian

Section 27

Section 33, SE1/4

Section 34

Township 5 North, Range 5 West, Fairbanks Meridian

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Sections 1 - 2, west of Slate Creek

Sections 3 - 5

Section 6, E1/2

Section 7, E1/2

Sections 8 - 11

Section 12, west of Slate Creek

Sections 13 - 17

Section 18, E1/2

Sections 19 - 36

Township 6 North, Range 4 West, Fairbanks Meridian

Section 5, west of Alyeska Pipeline right-of-way  
and north of left limit of Slate Creek

Section 6, west of Alyeska Pipeline right-of-way

Sections 7 - 8, west of left limit of Slate Creek

Sections 18 - 19, west of left limit of Slate Creek

Township 6 North, Range 5 West, Fairbanks Meridian

Sections 1 - 4

Section 5, E1/2

Section 8, E1/2

Sections 9 - 16

Section 17, E1/2

Sections 20 - 23

Sections 24 - 26, west of left limit of Slate Creek

Sections 27 - 29

Sections 32 - 34

Section 35, west of left limit of Slate Creek

Township 7 North, Range 4 West, Fairbanks Meridian

Sections 30 - 31, west of Alyeska Pipeline right-  
of-way

1 Township 7 North, Range 5 West, Fairbanks Meridian

2 Section 15, west of Alyeska Pipeline right-of-way

3 Section 16, E1/2

4 Section 21, E1/2

5 Sections 22 - 23, west of Alyeska Pipeline right-  
6 of-way

7 Sections 25 - 26, west of Alyeska Pipeline right-  
8 of-way

9 Section 27

10 Section 28, E1/2

11 Section 33, E1/2

12 Sections 34 - 36

13 Township 15 North, Range 11 East, Copper River Meridian

14 Sections 1 - 2

15 Section 3, excl. ASLS 78-42

16 Sections 4 - 8

17 Sections 17 - 19

18 Section 30

19 Section 31

20 Township 16 North, Range 11 East, Copper River Meridian

21 Sections 1 - 3

22 Sections 10 - 15

23 Sections 22 - 36

24 Township 16 North, Range 12 East, Copper River Meridian

25 Sections 1 - 12

26 Sections 14 - 22

27 Sections 28 - 32

28 Township 17 North, Range 11 East, Copper River Meridian

29 Sections 1 - 3

1                   Sections 10 - 15  
2           Township 17 North, Range 12 East, Copper River Meridian  
3                   Sections 5 - 6, west of Eagle Trail  
4                   Sections 7 - 8  
5                   Section 9, west of Eagle Trail  
6                   Sections 15 - 16, west of Eagle Trail  
7                   Sections 17 - 21  
8                   Sections 22 - 23, west of Eagle Trail  
9                   Section 26, west of Eagle Trail  
10                  Sections 27 - 34 .  
11                  Section 35, west of Eagle Trail  
12           Township 18 North, Range 11 East, Copper River Meridian  
13                   Section 26, west of Eagle Trail  
14                   Sections 27 - 33  
15                   Sections 34 - 36, west of Eagle Trail  
16           Township 19 North, Range 9 East, Copper River Meridian  
17                   Sections 1 - 21  
18           Township 19 North, Range 13 East, Copper River Meridian  
19                   Sections 1 - 4  
20                   Sections 5 - 6, excl. F028758  
21                   Sections 7 - 16  
22                   Section 17, northeast of Tanana River  
23                   Section 18, north of Tanana River  
24                   Section 20, northeast of Tanana River  
25                   Section 21, north of Tanana River  
26                   Sections 22 - 27  
27                   Section 28, north of Tanana River  
28                   Section 29, east of Tanana River  
29                   Section 34, north and east of Tanana River

1 Section 35, north of Tanana River  
2 Section 36  
3 Township 19 North, Range 14 East, Copper River Meridian  
4 Sections 5 - 8  
5 Sections 13 - 34  
6 Section 35, excl. USS 2547  
7 Section 36  
8 Township 19 North, Range 15 East, Copper River Meridian  
9 Sections 16 - 22  
10 Section 23, west of Taylor Highway  
11 Sections 26 - 27, west of Taylor Highway  
12 Sections 28 - 32  
13 Sections 33 - 34, west of Taylor Highway  
14 Township 20 North, Range 9 East, Copper River Meridian  
15 Township 20 North, Range 10 East, Copper River Meridian  
16 Sections 1 - 4  
17 Section 7, excl. NA, Par. E, F1655  
18 Sections 8 - 12  
19 Sections 15 - 16  
20 Sections 17 - 18, excl. NA, Par. D, F12113  
21 Sections 19 - 21  
22 Sections 28 - 33  
23 Township 20 North, Range 11 East, Copper River Meridian  
24 Sections 1 - 16  
25 Section 17, excl. NA, Par. C, F12548  
26 Section 18  
27 Sections 20 - 23  
28 Sections 28 - 29  
29 Section 32

1 Section 33, excl. USS 4377, NA, Par. A, F12549, NA,  
2 Par. B, F-14422  
3 Township 20 North, Range 12 East, Copper River Meridian  
4 Sections 20 - 23  
5 Section 24, excl. NA, F-12107  
6 Sections 25 - 29  
7 Sections 34 - 36  
8 Township 20 North, Range 13 East, Copper River Meridian  
9 Sections 19 - 36  
10 Township 21 North, Range 8 East, Copper River Meridian  
11 Sections 1 - 5  
12 Sections 9 - 17  
13 Sections 23 - 25  
14 Section 27, excl. USS 3620  
15 Section 36  
16 Township 21 North, Range 9 East, Copper River Meridian  
17 Sections 3 - 23  
18 Sections 26 - 35  
19 Township 22 North, Range 8 East, Copper River Meridian  
20 Sections 1 - 5  
21 Sections 8 - 18  
22 Sections 20 - 24  
23 Sections 27 - 32  
24 Sections 34 - 36  
25 Township 22 North, Range 9 East, Copper River Meridian  
26 Sections 4 - 9  
27 Sections 16 - 36  
28 Township 23 North, Range 5 East, Copper River Meridian  
29 Sections 1 - 3

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Sections 10 - 15  
Sections 21 - 24  
Township 23 North, Range 6 East, Copper River Meridian  
Sections 5 - 7  
Township 23 North, Range 7 East, Copper River Meridian  
Sections 1 - 30  
Township 23 North, Range 8 East, Copper River Meridian  
Sections 6 - 7  
Section 18  
Sections 25 - 27  
Sections 32 - 36  
Township 24 North, Range 5 East, Copper River Meridian  
Sections 1 - 5  
Sections 8 - 17  
Sections 20 - 29  
Sections 34 - 36  
Township 24 North, Range 7 East, Copper River Meridian  
Sections 1 - 30  
Sections 32 - 36  
Township 25 North, Range 6 East, Copper River Meridian  
Township 25 North, Range 8 East, Copper River Meridian  
Township 26 North, Range 5 East, Copper River Meridian  
Sections 1 - 20  
Township 26 North, Range 6 East, Copper River Meridian  
Township 1 South, Range 3 East, Fairbanks Meridian  
Section 1  
Sections 11 - 14  
Section 15, S1/2, S1/2N1/2  
Section 16

1 Section 23, NE1/4  
2 Section 24, N1/2  
3 Township 1 South, Range 4 East, Fairbanks Meridian  
4 Sections 1 - 2  
5 Section 4, S1/2  
6 Section 5, S1/2, NW1/4  
7 Sections 6 - 7  
8 Section 8, north of Chena River  
9 Section 9, the NW1/4 north of Chena River, N1/2NE1/4  
10 Section 10, NE1/4  
11 Section 11  
12 Section 12, N1/2  
13 Section 17, north of Chena River  
14 Section 18  
15 Township 1 South, Range 5 East, Fairbanks Meridian  
16 Section 6  
17 Township 1 South, Range 4 West, Fairbanks Meridian  
18 Section 4, SW1/4  
19 Sections 7 - 8  
20 Section 9, NW1/4  
21 Section 18, N1/2  
22 Section 23, SE1/4, SE1/4NE1/4  
23 Sections 24 - 29  
24 Section 32, N1/2N1/2  
25 Section 34, excl. NW1/4NW1/4  
26 Sections 35 - 36  
27 Township 1 South, Range 5 West, Fairbanks Meridian  
28 Sections 2 - 12  
29 Section 13, N1/2

1 Sections 14 - 23

2 Sections 28 - 30

3 Section 31, N1/2, N1/2S1/2

4 Section 32, N1/2, N1/2S1/2

5 Township 1 South, Range 6 West, Fairbanks Meridian

6 Sections 1 - 4

7 Sections 9 - 16

8 Sections 21 - 28

9 Sections 32 - 34

10 Section 35, E1/2

11 Section 36, N1/2

12 Township 1 South, Range 8 West, Fairbanks Meridian

13 Sections 3 - 10, except for the area south of the  
14 Tanana River

15 Sections 15 - 22, except for the area south of the  
16 Tanana River

17 Sections 27 - 34, except for the area south of the  
18 Tanana River

19 Township 1 South, Range 10 West, Fairbanks Meridian

20 Sections 1 - 6, except for the area south of the  
21 Tanana River

22 Township 1 South, Range 11 West, Fairbanks Meridian

23 Sections 1 - 24, except for the area south of the  
24 Tanana River

25 Sections 27 - 34, except for the area south of the  
26 Tanana River

27 Township 1 South, Range 12 West, Fairbanks Meridian

28 Sections 1 - 2

29 Sections 11 - 14

1 Section 21, south of the unnamed creek  
2 Sections 22 - 28  
3 Sections 31 - 32, south of right limit of Tanana River  
4 Sections 33 - 36  
5 Township 1 South, Range 13 West, Fairbanks Meridian  
6 Section 27, north of a branch of Tanana River  
7 Sections 34 - 36, north of a branch of Tanana River  
8 Township 2 South, Range 3 West, Fairbanks Meridian  
9 Sections 6 - 7  
10 Sections 18 - 19  
11 Sections 20 - 24, north of military reservation  
12 Sections 28 - 29, north of military reservation  
13 Sections 30 - 31  
14 Section 32, north of military reservation  
15 Township 2 South, Range 4 West, Fairbanks Meridian  
16 Sections 1 - 3  
17 Section 7, SE1/4SE1/4  
18 Sections 10 - 15  
19 Sections 22 - 27  
20 Sections 34 - 36  
21 Township 2 South, Range 5 West, Fairbanks Meridian  
22 Sections 1 - 2  
23 Sections 7 - 22  
24 Township 2 South, Range 6 West, Fairbanks Meridian  
25 Section 3  
26 Section 4, N1/2, SE1/4, SW1/4SW1/4  
27 Section 5  
28 Sections 10 - 12  
29 Section 16

1 Township 2 South, Range 7 West, Fairbanks Meridian  
2 Section 35, SE1/4SE1/4  
3 Section 36, SE1/4, SE1/4NE1/4, E1/2SW1/4, SW1/4SW1/4  
4 Township 2 South, Range 11 West, Fairbanks Meridian  
5 Section 6, except for the area south of the Tanana  
6 River  
7 Township 2 South, Range 12 West, Fairbanks Meridian  
8 Sections 1 - 24, except for the area south of the  
9 Tanana River  
10 Sections 27 - 34, except for the area south of the  
11 Tanana River  
12 Township 2 South, Range 13 West, Fairbanks Meridian  
13 Sections 1 - 6  
14 Section 7, Tracts A,B and C, ASLS 81-54 SW1/4  
15 Section 8, NE1/4, Tracts D,E,F, ASLS 81-54  
16 Sections 9 - 30  
17 Sections 33 - 36  
18 Township 3 South, Range 3 West, Fairbanks Meridian  
19 Sections 6 - 7, north of military reservation  
20 Township 3 South, Range 4 West, Fairbanks Meridian  
21 Sections 1 - 11  
22 Section 12, north of military reservation  
23 Sections 14 - 15, north of military reservation  
24 Section 16  
25 Section 17, north of military reservation  
26 Sections 20 - 22, north of military reservation  
27 Township 3 South, Range 5 West, Fairbanks Meridian  
28 Section 1  
29 Sections 11 - 12

1 Section 13, NW1/4NW1/4, Lots 2 - 4

2 Sections 14 - 15

3 Section 19, north of right limit of Tanana River,  
4 excl. NE1/4NE1/4

5 Section 20, north of right limit of Tanana River,  
6 excl. Lot 3

7 Section 21, north of right limit of Tanana River

8 Section 31, Lot 2

9 Township 3 South, Range 6 West, Fairbanks Meridian

10 Sections 13 - 36

11 Township 3 South, Range 7 West, Fairbanks Meridian

12 Sections 33 - 36

13 Township 3 South, Range 12 West, Fairbanks Meridian

14 Sections 3 - 10, except for the area south of the  
15 Tanana River

16 Sections 15 - 19, except for the area south of the  
17 Tanana River

18 Section 30, except for the area south of the Tanana  
19 River

20 Township 3 South, Range 13 West, Fairbanks Meridian

21 Section 12, E1/2

22 Section 13

23 Section 14, E1/2

24 Sections 24 - 25

25 Section 26, E1/2

26 Sections 35 - 36

27 Township 4 South, Range 6 West, Fairbanks Meridian

28 Sections 1 - 12

29 Sections 14 - 18

1 Township 4 South, Range 7 West, Fairbanks Meridian

2 Sections 1 - 12

3 Sections 13 - 14, north of left limit of Tanana River

4 Section 18, Lots 3-6

5 Township 4 South, Range 13 West, Fairbanks Meridian

6 Sections 1 - 2

7 Sections 3 - 4, east of left limit of Kantishna River

8 Sections 8 - 10, east of left limit of Kantishna River

9 Section 11

10 Section 15

11 Sections 16 - 17, east of left limit of Kantishna  
12 River

13 Sections 20 - 21, east of left limit of Kantishna  
14 River

15 Section 22

16 Sections 27 - 29, east of left limit of Kantishna  
17 River

18 Sections 33 - 34, east of left limit of Kantishna River

19 Township 5 South, Range 5 East, Fairbanks Meridian

20 Sections 25 - 29

21 Sections 33 - 36

22 Township 5 South, Range 6 East, Fairbanks Meridian

23 Sections 28 - 29

24 Section 30, S1/2

25 Sections 31 - 34

26 Section 36, S1/2

27 Township 5 South, Range 8 East, Fairbanks Meridian

28 Sections 1 - 6

29 Sections 8 - 17

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Sections 20 - 30  
Sections 32 - 36  
Township 5 South, Range 9 East, Fairbanks Meridian  
Sections 4 - 9  
Sections 13 - 36  
Township 6 South, Range 5 East, Fairbanks Meridian  
Sections 1 - 4  
Sections 9 - 15  
Section 16, S1/2, NE1/4  
Section 20, S1/2  
Sections 21 - 28  
Section 29, N1/2  
Section 36  
Township 6 South, Range 6 East, Fairbanks Meridian  
Section 1  
Sections 3 - 9  
Section 10, W1/2  
Section 11, E1/2  
Sections 12 - 36  
Township 6 South, Range 7 East, Fairbanks Meridian  
Sections 3 - 36  
Township 6 South, Range 8 East, Fairbanks Meridian  
Township 6 South, Range 9 East, Fairbanks Meridian  
Township 6 South, Range 10 East, Fairbanks Meridian  
Township 7 South, Range 6 East, Fairbanks Meridian  
Sections 1 - 5  
Sections 8 - 15  
Township 7 South, Range 7 East, Fairbanks Meridian  
Sections 1 - 12, excl. ASLS 81-213 except Tract A

1 Township 7 South, Range 8 East, Fairbanks Meridian

2 Sections 1 - 12

3 Township 7 South, Range 9 East, Fairbanks Meridian

4 Sections 3 - 10

5 Sections 15 - 16, N1/2

6 Township 7 South, Range 10 East, Fairbanks Meridian

7 Sections 24 - 25

8 Sections 35 - 36

9 Township 7 South, Range 11 East, Fairbanks Meridian

10 Sections 1 - 2

11 Sections 11 - 14

12 Sections 19 - 36

13 Township 7 South, Range 12 East, Fairbanks Meridian

14 Township 8 South, Range 5 East, Fairbanks Meridian

15 Section 1

16 Sections 2 - 3, north of military reservation

17 Sections 11 - 12, north of military reservation

18 Township 8 South, Range 10 East, Fairbanks Meridian

19 Sections 1 - 2

20 Section 8, excl. Quartz Lake Subdivision

21 Sections 9 - 15

22 Section 21, E1/2

23 Section 22

24 Section 23, W1/2

25 Sections 27 - 28

26 Section 29, E1/2

27 Sections 31 - 32

28 Sections 33 - 34, north of Tanana River

29 Township 8 South, Range 11 East, Fairbanks Meridian

1                   Sections 1 - 18

2                   Sections 22 - 27

3                   Section 36

4           Township 8 South, Range 12 East, Fairbanks Meridian

5                   Sections 1 - 10

6                   Sections 15 - 22

7                   Sections 27 - 34

8           Township 9 South, Range 10 East, Fairbanks Meridian

9                   Sections 4 - 6, north of left limit of Tanana River

10                   Section 7, GL-1

11           Township 9 South, Range 11 East, Fairbanks Meridian

12                   Section 3, S1/2

13                   Sections 4 - 5

14                   Sections 8 - 11

15                   Sections 13 - 16

16                   Section 17, E1/2, NE1/4SW1/4, SW1/4NW1/4

17                   Sections 21 - 27

18                   Section 28, excl. F02662

19           Township 9 South, Range 12 East, Fairbanks Meridian

20                   Sections 19 - 21

21                   Sections 28 - 36

22           Township 9 South, Range 16 East, Fairbanks Meridian

23                   Sections 19 - 36

24           Township 10 South, Range 12 East, Fairbanks Meridian

25                   Sections 1 - 3

26                   Sections 4 - 6, north of left limit of Tanana River

27                   Sections 10 - 12, north of left limit of Tanana River

28           Township 10 South, Range 13 East, Fairbanks Meridian

29                   Sections 1 - 6

1 Sections 7 - 8, north of left limit of Tanana River  
2 Sections 9 - 12  
3 Sections 14 - 15, N1/2

4 Township 10 South, Range 14 East, Fairbanks Meridian

5 Sections 1 - 20  
6 Section 21, NE1/4SE1/4, W1/2, N1/2NE1/4  
7 Sections 22 - 24  
8 Section 25, excl. Tract C  
9 Section 26, excl. SW1/4SW1/4  
10 Section 27, N1/2NE1/4, NE1/4NW1/4  
11 Section 28, W1/2  
12 Section 29  
13 Section 30, NE1/4NE1/4  
14 Section 32, excl. Tract U, Delta I  
15 Section 33, W1/2

16 Township 10 South, Range 16 East, Fairbanks Meridian

17 Sections 1 - 35

18 Township 11 South, Range 14 East, Fairbanks Meridian

19 Section 4, NW1/4, Tracts A,B,E  
20 Section 5, excluding Tract U, Delta Barley I  
21 Section 9, Tracts A,B, E1/2  
22 Section 10, Tracts B,C  
23 Section 15, Tracts B,C  
24 Section 16, E1/2, Tracts A,B  
25 Section 21, Tracts A,B  
26 Section 22, NW1/4, Tracts A,B,D  
27 Section 23, Tracts A,B,D,E  
28 Section 26, Tracts A,B,C,D  
29 Section 35, E1/2, Tracts A,B

1                   Section 36, Tracts A,B,C,D,E  
2                   Township 12 South, Range 16 East, Fairbanks Meridian  
3                   Sections 1 - 5  
4                   Sections 9 - 16  
5                   Sections 21 - 28  
6                   Sections 34 - 36

7           \* Sec. 5. Notwithstanding AS 41.17.400 as enacted in sec. 4 of this  
8 Act, the Fairbanks North Star Borough may, before July 1, 1984, select for  
9 conveyance to the borough under AS 29.18.201 - 29.18.213 all or a portion  
10 of the land within one or more sites described in this section for use as  
11 an industrial park:

12                   Tanana Site:  
13                   Township 2 South, Range 5 West, Fairbanks Meridian  
14                   Section 34, E1/2  
15                   Sections 35 - 36  
16                   Township 3 South, Range 4 West, Fairbanks Meridian  
17                   Section 6, W1/2  
18                   Section 7, W1/2  
19                   Township 3 South, Range 5 West, Fairbanks Meridian  
20                   Sections 1 - 2  
21                   Section 3, E1/2  
22                   Sections 11 - 12  
23                   Section 13, Lots 2 and 3  
24                   Section 14, NE1/4NE1/4, Lots 1 to 4 inclusive  
25                   Ohio Creek Site:  
26                   Township 2 South, Range 5 West, Fairbanks Meridian  
27                   Section 1, S1/2  
28                   Section 2, S1/2  
29                   Sections 11 - 12

1 Section 13, W1/2

2 Section 14

3 Section 23

4 Section 26, NE1/4, E1/2NW1/4

5 Two Rivers Site:

6 Township 1 South, Range 3 East, Fairbanks Meridian

7 Section 11, N1/2SE1/4, N1/2S1/2SE1/4, SE1/4SE1/4SE1/4,

8 E1/2SW1/4SE1/4SE1/4, NW1/4SW1/4SE1/4SE1/4, NE1/4-

9 SE1/4SW1/4SE1/4, W1/2SE1/4SW1/4SE1/4, SW1/4SW1/4SE1/4

10 Section 14, W1/2W1/2NE1/4, W1/2NE1/4SW1/4NE1/4, SE1/4-

11 SW1/4NE1/4, W1/2NW1/4SE1/4, NE1/4NW1/4SE1/4, NW1/4-

12 SE1/4NW1/4SE1/4, NW1/4NW1/4SW1/4SE1/4, N1/2SW1/4,

13 N1/2NE1/4SE1/4SW1/4, N1/2NE1/4SW1/4SW1/4, NW1/4SW1/4-

14 SW1/4SW1/4, NW1/4SW1/4SW1/4, NW1/4

15 Section 15, S1/2N1/2, S1/2

16 Section 16

17 Martin Site:

18 Township 1 North, Range 4 West, Fairbanks Meridian

19 Section 23, S1/2

20 Section 24, S1/2

21 Section 27, NE1/4, S1/2

22 \* Sec. 6. AS 41.17.020(c) is repealed.

23 \* Sec. 7. Section 4 of this Act takes effect 30 days after the governor  
24 certifies to the legislature that land north of latitude 64°15' and west of  
25 longitude 141°00' with an acreage equal to one-fifth of the acreage of the  
26 land described in AS 41.17.400(d) as enacted in sec. 4 of this Act has been  
27 transferred by contract of sale or patent by the Department of Natural  
28 Resources into private ownership since the effective date of this Act.

29 \* Sec. 8. Section 4 of this Act is repealed July 1, 1985, if a  
HCS CSSB 108(Res)

1 management plan for the Tanana Valley State Forest is disapproved by  
2 concurrent resolution of the legislature within 90 days of its submission  
3 to the legislature.

4 \* Sec. 9. Except for sec. 4, this Act takes effect July 1, 1983.  
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STATE OF ALASKA  
THE LEGISLATURE

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


LEGISLATIVE AFFAIRS AGENCY

M E M O R A N D U M

June 1, 1983

SUBJECT: State forests  
(HCS CSSB 108 (Finance))

TO: Representative Albert P. Adams  
Chairman, House Finance Committee

FROM: Richard A. Bradley   
Legislative Counsel

You have requested a comparison of HCS CSSB 108 (Finance) with HCS CSSB 108 (Resources). For convenience, I will refer to them as the Resources bill or the Finance bill.

Section 1 of the Resources bill is unique. It provides that the governor may not propose the establishment of a state forest or any other special use area until he is able to certify that acreage amounting to 20 percent of the acreage put into special use areas had been conveyed into private ownership.

Section 2 of the Resources bill and sec. 1 of the Finance bill are similar.

Sec. 200 is similar in each; the phrase "land, water, scenic, and recreational resources to ensure a variety of" is deleted from the Resources language. Since the section is a "purposes" section, the substantive effect is minimal.

The effect of sec. 210 in each is not dissimilar though the language of each is completely different. The Resources bill contemplates a proposal for a state forest by the governor after preliminary classification and other review has been completed. The state forest should comprise land "primarily of commercially valuable forest land determined . . . to be necessary for retention in state ownership . . ." The Finance bill uses the same phrase.

The Finance bill then requires the governor to include with the proposal "a report and recommendations of the commissioner" on five stated elements.

Each bill has an identical sec. 210(b).

Sec. 220 is identical in each bill.

Sec. 230(a) is similar in each bill. The difference is that the Resources bill requires the establishment of the management plan before the forest is proposed and therefore it is implemented immediately on the establishment of the forest; the Finance bill requires the implementation of the management plan within three years of the establishment of the forest.

Sec. 230(b) is identical in each.

Sec. 230(c) are similar in each. The Resources bill permits only revision (because the management plan was submitted with the proposal for the forest to the legislature). The Finance bill permits adoption or revision. Otherwise the first sentence in the Resources bill and the entire section in the Finance bill are identical. The Resources bill also contain unique language directing the commissioner to seek frequent public participation during the development of the management plans.

Sec. 230(d) is identical in each.

Sec. 230(e) is identical in each.

Sec. 230(f) is identical in each.

Section 3 of the Resources bill and sec. 2 of the Finance bill are identical.

Section 4 of the Resources bill and sec. 3 of the Finance bill are similar.

Sec. 400(a) in each are identical.

Sec. 400(b) in the Resources bill directs the preparation of a management plan for the Tanana Valley State Forest. Its language essentially duplicates much of the material in sec. (41.17.)230 of the bill. The Finance bill eliminates the language and directs the commissioner to prepare the

Representative Albert P. Adams

Page 3

June 1, 1983

management plan under sec. 230. The management plan is to be submitted to the First Session of the Fourteenth Legislature according to the Resources bill, to the Second Session of the Fourteenth Legislature according to the Finance bill. The bill is approved unless the "legislature adopts a concurrent resolution disapproving the management plan within 90 days of its submission." The Finance bill provides that the management plan is approved unless it is disapproved by legislation.

Sec. 400(c) is identical in each.

Sec. 400(d) establishes the description of the land within the forest. I cannot recall as I write this whether the descriptions are identical.

Section 6 of the Resources bill and sec. 5 of the Finance bill are identical.

Section 7 of the Resources bill is unique. It provides that the Tanana Valley State Forest takes effect after the conveyance of certain land into private ownership. It has no equivalent in the Finance bill.

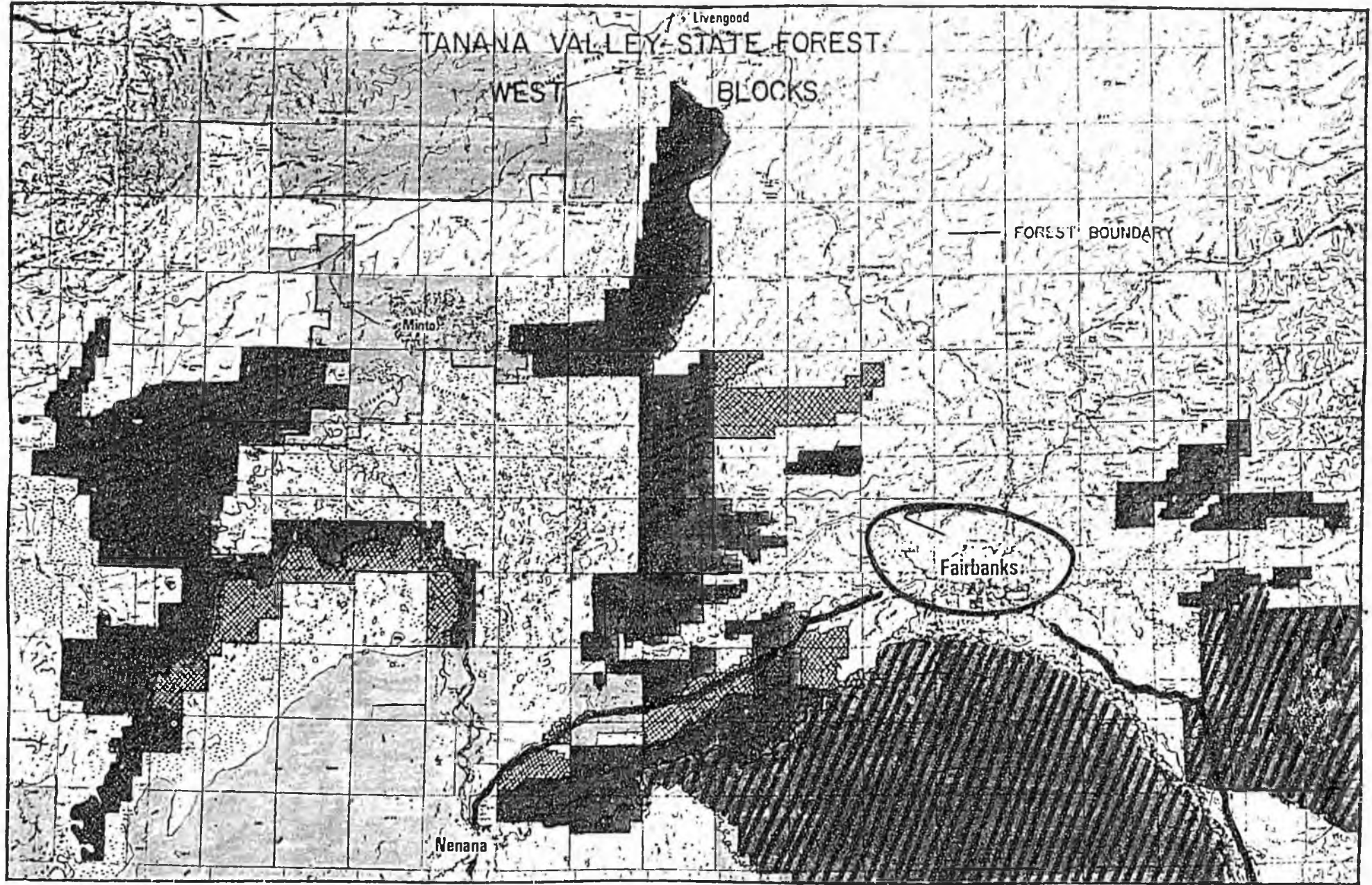
Section 8 of the Resources bill is unique and deals with the repeal of the section establishing the Tanana Valley State Forest if the management plan is disapproved.

Section 9 of the Resources bill and sec. 6 of the Finance bill are essentially identical (except for the "Except" phrase in sec. 9).



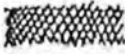




If I may be of further assistance, please advise.

RAB:ijb  
23/002

May 7, 1983



Colored areas show the 1.7-million-acre Tanana Valley State Forest proposed in Senate bill 108.

- |   |                         |   |                              |
|---|-------------------------|---|------------------------------|
|  | STATE FOREST            |   | LOWLAND/SWAMP                |
|  | DELETED IN H. RESOURCES |   | AGRICULTURE                  |
|  | NATIVE LANDS            |   | MILITARY                     |
|   |                         |  | TENTATIVELY REPLACED, H.F.C. |

→ Hwy.