

LEG. FINANCE - BILLS 1985 - 1986 2333

HB 93 cont. - CSHB 93 2333

1 Section 18: E1/2, SW1/4

2 Section 19

3 Section 20: N1/2, SW1/4

4 Section 30: W1/2

5 (E) Township 27 North, Range 3 West, Seward Meridian

6 Section 24: E1/2

7 Section 25

8 Section 26: SE1/4

9 Section 31: S1/2

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

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

12 Section 34: S1/2S1/2 exclusive of ASLS 79-149

13 and ASLS 76-138

14 Sections 35 - 36

15 (F) Township 27 North, Range 4 West, Seward Meridian

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

17 and ASLS 74-77

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

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

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

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

22 Sec. 41.23.030. GENERAL MANAGEMENT OF RECREATIONAL RIVER. (a)
 23 The land and water within the area designated as a recreational river
 24 under AS 41.23.020(c) is assigned to the Department of Natural Re-
 25 sources for multiple use management.

26 (b) Within two years from the effective date of the designation
 27 of a river as a recreational river under AS 41.23.020(c), the commis-
 28 sioner shall, after consultation with appropriate state agencies,
 29 reserve to the state under AS 46.15.145 an instream flow or level for

1 the water in the river described in AS 41.23.020(c) that is adequate
2 to achieve the purposes of AS 41.23.010 - 41.23.090.

3 (c) The provisions of AS 41.23.010 - 41.23.090 do not affect the
4 responsibility of

5 (1) the Department of Fish and Game, the Board of Fisher-
6 ies, the Board of Game, or the Guide Licensing and Control Board under
7 AS 09.54, AS 16, or AS 41.99.010;

8 (2) the Department of Environmental Conservation under
9 AS 46.03; or

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

12 (d) The commissioner shall permit the use of weapons within a
13 recreational river except in sites of high public use such as picnic
14 areas, boat ramps, camping grounds, and parking areas when the commis-
15 sioner determines that the use of weapons constitutes a threat to
16 public safety. Except as provided in this subsection, the commis-
17 sioner may not restrict the exercise of sport or subsistence fishing,
18 hunting, or trapping within a recreational river.

19 (e) The commissioner shall permit access for a use described in
20 this subsection within a recreational river unless the commissioner
21 determines that access is incompatible with AS 41.23.010(b)(1) and
22 (2):

23 (1) access to mining, timber harvest and other resource use
24 areas;

25 (2) access to private property;

26 (3) access for oil and gas and geothermal exploration and
27 development;

28 (4) access for energy related development systems;

29 (5) access for state or municipal land settlement.

1 (f) The commissioner may lease land competitively within a
2 recreational river to a person for the construction and operation of a
3 public use facility within the recreational river.

4 (g) The commissioner may not restrict commercial activities
5 existing within the boundaries of an area designated as a recreational
6 river under AS 41.23.020(c) at the time of the designation unless the
7 commissioner determines that the commercial activity threatens the
8 quality of the water or an essential habitat within the recreational
9 river.

10 Sec. 41.23.040. MANAGEMENT PLAN. (a) The commissioner shall
11 adopt and may revise a comprehensive multiple use management plan for
12 a river designated as a recreational river under AS 41.23.020(c). The
13 commissioner shall consult with the Department of Fish and Game before
14 the adoption or revision of a management plan governing the use of an
15 area within a recreational river. The commissioner shall comply with
16 the notice requirements of AS 38.05.945 and shall hold at least one
17 public hearing in the municipalities and communities that are proxi-
18 mately located to the recreational river and with the local fish and
19 game advisory board in the area in the adoption or revision of a
20 management plan.

21 (b) A comprehensive management plan adopted or revised by the
22 commissioner under (a) of this section shall be submitted to the
23 legislature for review within the first 10 days of the first regular
24 session of the legislature to convene after its adoption or revision
25 by the commissioner.

26 (c) The Department of Fish and Game shall consult with the
27 commissioner before it adopts or revises regulations governing fish
28 and game management in an area designated as a recreational river.

29 (d) A comprehensive multiple-use management plan adopted for a

1 recreational river under (a) of this section shall be adopted within
2 two years from the effective date of the designation of a river as a
3 recreational river under AS 41.23.020(c).

4 (e) The commissioner shall designate in the management plan uses
5 determined incompatible within a recreational river designated under
6 AS 41.23.020(c). If the commissioner determines that a use is incom-
7 patible with one or more other uses in a portion of a river designated
8 as a recreational river, the commissioner shall state in the manage-
9 ment plan adopted or revised under (b) of this section

10 (1) each determination of incompatibility;

11 (2) the specific area where the incompatibility is de-
12 termined to exist;

13 (3) the time within which the incompatibility is determined
14 to exist; and

15 (4) the reasons for each determination of incompatibility.

16 Sec. 41.23.050. MANAGEMENT OF MUNICIPAL LAND. If a municipality
17 commits land for inclusion in a recreational river designated under
18 AS 41.23.020(c), the commissioner shall obtain the concurrence of the
19 municipality to the management plan proposed under AS 41.23.030 as it
20 applies to municipal land.

21 Sec. 41.23.060. ACQUISITION OF ADDITIONAL LAND. (a) The com-
22 missioner may acquire in the name of the state land that is adjacent
23 to or located within the land described in AS 41.23.020(c) by pur-
24 chase, lease, gift, or exchange. Notwithstanding AS 38.50, the ex-
25 change may not be completed without the approval of the legislature if
26 the appraised fair market value of the state land proposed for the
27 particular exchange is in excess of \$100,000.

28 (b) The commissioner may not acquire land for inclusion in a
29 recreational river by eminent domain.

1 Sec. 41.23.070. APPLICATION OF PUBLIC LAND LAWS. Except to the
2 extent that a provision is inconsistent with a provision of this
3 chapter, the provisions of AS 38.04, AS 38.05, AS 38.35, and AS 38.95
4 apply to land described in AS 41.23.020(c).

5 Sec. 41.23.080. COOPERATIVE MANAGEMENT AGREEMENTS. (a) The
6 commissioner may enter into a cooperative management agreement for the
7 management of land and water described in AS 41.23.020(c) or of other
8 adjacent land and water with a federal agency, a municipality of the
9 state, another agency of the state, or a private landowner.

10 (b) The commissioner may transfer the management of a specific
11 site within a recreational river described in AS 41.23.020(c) to
12 another state agency to assist in the development of a facility or to
13 carry out a program authorized by law.

14 (c) The commissioner may not manage a recreational river de-
15 scribed in AS 41.23.020 as a unit of the state park system.

16 Sec. 41.23.090. RECOMMENDATIONS BY COMMISSIONER. (a) Before
17 recommending the establishment of a recreational river to the legisla-
18 ture, the commissioner shall adopt an area plan for the area within
19 which the proposed recreational river will be located that complies
20 with the requirements of (b) of this section.

21 (b) In the adoption of an area plan preparatory to a recommenda-
22 tion for the establishment of a recreational river, the commissioner
23 shall

24 (1) after notice under AS 38.05.945, hold a public hearing
25 in each community that is located proximately to or within the bound-
26 aries of an area proposed for inclusion within a recreational river;

27 (2) prepare a summary of the testimony offered at each
28 public hearing held under (1) of this subsection with regard to the
29 establishment of the proposed recreational river for inclusion in the

1 area plan;

2 (3) consult with each fish and game advisory committee with
3 responsibilities for an area within the boundaries of an area proposed
4 for inclusion within a recreational river and include the recommenda-
5 tions of the local fish and game advisory committee in the area plan;
6 and

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

9 ARTICLE 2. GENERAL PROVISIONS.

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

12 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
13 10.070(c).

Introduced: 1/18/85
Referred: Resources and Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2

HOUSE BILL NO. 93

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act establishing a system of recreation rivers;
7 and providing for an effective date."

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

9 * Section 1. AS 41.21.022 is amended to read:

10 Sec. 41.21.022. DISCHARGE OF FIREARMS. The discharge of fire-
11 arms during lawful hunting, trapping, and fishing is permitted within
12 the boundaries of: (1) Caines Head State Recreation Area; (2) Chena
13 River State Recreation Area; (3) Chugach State Park; (4) Denali State
14 Park; (5) Kachemak Bay State Park; (6) Kachemak Bay State Wilderness
15 Park; (7) Marine Parks established in AS 41.21.300 -- 41.21.306; (8)
16 Quartz Lake State Recreation Area; [AND] (9) Wood-Tikchik State Park,
17 or a recreation river created under AS 41.21.308 -- 41.21.320, except
18 that all or part of a state park, marine park, wildlife preserve,
19 recreation river, or recreation area may be closed to the discharge of
20 firearms by regulations adopted by the department for purposes of
21 public safety or, with the concurrence of the Board of Game, for
22 limited areas of Chugach State Park for public display of local wild-
23 life under AS 41.21.121.

24 Sec. 2. AS 41.21 is amended by adding new sections to read:

25 Article 3A. STATE RECREATION RIVERS.

26 Sec. 41.21.308. PURPOSES. (a) The purposes of creating a
27 recreation river are

28 (1) to dedicate as a unit of the state park system under
29 this chapter the land and water described in AS 41.21.310;

1 (2) to protect and perpetuate the fish and wildlife re-
2 sources and habitat and provide for recreational opportunities in the
3 unit;

4 (3) to protect the scenic and natural values and wilderness
5 attributes of the river system;

6 (4) to maintain the water quality and the stream flow of
7 the river system;

8 (5) to manage development activities in a manner compatible
9 with the primary purposes of protecting and enhancing the habitat in
10 the unit, and protecting and enhancing recreational values and provid-
11 ing opportunities in the unit, such as fishing, hunting, trapping,
12 gold panning, skiing, hiking, boating, and wildlife observation.

13 (b) Other resource management activities may occur if designed
14 to be compatible with the purposes set out in (a) of this section.

15 Sec. 41.21.310. DESIGNATED LAND AND WATER. (a) The land and
16 water presently owned by the state, and all land and water acquired by
17 the state in the future, including shore and submerged land, lying
18 within the following areas and parcels is designated a state recre-
19 ation river:

20 Little Susitna River:

21 the water column of the main stream of the Little Susitna
22 River from mean high water mark to mean high water mark, from the
23 point at which the river crosses the section line dividing Sections 23
24 and 26 in Township 19 North, Range 1 East, Seward Meridian downstream
25 to the point at which the river crosses the section line between
26 Sections 15 and 22 in Township 16 North, Range 5 West, Seward
27 Meridian;

28 the water column of Lake Creek from mean high water mark to
29 mean high water mark, from the point at which the creek crosses the

1 section line dividing Sections 10 and 11, Township 18 North, Range 4
 2 West, Seward Meridian downstream to the confluence with the Little
 3 Susitna River; and
 4 Township 16 North, Range 5 West, Seward Meridian
 5 Section 3
 6 Section 4: E1/2, NE1/4
 7 Section 10: E1/2, E1/2W1/2
 8 Section 15: E1/2, E1/2W1/2
 9 Township 17 North, Range 5 West, Seward Meridian
 10 Section 12
 11 Section 13
 12 Section 14
 13 Section 15
 14 Section 22
 15 Section 23: N1/2N1/2, SW1/4NW1/4, W1/2SW1/4
 16 Section 26: W1/2W1/2
 17 Section 27
 18 Section 34
 19 Township 17 North, Range 4 West, Seward Meridian
 20 Section 4
 21 Section 6: SW1/4
 22 Section 7: W1/2, S1/2SE1/4
 23 Section 8: E1/2, S1/2SW1/4
 24 Section 17: NW1/4
 25 Section 18: N1/2, N1/2SW1/4
 26 Township 18 North, Range 4 West, Seward Meridian
 27 Section 11: SW1/4, SW1/4SE1/4, SW1/4NW1/4
 28 Section 13: S1/2, SW1/4NW1/4, W1/2SE1/4NW1/4,
 29 S1/2NW1/4NW1/4

1 Section 14
 2 Section 24
 3 Section 25: N1/2
 4 Section 26
 5 Section 27: S1/2
 6 Section 33: S1/2, S1/2NE1/4
 7 Section 34
 8 Section 35: NW1/4, W1/2NE1/4
 9 Township 18 North, Range 3 West, Seward Meridian
 10 Section 19
 11 Section 20: SW1/2, W1/2SE1/4, S1/2NW1/4, NW1/4NW1/4
 12 Section 28: W1/2NW1/4, NE1/4NW1/4
 13 Section 29: NE1/4
 14 Section 30
 15 Township 18 North, Range 1 West, Seward Meridian
 16 Section 15: N1/2NW1/4
 17 Section 16: NW1/4, N1/2NE1/4, SE1/4NE1/4
 18 Township 18 North, Range 1 East, Seward Meridian
 19 Section 8: NW1/4, SW1/4NE1/4, S1/2NW1/4NE1/4
 20 Township 18 North, Range 2 West, Seward Meridian
 21 Section 15: NW1/4, N1/2NE1/4, NW1/4SW1/4
 22 Section 16: S1/2
 23 Section 17: S1/2
 24 Section 20: NW1/4, W1/2NE1/4, E1/2SW1/4.
 25 (b) Subject to valid existing rights, the land and water de-
 26 scribed in (a) of this section are designated as special purpose areas
 27 under art. VIII, sec. 7, of the Alaska Constitution
 28 (c) Except for oil and gas leasing under AS 38.05.180, the
 29 mineral estate in the state-owned land and water described in (a) of

1 this section is closed to mineral entry under AS 38.05.181 -- 38.05.-
2 280.

3 Sec. 41.21.312. DESIGNATION OF MANAGEMENT RESPONSIBILITIES. (a)
4 The land and water described in AS 41.21.310(a) are assigned to the
5 department for control, maintenance, and development consistent with
6 the purposes of AS 41.21.308 -- 41.21.320.

7 (b) Nothing in AS 41.21.308 -- 41.21.320 affects the applicabil-
8 ity of

9 (1) AS 41.99.010, AS 16, or AS 08.54 regarding the respon-
10 sibilities of the Department of Fish and Game, the Board of Fisheries,
11 the Board of Game, or the Guide Licensing and Control Board;

12 (2) AS 46.03 regarding the responsibilities of the Depart-
13 ment of Environmental Conservation; or

14 (3) AS 44.19.145(a)(11) and AS 46.40.100 regarding the
15 responsibilities of state agencies and municipalities.

16 Sec. 41.21.314. COMPREHENSIVE MANAGEMENT PLAN; REGULATIONS.

17 (a) The commissioner shall develop and adopt a comprehensive manage-
18 ment plan for the land and water described in AS 41.21.310(a) through
19 the public hearing process in consultation with affected local munici-
20 palities and other state and federal agencies. The plan must, as a
21 minimum, establish long-range management policies consistent with the
22 purposes of AS 41.21.308 -- 41.21.320 which are necessary to

23 (1) protect and perpetuate the fish and wildlife habitat
24 and maintain the free-flowing character of the water;

25 (2) manage the level of intensity and types of recreational
26 uses;

27 (3) designate land zones and manage land uses and asso-
28 ciated development;

29 (4) manage commercial activities or development, including

1 commercial recreational services such as guiding; and

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

4
5 (b) The commissioner shall adopt regulations under the Adminis-
6 trative Procedure Act (AS 44.62) to implement the plan adopted under
7 (a) of this section. The regulations must, as a minimum,

8 (1) designate incompatible uses and prohibit or restrict
9 them;

10 (2) designate transportation and utility corridors in
11 cooperation with the Department of Transportation and Public Facili-
12 ties so as to provide reasonable public and private access consistent
13 with the purposes of AS 41.21.308 -- 41.21.320;

14 (3) establish guidelines for the extraction of sand and
15 gravel for public purposes and the harvest of forest products, consis-
16 tent with the purposes of AS 41.21.308 -- 41.21.320, as determined by
17 the commissioner; and

18 (4) establish adequate setback restrictions and other land
19 use controls to protect stream banks and maintain the river in a free
20 flowing state.

21 (c) Within one year after the effective date of this section,
22 the commissioner shall, after consultation with other appropriate
23 state agencies, reserve to the state under AS 46.15.145 an instream
24 flow or level for the water described in AS 41.21.310(a) adequate to
25 effectuate the purposes of AS 41.21.308 -- 41.21.320.

26 Sec. 41.21.316. ADDITIONAL LAND. To achieve the purposes of
27 AS 41.21.308 -- 41.21.320, the commissioner may acquire, in the name
28 of the state, title to or an interest in land or an improvement on
29 land that is adjacent to or within the boundaries of the land and

1 water described in AS 41.21.310(a) by lease, purchase, exchange under
2 AS 38.50, bequest, gift, or other lawful means, including land trusts
3 or similar arrangements with municipalities, but not by eminent do-
4 main.

5 Sec. 41.21.318. COOPERATIVE MANAGEMENT AGREEMENTS. The commis-
6 sioner may enter into cooperative agreements for the management of the
7 land and water described in AS 41.21.310 or other adjacent land and
8 water, with a federal agency, a municipality, another state agency, or
9 a private landowner.

10 Sec. 41.21.320. CIVIL ENFORCEMENT. In addition to any other
11 remedy provided by law, the attorney general may seek an injunction
12 and damages at the request of the commissioner for a violation of a
13 regulation adopted under AS 41.21.308 -- 41.21.320 or any other regu-
14 lation that is applicable to the land or water described in AS 41.21.-
15 310(a).

16 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
17 10.070(c).

COMMITTEE REPORT
SENATE

FURTHER:

4/28/86

Date 5/11/86

Mr. President

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

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

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

MEMBERS SIGNING
DO PASS

[Signature]
[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS

[Signature] NO Rec
[Signature] NO REC
[Signature] N. Rec

[Signature]
 Chairman
[Signature] No Rec
 Chairman recommendation

5/11/80
adopted

AMENDMENT BY FAIKS

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

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

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

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

Offered: 4/28/86
Referred: Finance

Original sponsor: Rules/Governor

1 IN THE HOUSE BY THE RESOURCES COMMITTEE
2 SENATE CS FOR CS FOR HOUSE BILL NO. 93 (Resources)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION
5 A BILL
6 For an Act entitled: "An Act establishing a system of recreation rivers;
7 and providing for an effective date."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 41.23 is amended by adding new sections to read:
10 ARTICLE 2. STATE RECREATION RIVERS.
11 Sec. 41.23.200. PURPOSES. (a) The purpose of AS 41.23.200 -
12 41.23.280 is to establish management guidelines for those rivers
13 designated for recreation under AS 41.23.200 - 41.23.280 while permit-
14 ting each river to be individually managed under a multiple use man-
15 agement plan.
16 (b) The goals and objectives by which a recreation river shall
17 be managed include
18 (1) the protection and maintenance of the fish and wildlife
19 populations and habitat on a sustained yield basis so as to maintain,
20 restore, and enhance fishing, hunting, and trapping activities;
21 (2) protection of the scenic and natural integrity of the
22 river and continuation of the traditional recreational uses of the
23 river by the public including boating, hiking, snowmachining, skiing,
24 dog mushing, and wildlife viewing;
25 (3) management of upland activities for the protection and
26 maintenance of water quality and stream flow.
27 (c) The commissioner shall allow an activity when compatible
28 with (b)(1) - (3) of this section including, but not limited to use of
29 aircraft, powerboats, snowmachines, all-terrain vehicles, and other

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 applies to municipal land.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 Section 3: N1/2, SW1/4

2 Section 4: E1/2E1/2, W1/2SE1/4, SE1/4SW1/4

3 Section 9: E1/2, SW1/4, E1/2NW1/4, SW1/4NW1/4

4 Section 10: NW1/4

5 Section 15: W1/2SW1/4, SW1/4NW1/4

6 Section 16

7 Section 21

8 Section 22: W1/2W1/2, E1/2SW1/4, SW1/4SE1/4

9 Sections 27 - 28

10 Section 34

11 Section 35: S1/2, NW1/4

12 (K) Township 20 North, Range 11 West, Seward Meridian

13 Section 18: W1/2

14 Section 19: W1/2

15 (L) Township 20 North, Range 12 West, Seward Meridian

16 Section 1

17 Section 2: N1/2

18 Section 11: E1/2

19 Sections 12 - 13

20 Section 14: E1/2

21 Sections 23 - 24

22 Section 25: N1/2

23 Section 26

24 Section 27: E1/2

25 Section 34: S1/2, NE1/4, SE1/4NW1/4

26 Section 35: NW1/4

27 (M) Township 21 North, Range 11 West, Seward Meridian

28 Section 31: SW1/4

29 (N) Township 21 North, Range 12 West, Seward Meridian

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

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

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

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

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

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

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

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

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

1 Section 8: S1/2SW1/4

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

3 Section 17

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

5 N1/2SE1/4, SE1/4SE1/4

6 Section 19: NE1/4NE1/4

7 Section 20: N1/2

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

9 Section 27

10 Section 28: E1/2

11 Section 33: NE1/4NE1/4

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

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

14 Section 36: SW1/4

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

16 Section 1: E1/2

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

18 Section 13: NE1/4NE1/4

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

20 Section 5

21 Section 8

22 Section 17

23 Section 18: SE1/4

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

25 Section 20: W1/2W1/2

26 Section 29: W1/2W1/2

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

28 Section 31: E1/2

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

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

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

1 Section 29: E1/2

2 Section 32: E1/2

3 Section 33: W1/2

4 (Q) Township 27 North, Range 8 West, Seward Meridian

5 Section 12: NE1/4

6 (R) Township 28 North, Range 6 West, Seward Meridian

7 Section 32: S1/2SE1/4

8 Section 33: S1/2S1/2

9 (5) Talkeetna State Recreation River

10 (A) Township 26 North, Range 3 West, Seward Meridian

11 Section 1

12 Section 2

13 Sections 3 - 6: excluding ASLS 81-196, ASLS

14 80-94, ASLS 80-84

15 (B) Township 27 North, Range 2 West, Seward Meridian

16 Section 2: SW1/4

17 Section 3: S1/2

18 Section 4: S1/2

19 Section 5: SE1/4, E1/2SW1/4

20 Section 7: SE1/4

21 Sections 8 - 12

22 Section 13: N1/2

23 Section 14: N1/2NE1/4

24 Section 17

25 Section 18: E1/2, SW1/4

26 Section 19

27 Section 20: N1/2, SW1/4

28 Section 30: W1/2

29 (C) Township 27 North, Range 3 West, Seward Meridian

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

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

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

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

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

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

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

8 ARTICLE 3. GENERAL PROVISIONS.

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

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

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

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : 4/9/86

REQUEST

Bill/Resolution No. 219 CSHB 93 (Fin)
 Title : Recreational Rivers

 Sponsor : Rules/Governor
 Requestor : House Finance
 Date of Request : _____

FISCAL DETAIL

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

 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

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

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

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

FUNDING : (Thousands of Dollars)

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

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

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

Prepared by: Ned Farquhar ^{NF} Phone: 465-2400

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

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

Agency: Natural Resources

Distribution (by Agency preparing fiscal note):

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

Sectional Analysis for CSHB 93 (Finance)

Section 1:

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

Sec. 41.23.010. Defines purposes and general management guidelines.

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

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

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

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

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

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

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

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

Sec. 41.23.900. Defines commissions.

Section 2:

Immediate effective date clause.

Sectional Analysis - HB 93

Section 1:

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

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

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

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

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

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

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

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

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

Section 2:

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

Section 3:

Provides for an immediate effective date.

STATE OF ALASKA
THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800


LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 17, 1985

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

TO: Representative Al Adams

FROM: Randall J. Moen 
Legislative Counsel

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

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

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

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

Representative Al Adams
April 17, 1985
Page 2

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

RJM:ojb
J14/003

MEMORANDUM

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

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

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

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

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

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

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

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

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

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

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

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

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

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

April 9, 1986

House Finance Committee

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

AMENDMENT #1 Page 1 line ¹²~~13~~ after "guidelines" insert:

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

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

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

"and the free flowing nature of the rivers."

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

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

OR

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

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

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

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



Resource Development Council

for Alaska, Inc.

107 "B" Street, Suite 208, Anchorage, Alaska 99501-3448
Box 100516, Anchorage, Alaska 99516-0516 - 467/270-3700

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Senator Frank Murkowski
Congressman Don Young
Governor Bill Sheffield

March 29, 1985

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

Dear Dick:

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

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

Our remaining problems with the draft substitute involve the following:

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

Representative Shultz
HB 93
page 2

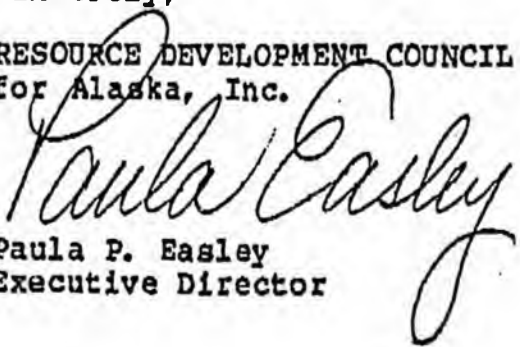
5) The legislation should also address utility and transportation corridors through these areas. Population growth in and around these rivers may necessitate the development of utility and transportation access through these areas. We suggest that these considerations be included as a subsection of the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

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

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

Sincerely,

RESOURCE DEVELOPMENT COUNCIL
for Alaska, Inc.


Paula P. Easley
Executive Director

League of Women Voters of Alaska

9151 Skywood Lane
Juneau, Alaska.
March 22, 1985

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

Re: HB 93: Recreational Rivers System

Dear Co-Chairmen Herrmann and Shultz:

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

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

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


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

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

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

Thank you for considering our views.

Sincerely,

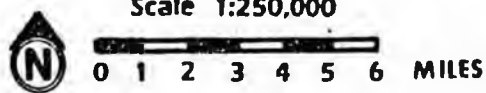
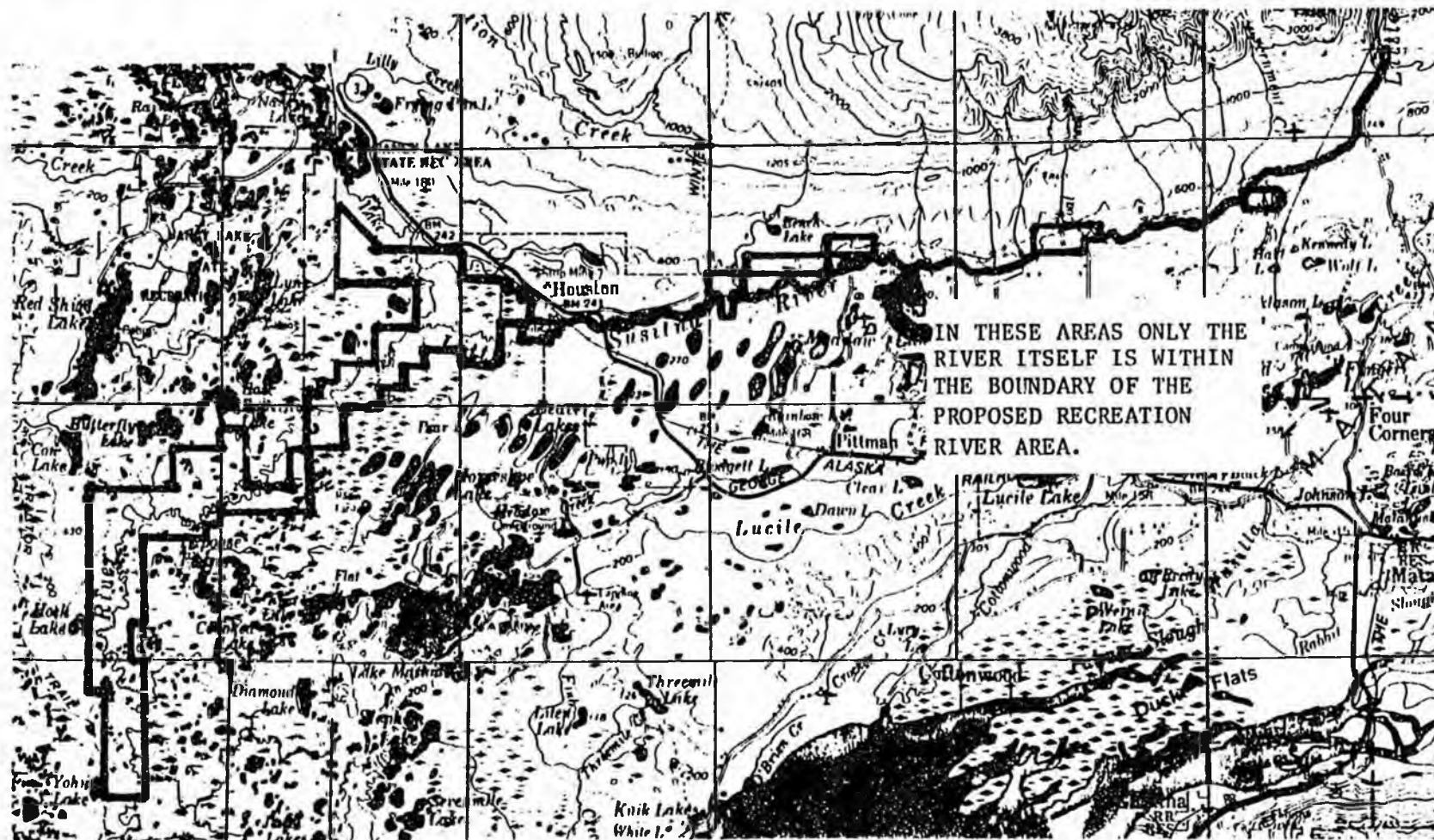

Elizabeth Cuadra, Board Member
(Natural Resources Portfolio)

DEC:sd

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

LITTLE SUSITNA RIVER

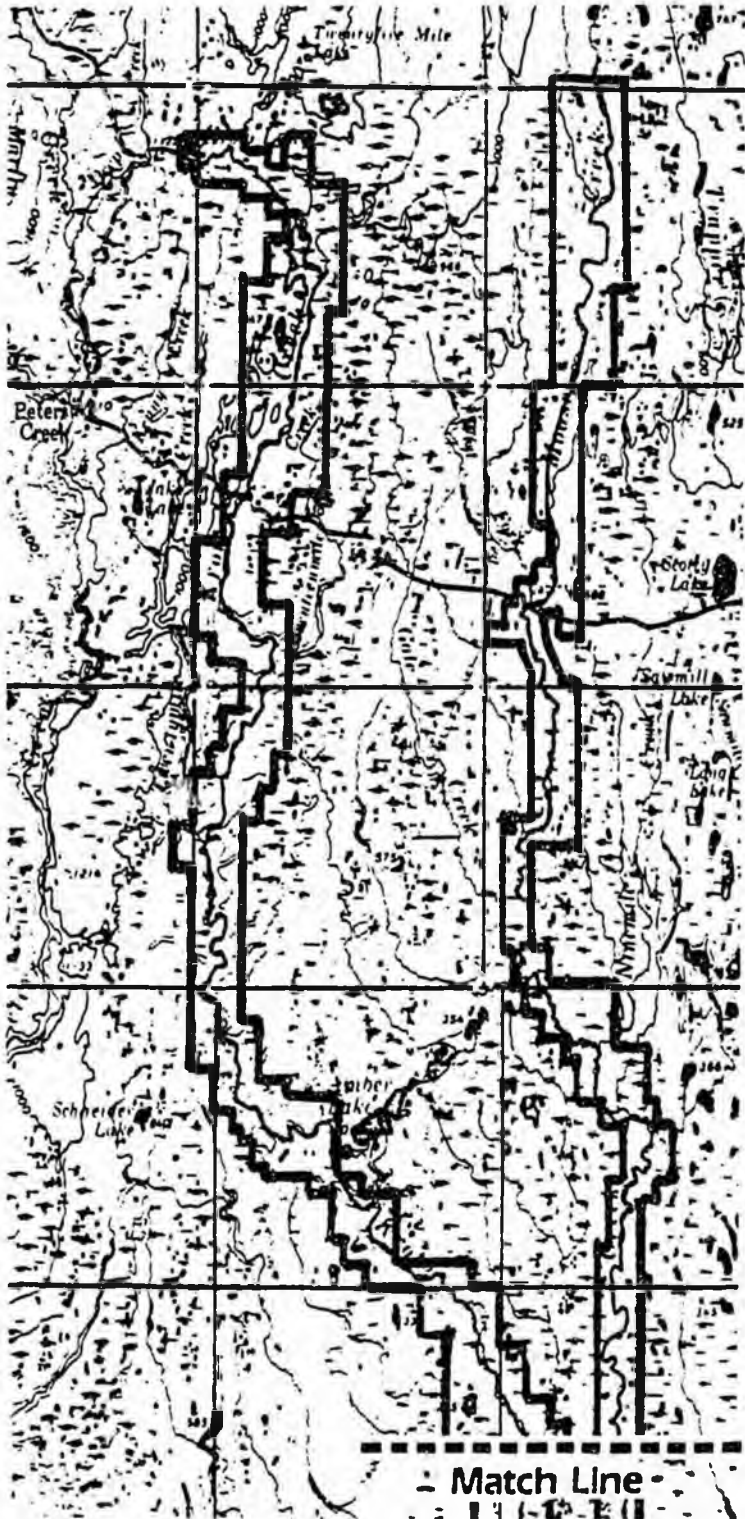
Proposed Recreational River Corridor



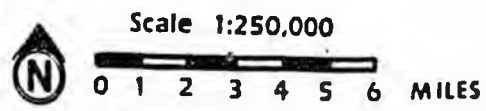
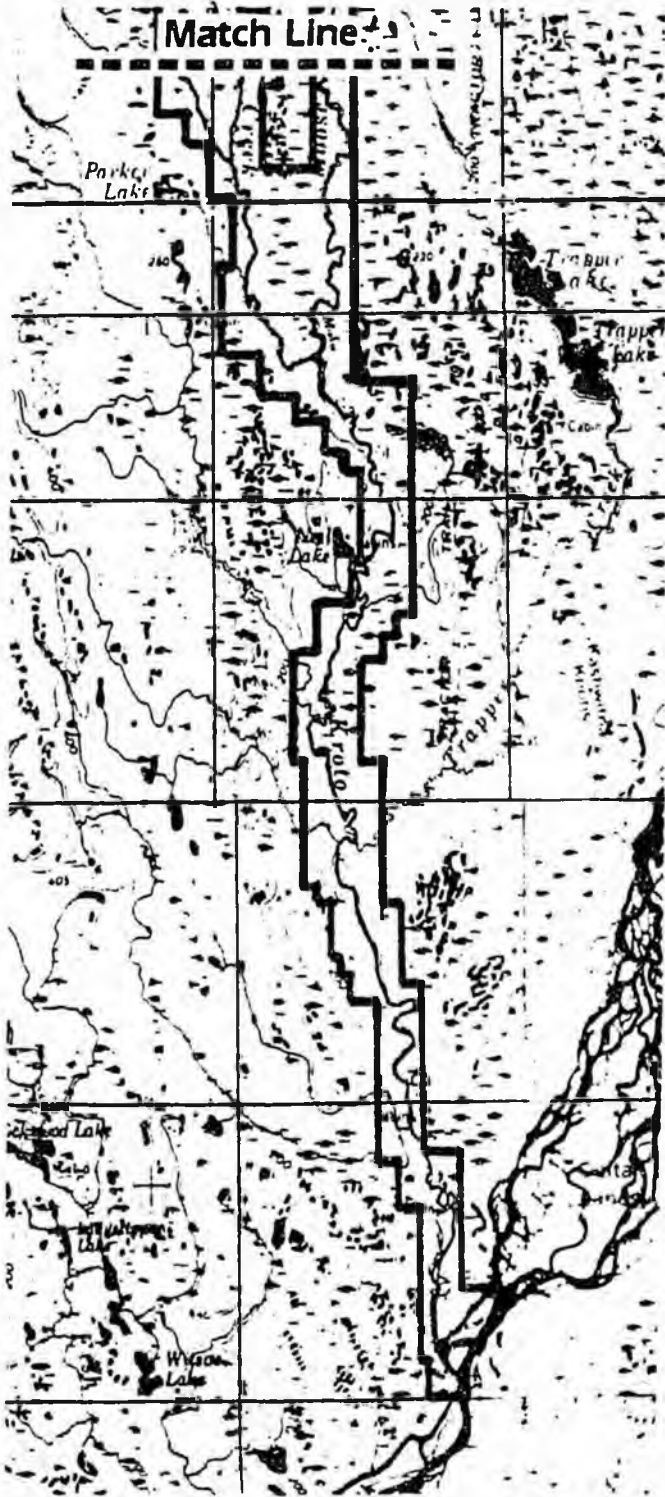
KROTO CREEK — MOOSE CREEK

Proposed Recreational River Corridor

North Half



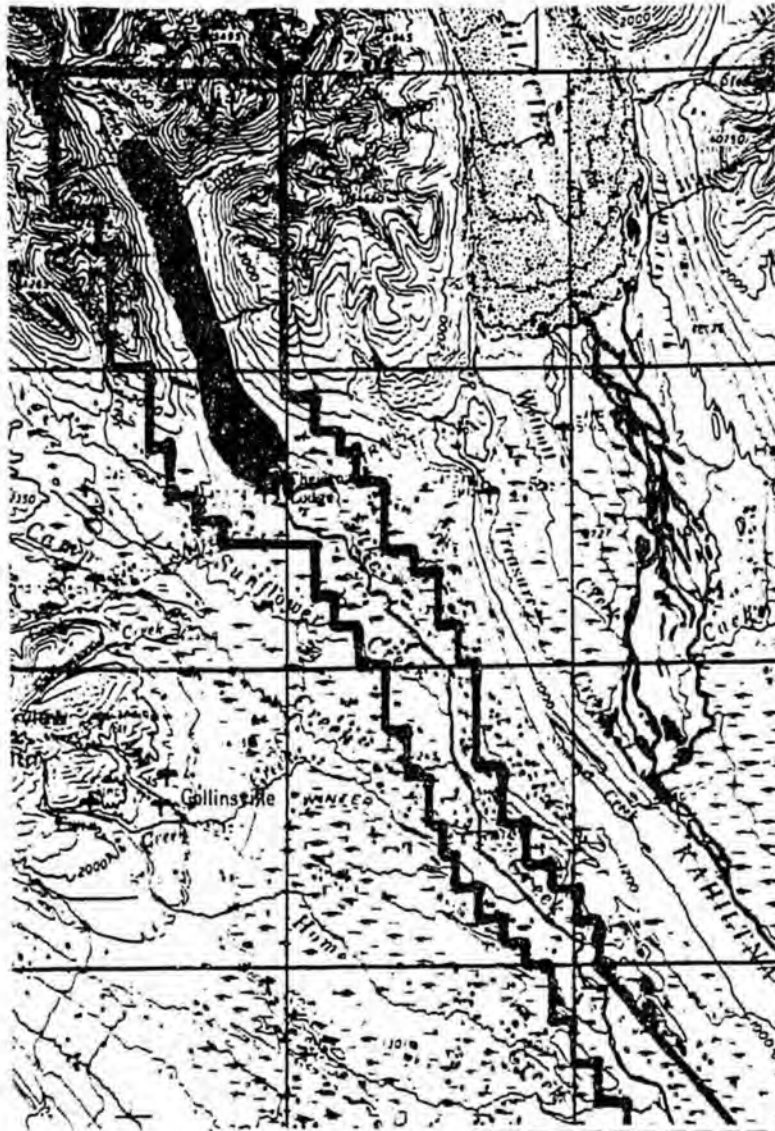
South Half



LAKE CREEK

Proposed Recreational River Corridor

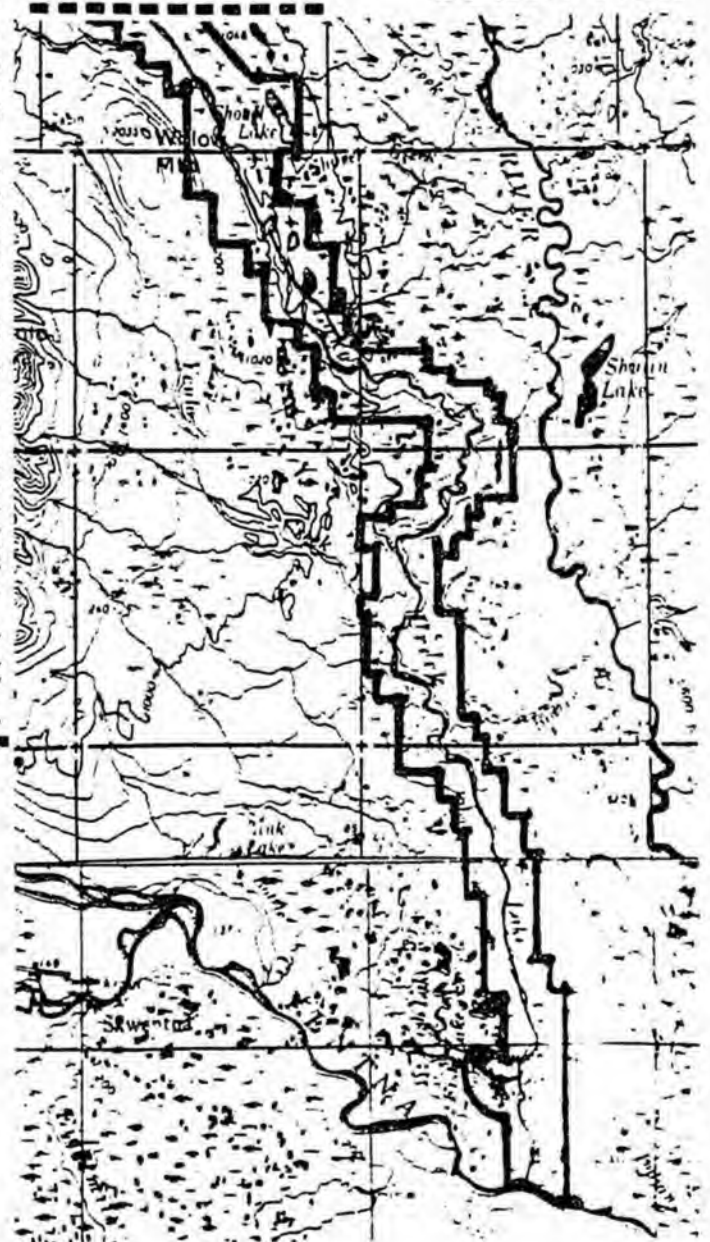
North Half



Match Line

Match Line

South Half

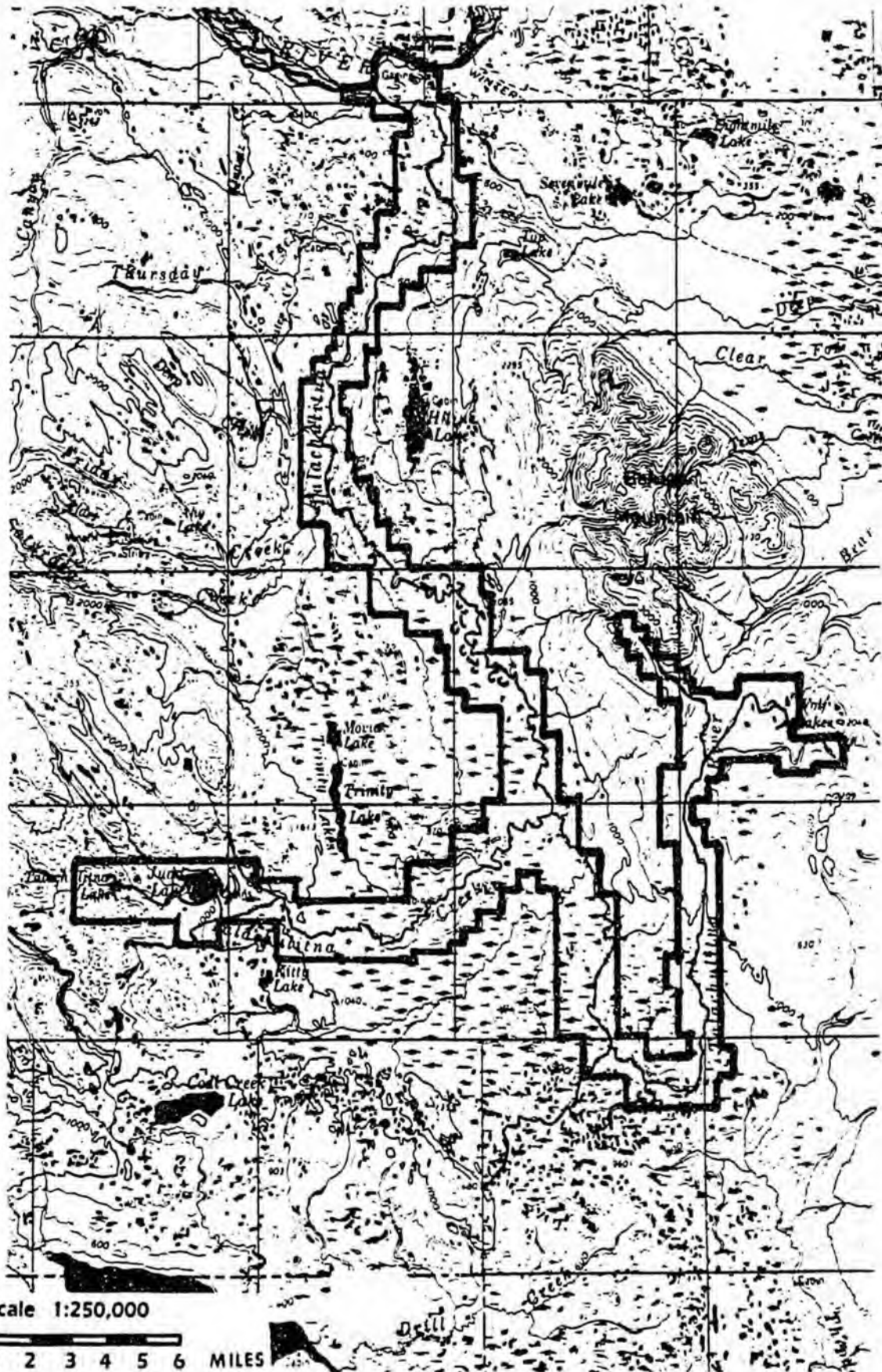


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0 1 2 3 4 5 6 MILES

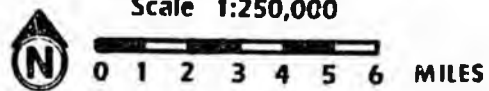
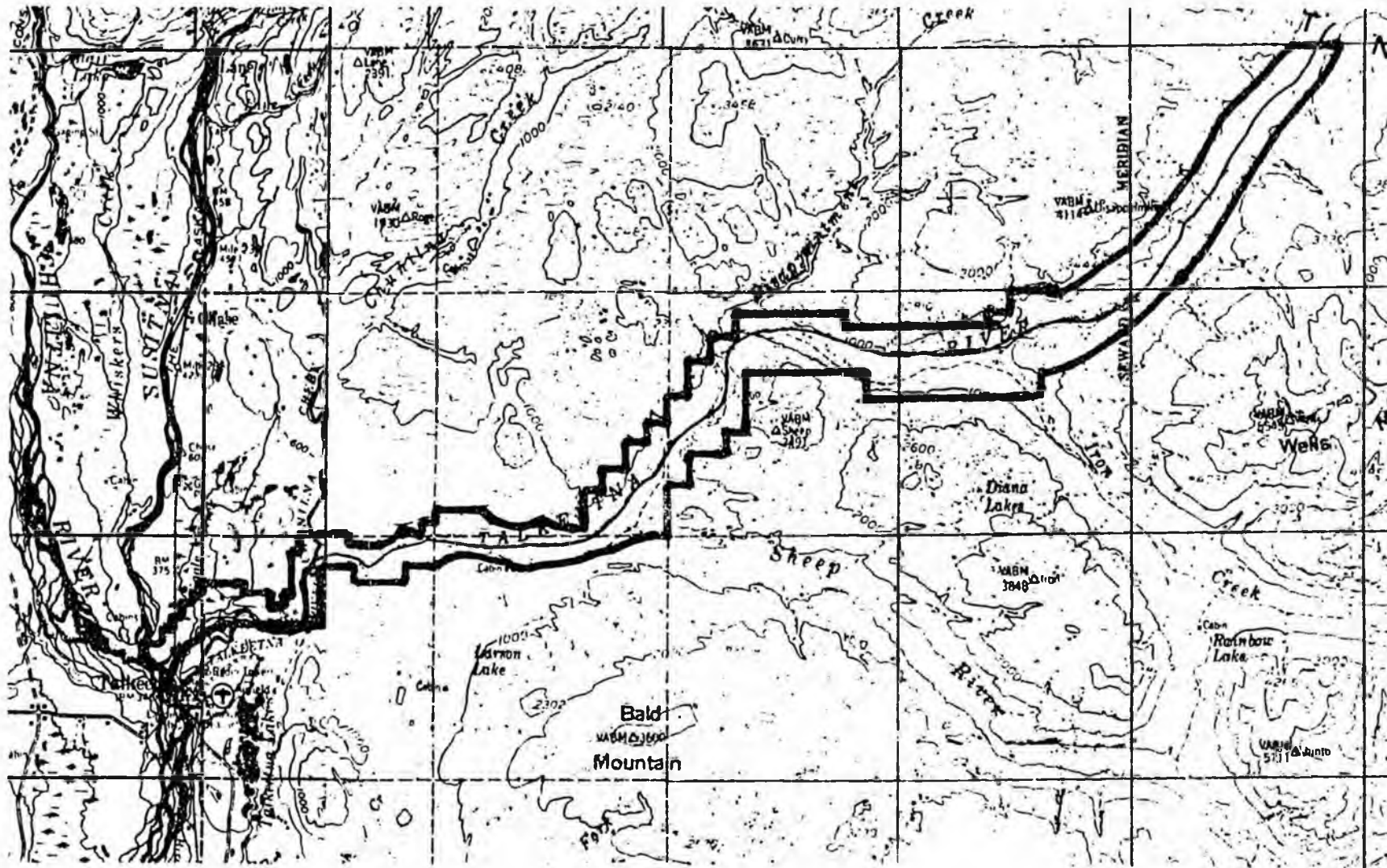
TALACHULITNA CREEK

Proposed Recreational River Corridor



TALKEETNA RIVER

Proposed Recreational River Corridor



Offered: 4/10/86
Referred: Rules

Original sponsor: Rules/Governor

1 IN THE HOUSE BY THE FINANCE COMMITTEE
2 CS FOR HOUSE BILL NO. 93 (Finance) am
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION
5 A BILL
6 For an Act entitled: "An Act establishing a system of recreation rivers;
7 and providing for an effective date."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 41.23 is amended by adding new sections to read:
10 ARTICLE 2. STATE RECREATION RIVERS.
11 Sec. 41.23.200. PURPOSES. (a) The purpose of AS 41.23.200 -
12 41.23.280 is to establish management guidelines for those rivers
13 designated for recreation under AS 41.23.200 - 41.23.280 while permit-
14 ting each river to be individually managed under a multiple use man-
15 agement plan.
16 (b) The goals and objectives by which a recreation river shall
17 be managed include
18 (1) the protection and maintenance of the fish and wildlife
19 populations and habitat on a sustained yield basis so as to maintain,
20 restore, and enhance fishing, hunting, and trapping activities;
21 (2) protection of the scenic and natural integrity of the
22 river and continuation of the traditional recreational uses of the
23 river by the public including boating, hiking, snowmachining, skiing,
24 dog mushing, and wildlife viewing;
25 (3) management of upland activities for the protection and
26 maintenance of water quality and stream flow.
27 (c) The commissioner shall allow an activity when compatible
28 with (b)(1) - (3) of this section including, but not limited to use of
29 aircraft, powerboats, snowmachines, all-terrain vehicles, and other

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

29 (3) designate compatible land uses and management

1 guidelines for associated development;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

29 (1) Talachulitna State Recreation River

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

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

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

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

1 Section 8: N1/2, SE1/4

2 Section 9

3 Section 10: SW1/4

4 Section 14: W1/2SW1/4, SE1/4SW1/4

5 Section 15: W1/2, SE1/4, S1/2NE1/4

6 Section 16: N1/2, SE1/4

7 Section 22: N1/2, N1/2S1/2, S1/2SE1/4

8 Section 23: W1/2, W1/2SE1/4

9 Section 26: W1/2, W1/2E1/2, E1/2SE1/4

10 Section 27: E1/2NE1/4

11 Section 33: SW1/4, S1/2SE1/4

12 Section 34: S1/2S1/2

13 Section 35

14 Section 36: W1/2

15 (E) Township 19 North, Range 8 West, Seward Meridian

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

17 Section 29: W1/2W1/2

18 Section 30

19 Section 31: E1/2, E1/2W1/2

20 Section 32

21 (F) Township 19 North, Range 9 West, Seward Meridian

22 Sections 3 - 4

23 Sections 9 - 10

24 Section 13: S1/2

25 Section 14: S1/2

26 Sections 15 - 16

27 Section 22: N1/2

28 Section 23: N1/2

29 Section 24

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

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