

ALASKA LEGISLATURE COMMITTEE FILES 1985-1988 00/2

4317 SRES HB 93 1986



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James O. Smith
Signature of Camera Operator

11/24/89
Date

HB

93

Alaska State Legislature

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DICK ELIASON
VIC FISCHER
RICK HALFORD
FRED ZHAROFF



P. O. BOX V
JUNEAU, ALASKA 99811
(907) 485-4907

Senate Committee on Resources

TO: Senate Resource Committee Members April 25, 1986

FROM: Senate Resource Committee Staff *ME*

RE: Committee Substitute for House Bill No. 93 (Finance) am
"An Act establishing a system of recreation rivers; and
providing for an effective date."

This bill designates a new multiple-use management system for six river corridors. The rivers are the Talachulitna, Alexander Creek, Lake Creek, Kroto and Moose Creeks, the Talkeetna, and the Little Susitna.

Attached in this packet is a letter of support, zero fiscal note, maps of the areas and a sectional analysis from DNR, the Governor's transmittal letter, and resolutions and letters of support from various groups.

In its progress through the house, this bill has been very heavily amended and in its present form, now appears to have the support or nonobjection of most interested groups.

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

BILL SHEFFIELD, GOVERNOR

POUCH M
JUNEAU, ALASKA 99811
PHONE: 907-465-2400

April 16, 1986

The Honorable Arliss Sturgulewski
Chair, Senate Resources Committee
P.O. Box V
Juneau, AK 99811

Dear Senator *Arliss* Sturgulewski:

I am writing to provide information on the recreation rivers bill, CS HB 93(Fin) am. This bill has passed the House and now is in the Senate Resources Committee. It is an important bill with broad public support, and I hope that the Committee can move forward quickly on it.

The bill designates a new multiple-use management system for six river corridors identified for special designations by the public during the cooperative State-Borough planning process. Enactment of the bill will both reserve these important recreation corridors for general public use, and prepare for redirection of Kenai Peninsula recreation use to areas north of Anchorage. It makes sense to designate these areas today so that planning and management can anticipate recreation growth.

There is broad support for this bill among user groups and government agencies including the Mat-Su Borough. I have enclosed some of the messages of support conveyed to members of the House. Also enclosed is a sectional analysis of the bill.

Please be aware that the Department at this time has no recommendations for amendments to the bill. We are fully supportive of it and will be available at your request to testify on the bill.

Sincerely,



Esther C. Wunnicke
Commissioner

cc: Commissioner Don Collinsworth

Enclosures

Sectional Analysis - CS HB 93 (Fin) am

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; 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 Boards or Department of Fish and Game adopt regulations for the area.

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 advertising 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; prohibits land disposals within one-half mile of the mark of ordinary high water, including land leasing, eliminates all mental health lands from the designated river corridors.

Section 2:

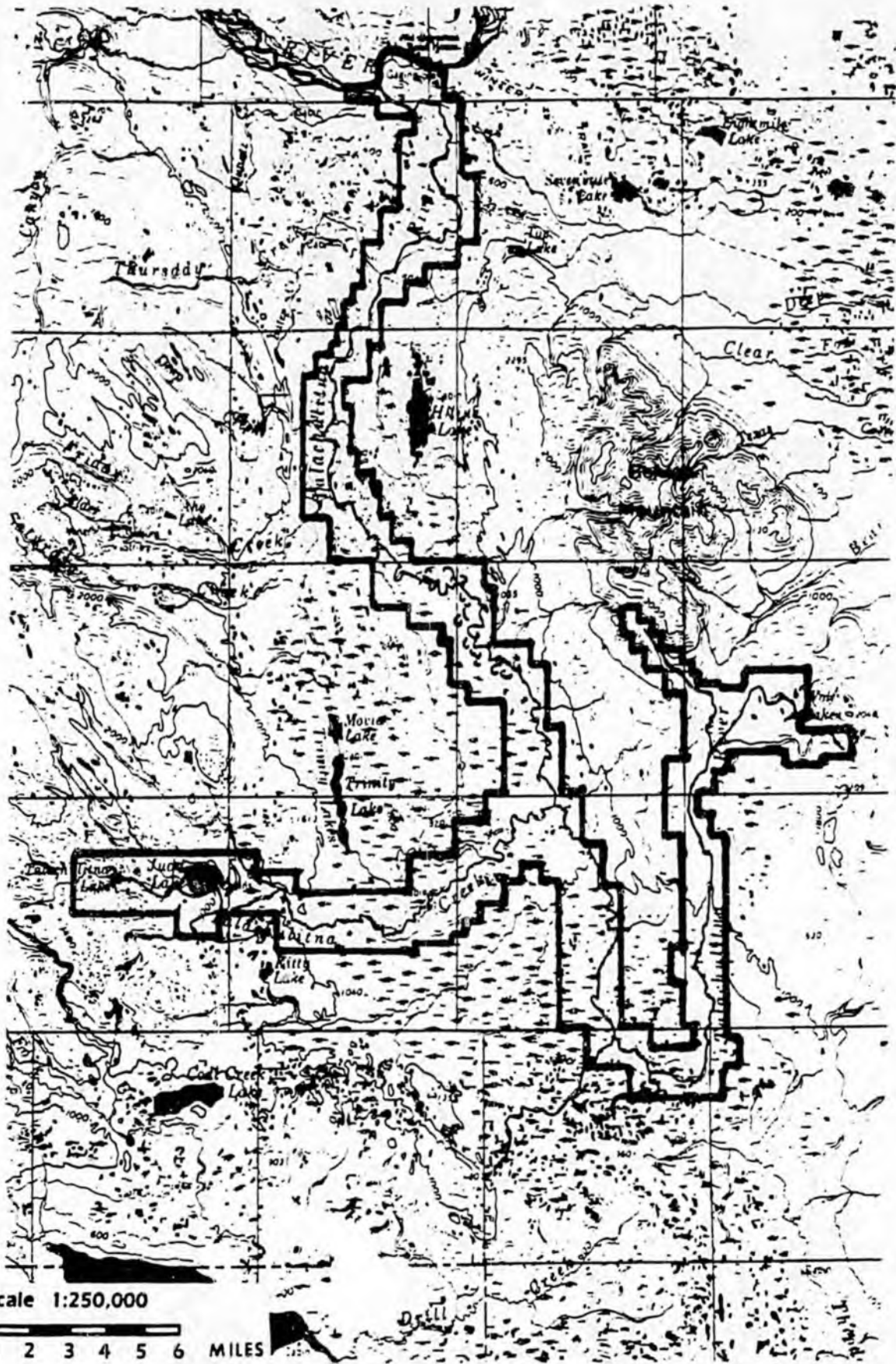
Provides for interim management of the land and water consistent with the provisions of the act, until a management plan can be adopted and provides for adoption of a management plan by 1992.

Section 3:

Provides for an immediate effective date.

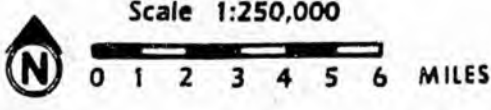
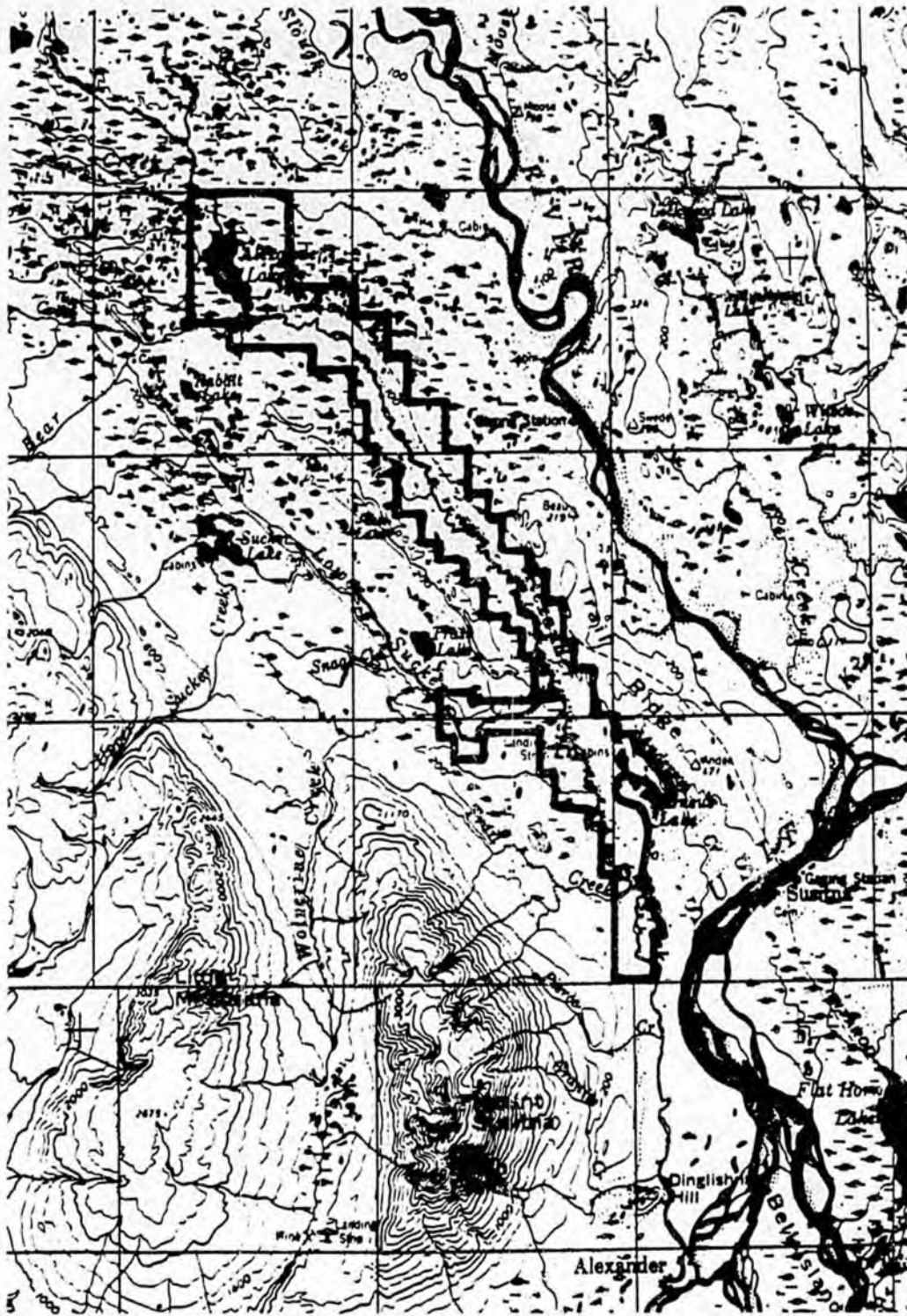
TALACHULITNA CREEK

Proposed Recreational River Corridor



ALEXANDER CREEK

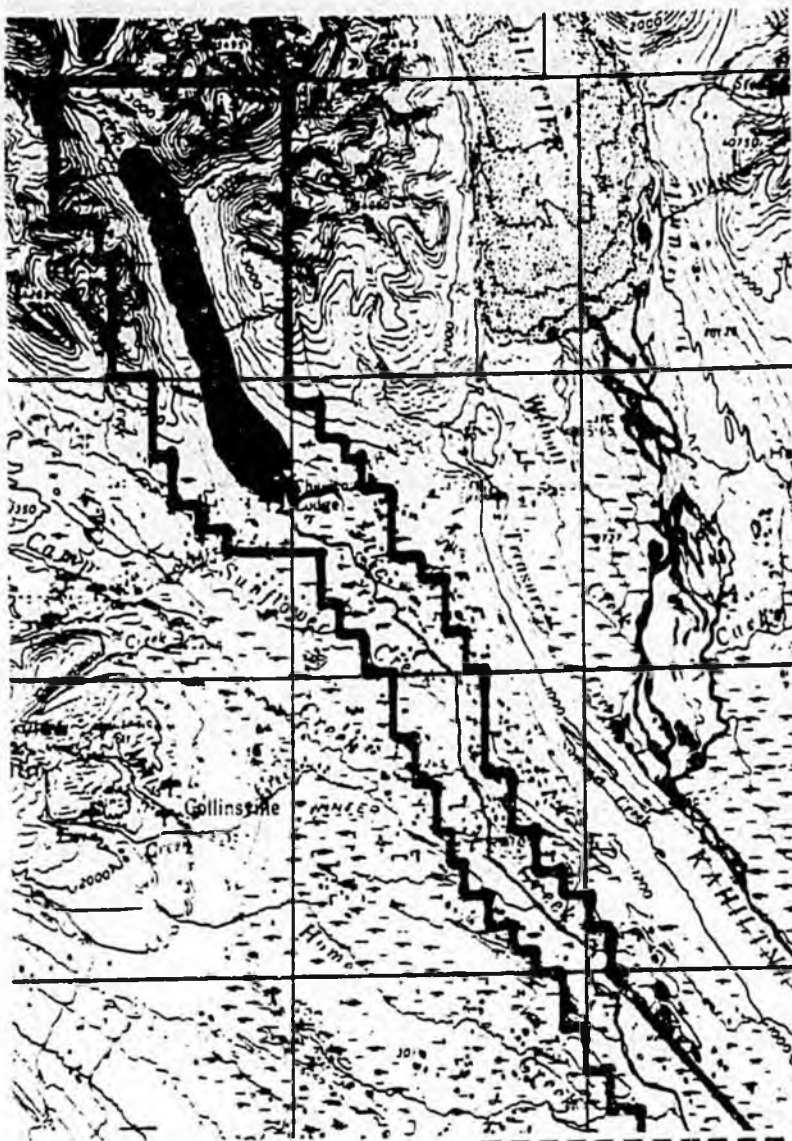
Proposed Recreational River Corridor



LAKE CREEK

Proposed Recreational River Corridor

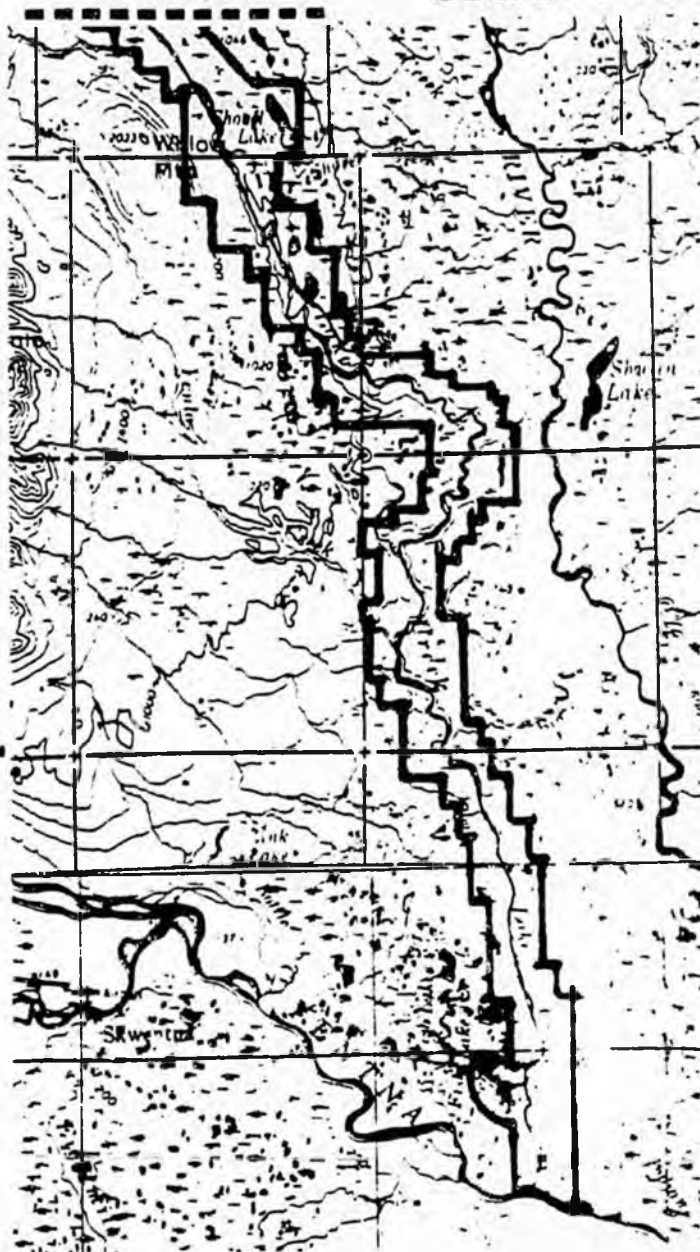
North Half



Match Line

Match Line

South Half



Scale 1:250,000

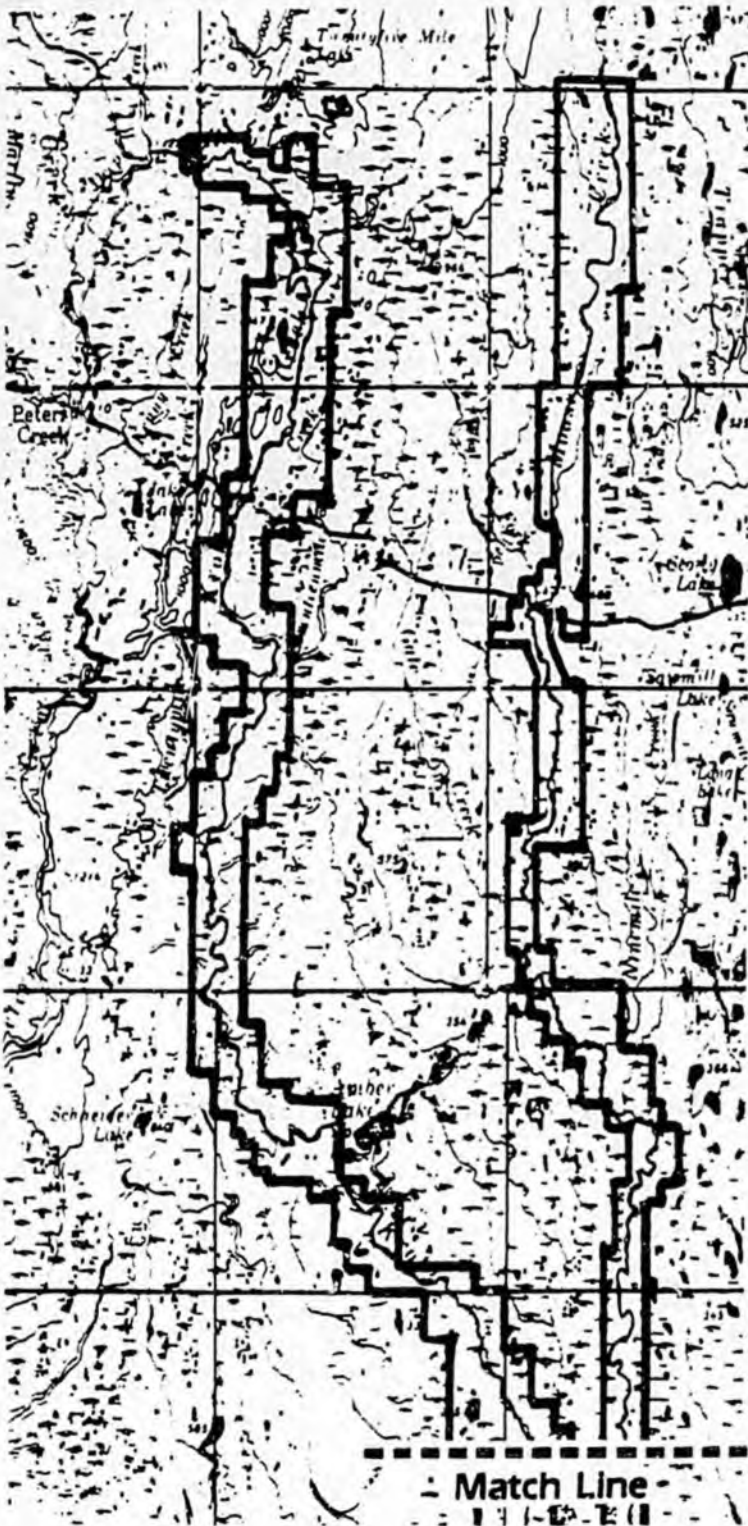


0 1 2 3 4 5 6 MILES

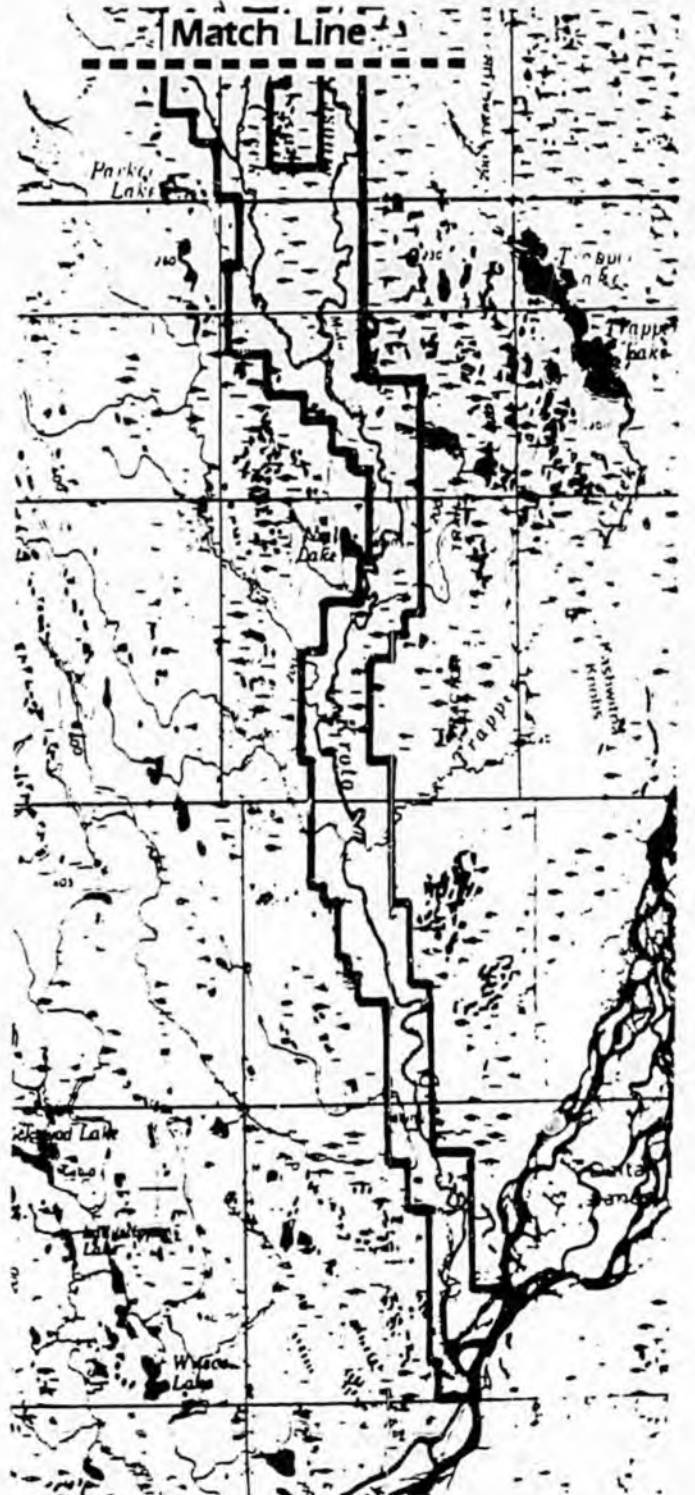
KROTO CREEK — MOOSE CREEK

Proposed Recreational River Corridor

North Half



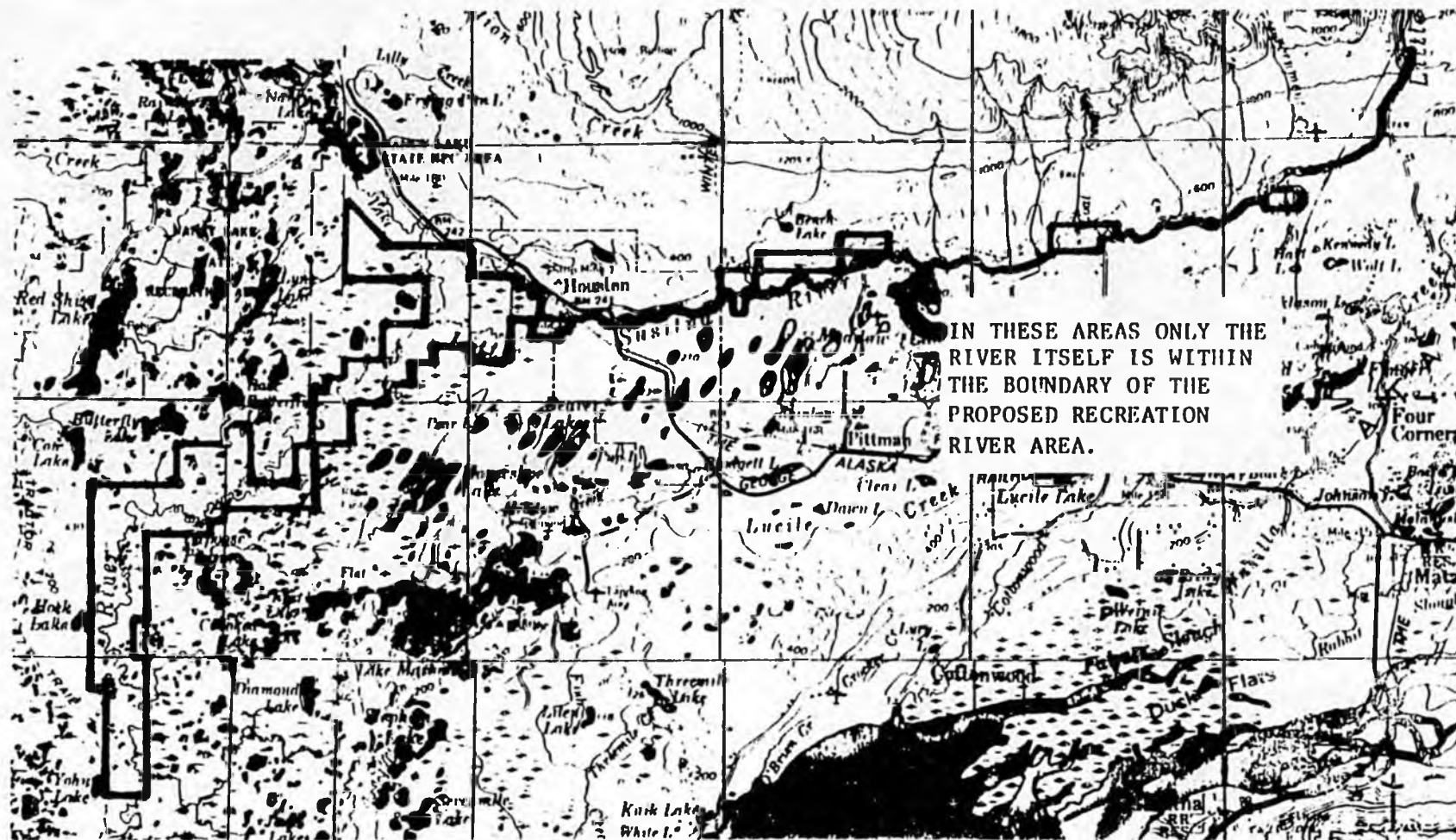
South Half



Scale 1:250,000
0 1 2 3 4 5 6 MILES

LITTLE SUSITNA RIVER

Proposed Recreational River Corridor



IN THESE AREAS ONLY THE RIVER ITSELF IS WITHIN THE BOUNDARY OF THE PROPOSED RECREATION RIVER AREA.

Scale 1:250,000



0 1 2 3 4 5 6 MILES

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : 4/9/86

REQUEST

Bill/Resolution No. : 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. Williams* 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)

BILL SHEFFIELD
GOVERNOR

HB 93

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

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

Dear Representative Grussendorf:

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

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

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

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

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

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

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

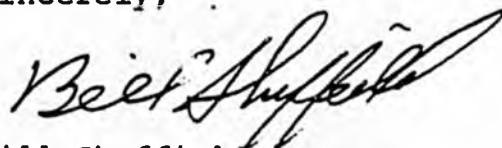
Under new AS 41.21.314, the commissioner of natural resources is directed to develop and adopt a comprehensive management plan for the river corridor through a public hearing process and consultation with affected local municipalities and other interested state and local agencies. Once the plan is adopted,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

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

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

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

Sincerely,

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

Bill Sheffield
Governor

RESOLUTION BY THE KENAI RIVER PROPERTY OWNERS ASSOCIATION

WHEREAS, overcrowding is the single, most urgent problem on the Kenai River; and

WHEREAS, dispersal of people to less-crowded areas of Southcentral Alaska would help solve this urgent problem; and

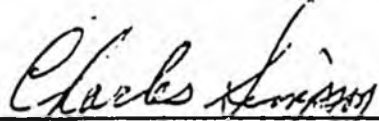
WHEREAS, the value of tourism will increase as oil revenue decreases; and

WHEREAS, monies spent on recreational areas now will bring great returns from tourism in future years; and

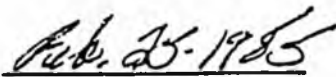
WHEREAS, monies spent enhancing recreational opportunities now will enrich Alaskan's lives for all time;

NOW THEREFORE, BE IT RESOLVED BY THE KENAI RIVER PROPERTY OWNERS ASSOCIATION:

That the Governor and Legislators of the State of Alaska give full support to funding, planning, and implementation of the Southcentral Recreation Action Plan, beginning with HB-86 and HB-93, and such other legislation that will reduce crowding and enhance recreational opportunities.



Charles Simpson, Chairman



Date

Passed by unanimous vote of members present at the regular membership meeting of Feb. 20, 1985.

ALASKA PROFESSIONAL SPORTFISHING ASSOCIATION

Chris Goff
President
4127 Raspberry
Anchorage, Alaska 99502
(907) 243-7894



Ron McMillon
Secretary/Treasurer
3318 West 30th Avenue
Anchorage, Alaska 99517
(907) 248-1714

April 24, 1986

Re: HB 93,
Recreational Rivers bill

Dear Member of the Senate Resources Committee:

The Alaska Professional Sportfishing Association is the largest association of professional sportfishing guides, lodges and outfitters in Alaska. It is a statewide organization interested primarily in furthering our industry and maintaining the high quality sportfishing upon which we depend.

In behalf of our Association, I urge passage of HB 93, with a "do pass" recommendation by the Resources Committee. The bill establishes six recreational rivers in southcentral Alaska. Several of the rivers are important to the guide, air-taxi, and sportfishing industries. Lake Creek, Talachulitna River, Deshka River, the Talkeetna River and Alexander Creek offer high quality salmon and trout fisheries that support air-taxi services, riverboat services. The Talachulitna and Lake Creek support several lodges.

HB 93 helps assure that the quality sportfishing, fish and wildlife habitat, and public access will be maintained. I am pleased that HB 93 protects existing commercial activities within the six river corridors, and I agree with the provision allowing management of commercial activities, including guiding. My hope is that these provisions will protect existing operations, allow for expansion that is compatible with quality guiding and quality sportfishing, and will prevent these rivers from developing problems so apparent on the Kenai. I used to guide on the Kenai and no longer do because of the changes in the character of the experience I could offer my clients.

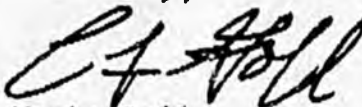
HB 93 strikes a good balance. I support the bill as it stands and urge consideration of one amendment if it would not jeopardize passage of the bill.

That amendment concerns land disposal. I appreciate that the bill would close to land disposal those lands within the corridors that are within a half mile of the rivers. However, I agree with the position of the Wildlife Federation of Alaska that the full designated river corridors, which average about a half mile on each side, should be closed to land disposal. The present

language, "within one-half mile upland of the meander of the ordinary high water mark of the river" at page 6, lines 23-24, invites disposals in small pockets of the designated corridors.

Land disposals too close to highly popular rivers such as these invite the pressure that leads to regulation of industries such as ours. Naturally, I hope that our industry never has to be regulated on these rivers. An amendment to strike the above language would help further that prospect.

Sincerely,



Chris Goll
President, Alaska Professional
Sportfishing Association



Alaska Sportfishing Association

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

April 12, 1986

Re: HB 93 (Finance),
Recreational Rivers

Dear Representative:

The Alaska Sportfishing Association has long supported passage of a strong recreational rivers bill. HB 93 (Finance) accomplishes that.

Alaska sells more than 200,000 sportfishing licenses annually. Our association has more than 2000 members, most of whom are in southcentral Alaska. As the recently retired supervisor of ADF&G, Sportfish Division for southcentral Alaska, I am familiar with the six rivers designated by HB 93 as recreational rivers.

They are important and popular salmon and trout sportfisheries. According to ADF&G sportfish harvest surveys, these six rivers attract approximately 100,000 person days of sportfishing each year. For example, according to ADF&G sportfish harvest surveys, the Little Susitna has about 35,000 person days of fishing each year; the Deshka (Moose and Kroto) has 23,000; Lake Creek has 15,000; Alexander Creek has 10,000; Talachulitna River has 5,000, and the Talkeetna has 8,000.

The rivers provide diverse fishing opportunities, from the crowded king salmon fisheries at the mouths of the Deshka River and Alexander Creek, to the quiet float trips for salmon and rainbow trout in the Talchalitna River and Moose, Kroto and Lake Creeks. The Little Susitna is good for coho and kings and is part of the Nancy Lakes canoe system. The Talkeetna has excellent trout fisheries at the mouths of several clear water tributaries, and even the mainstem offers good trout fishing when the silt clears in September.

The Finance Committee has done a good job, and I appreciate their efforts. We particularly want to compliment Representatives Cotton, Larson, Pourchot, Larson, Rieger, Frank, Uehling and the other members of the Finance Committee. If you

have questions regarding any amendments, please feel free to call me at 344-5235 in Anchorage.

Sincerely,



Russ Redick
Executive Director
Alaska Sportfishing Association

Wildlife Federation of Alaska

P.O. Box 103782
Anchorage, Alaska 99510
(907) 278-3420

April 24, 1986

Re: HB 93
Recreational Rivers

Dear Member of the Senate Resources Committee:

The Wildlife Federation of Alaska is the Alaska affiliate of the National Wildlife Federation, the largest association of sport and wildlife-oriented conservation groups in the country.

The Wildlife Federation of Alaska supports passage of HB 93, the recreational rivers bill, and urges a "do pass" recommendation from the Resources Committee. The bill designates six "recreational river" corridors in the lower Susitna drainage. Under a multiple use framework, the bill gives strong protection to the rivers, fish and wildlife habitat, fishing, hunting and other recreational uses. The sport fishing alone sustains an 11-million dollar industry in the Anchorage and Mat-Su Valley, according to the administration.

These designations were recommended by the Susitna Area Plan. It was adopted after a lengthy public planning and public review process and a lengthy interagency review process. Agency personnel representing interests of recreation, mineral development, land disposal and conservation were all represented in that process. The designated boundaries reflect the compromise agreed upon by all the agency personnel in light of the public review process.

We appreciate that the House and the agencies have worked hard on this bill, and we are concerned that there may be attempts to weaken the compromise it reflects.

Our main point is that we support passage of the bill as it stands and suggest one substantive amendment consistent with the Susitna Area Plan, and one technical amendment, if these amendments can be accomplished without jeopardizing passage of the bill.

The substantive amendment we suggest is that the full designated corridors be closed to land disposal, as they are to new mining claims. The issue is complicated, so I'll try to explain it.

The designated corridors are generally a half mile on each side of the rivers. They are identified by sectional and subsectional descriptions, at pages 6-27 of the bill, under AS

41.23.280. There are some places where the designated lands are actually slightly more than a half mile from the river and there are some places where they are less. As part of the public planning and review process, and as part of the inter-agency planning team in DNR, the Susitna Area Plan developed the land descriptions in the bill. They included a very slightly wider boundary where wetlands, moose habitats, waterfowl habitats, small lakes important for aircraft access to the rivers, and high scenic values are involved. Conversely, they are less than a half mile where these values were not involved, such as along high banks or lands suitable for agricultural or remote cabin disposal.

There are probably dozens of small areas where the designated corridor is slightly smaller than a half mile on each side of the river and there are dozens where it is slightly larger. The most obvious places where the corridor is smaller than a half mile are along Kroto and Moose Creeks, where adjacent lands are suitable for disposal, and along the Talchalitna where high banks allow for a narrower corridor to the east of the river and at the headwaters of the east fork. The most obvious places where the designated boundary is greater than a half mile are on Lake Creek where Shoval Lake and Quiet Lake are brought within the designated corridor in order to assure public retention of these lakes. They provide important mid-river air access points for Lake Creek. Disposal on key access lakes adjacent to the rivers creates public pressure by land owners to close public air access. We have already seen that pressure before the Anchorage Fish and Game Advisory Board, to which I am elected, as landowners seek to "close the door" after they get onto a key access lake.

HB 93 assures public retention of lands within the designated corridors only if the lands are within one half mile of the high water mark of each river. That mark is largely undetermined and it may shift over time. Phrasing the boundary of statutorily retained public ownership in terms of the high water meander will entail extremely difficult and expensive state surveys based on the meander. Surveys for land disposals must be paid for by the recipient of the land, and they too will be much more expensive if a high water mark must be determined and a meander survey required. Phrasing the closure in terms of a half mile from the river may also mean that some wetlands, valuable for coho salmon rearing, waterfowl production, moose fodder, air access and hunting within the corridors could be removed from public ownership, access, and production of common property wildlife resources.

Similar problems would arise if the mineral closure were done from the meander.


We suggest that the difference between the designated corridors and the closure to land disposals be resolved by closing the designated corridors to land disposal, since that would more adequately protect the wildlife and recreational values, public access, and allow much cheaper public and private land surveys.

This could be easily accomplished by striking the phrase "within one-half mile upland of the meander of the ordinary high water mark of the river" from page 6, lines 23-24.

The technical amendment we suggest is that on page 3, AS 41.23.210(d), the final sentence be: "Except as provided in this subsection, the commissioner may not restrict the use of weapons, including firearms, within a recreational river." We support the intent of this subsection; we just think the last sentence is poorly drafted. The main body of the subsection deals with weapons, and not with fishing, hunting and trapping. The purposes of the bill clearly protect fishing, hunting and trapping. The present language, "not restrict the exercise of fishing, hunting, or trapping", is vague in that it leaves unanswered the question of what constitutes the "exercise" of those activities. For example, does the "exercise" include ATV use in wetlands when there are trails around a wetland? Or, does "exercise" include unregulated expansion of guides. This vague language therefore creates a tension with several authorities in the bill, such as the authority in the management plan to protect habitat, manage the level and intensity and types of recreational uses, manage and provide for access, and manage commercial activities. I have discussed this technical amendment with Rupe Andrews of the National Rifle Association and the Outdoor Council, and I understand that he concurs.

If you have any questions, please call Jim Hemming, chair of our Lands Committee, at his office (Dames & Moore Natural Resource Engineers), 562-3366, in Anchorage, or Bud Hodson, chair of our Fish and Wildlife Committee, at the Tikchik Lodge office, 243-8450, in Anchorage, or you can reach me through Mckie Campbell of the Committee staff.

Sincerely,


Jeff Parker
Vice President
Wildlife Federation of Alaska

cc: Russ Redick, Alaska Sportfishing Assoc.
Chris Goll, Alaska Professional Sportfishing Assoc.
Jim Hemming
Rupert Andrews, NRA, Outdoor Council
Scott Highlman, AEL
Ned Farquar, DNR
Roland Shanks, ADF&G

RUPG is going ~~OK~~
to offer this amendment 4/25/86

AMENDMENT

to CS for HB 93 (FIN) am

It is a good amendment

Pg 2 LINE 25

After (d) - before "The COMMISSIONER..."

INSERT -

"EXCEPT AS provided in this subsection..."

PAGE 2 LINE 25
delete

"infringe upon ..."

insert

"restrict"

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 integrit' 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) and AS 46.40.100.

25 (d) *Except as provided in this subsection, revert.*
26 The commissioner shall not infringe upon the use of weapons,
27 including firearms, within a recreation river except in sites of high
28 public use such as picnic areas, boat ramps, camping grounds, and
29 parking areas when the commissioner determines that the use of weapons
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 Section: 28 - 19
14 Sections 30 - 31
15 (D) Township 17 North, Range 11 West, Seward Meridian
16 Section 1: E1/2E1/2
17 Section 3: W1/2
18 Sections 4 - 5
19 Section 6: S1/2
20 Sections 7 - 8
21 Section 9: N1/2, SE1/4
22 Section 10
23 Section 14: W1/2
24 Section 15
25 Section 17: NW1/4
26 Section 18: N1/2, SW1/4
27 Section 19: NW1/4NW1/4
28 Section 22
29 Section 23: W1/2

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 Section 5

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

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

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

5 Sections 18 - 19

6 Sections 30 - 31

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

8 Section 13: E1/2 SE1/4

9 Section 24: E1/2NE1/4

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

11 Section 5

12 Section 8

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

14 Section 19: SE1/4

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

16 Section 29: E1/2, NW1/4

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

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

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

20 of MHWM)

21 Section 32: lands within 150' of MHWM

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

23 Section 4: W1/2

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

25 Section 7: SE1/4

26 Section 8

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

28 Section 17

29 Section 18: E1/2

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

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

1 Section 25
2 Section 26: SE1/4
3 Section 31: S1/2
4 Section 32: S1/2 exclusive of ASLS 79-149
5 Section 33: S1/2S1/2 exclusive of ASLS 79-149
6 Section 34: S1/2S1/2 exclusive of ASLS 79-149
7 and ASLS 76-138
8 Sections 35 - 36
9 (D) Township 27 North, Range 4 West, Seward Meridian
10 Section 36: S1/2SE1/4 exclusive of ASLS 74-78
11 and ASLS 74-77
12 (6) Little Susitna State Recreation River: the water column
13 of the main stream of the Little Susitna River from mean high water
14 mark to mean high water mark, from the point at which the river
15 crosses the section line dividing Sections 23 and 26 in Township 19
16 North, Range 1 East, Seward Meridian downstream to the point at which
17 the river crosses the section line between Sections 15 and 22 in
18 Township 16 North, Range 5 West, Seward Meridian; the water column of
19 Lake Creek from mean high water mark to mean high water mark, from the
20 point at which the creek crosses the section line dividing Sections 10
21 and 11, Township 18 North, Range 4 West, Seward Meridian downstream to
22 the confluence with the Little Susitna River; and
23 (A) Township 16 North, Range 5 West, Seward Meridian
24 Section 3
25 Section 4: NE1/4NE1/4
26 Section 10: E1/2, E1/2W1/2
27 Section 15: E1/2, E1/2W1/2
28 (B) Township 17 North, Range 5 West, Seward Meridian
29 Section 12

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

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

7 ARTICLE 3. GENERAL PROVISIONS.

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

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

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

PHIL R. HOLDSWORTH, P.E.
CONSULTING ENGINEER & LEGISLATIVE COUNSEL
MINING — GEOLOGY — LANDS

PHONE 907-586-1383

326 FOURTH STREET, No. 1009
JUNEAU, ALASKA 99801

April 21, 1986

Sen. Arliss Sturgulewski, Chair
Senate Resources Committee
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator:

Re: CSHB 93 (Fin)am

The undersigned wishes to testify on this legislation on behalf of the Alaska Miners Association, the C.O.A.L. Association, and the Resource Development Council. Your hearing on this bill is scheduled for Friday, April 25th at which time I must be in Anchorage for the annual board meeting of RDC - hence this letter for the record.

All three organizations have long felt that the existing statutory authority of the Commissioner of Natural Resources in the area of land planning - classification and management - is already sufficient to accomplish the same goals expressed in HB 93. It's much easier to amend management plans should changed conditions justify, than to amend an inflexible statute. If, however, the legislature wishes to enact this bill, we would suggest the following amendment to subsection 41.23.280(b) on page 6, lines 19-24.

(b) The state-owned land and water described in this section are closed to mineral entry and leasing under AS 38.05.150 - 38.05.175 and 38.05.185 - 38.05.275 [THE STATE OWNED LAND AND WATER DESCRIBED IN THIS SECTION IS CLOSED] , and to land disposals under AS 38.05.035(b), 38.05.045 - 38.05.069, AS 38.08 and AS 38.09 within one-half mile upland of the meander of the ordinary high water mark of the river.

Explanation. 1. AS 38.05.150 - 38.05.175 has to do with "leasing act" minerals including coal. The coal potential in several of these river valleys is substantial. AS 38.05.185 - 38.05.275 covers "mining rights" for "locatable" minerals. The intervening sections AS 38.05.180 - 38.05.184 cover "oil and gas" which, because of the favorable potential for such

April 21, 1986

deposits in these areas, is not specifically excluded from potential leasing by the department.

2. DNR has said that the description of the uplands within the river corridors by township and section is the only accurate means of identifying the boundaries of those corridors. As a matter of fact most, if not all, of the identified sections are not actually surveyed. We feel that the restrictions applied both to "mineral entry and leasing", as well as the land disposals referred to, can best be controlled by the use of the half-mile designation on each side of the rivers.

3. The lands described by township and section in Section 41.23.280, in some cases, extend more than two miles from the river - thus restricting potential development unnecessarily. The half-mile zone should provide the necessary protection and would be more easily identified on the ground.

Respectfully submitted,



Phil R. Holdsworth

cc: Curt McVee, AMA
Bob Stiles, C.O.A.L Assoc.
Mike Abbott, RDC

A M E N D M E N T

Offered in the SENATE

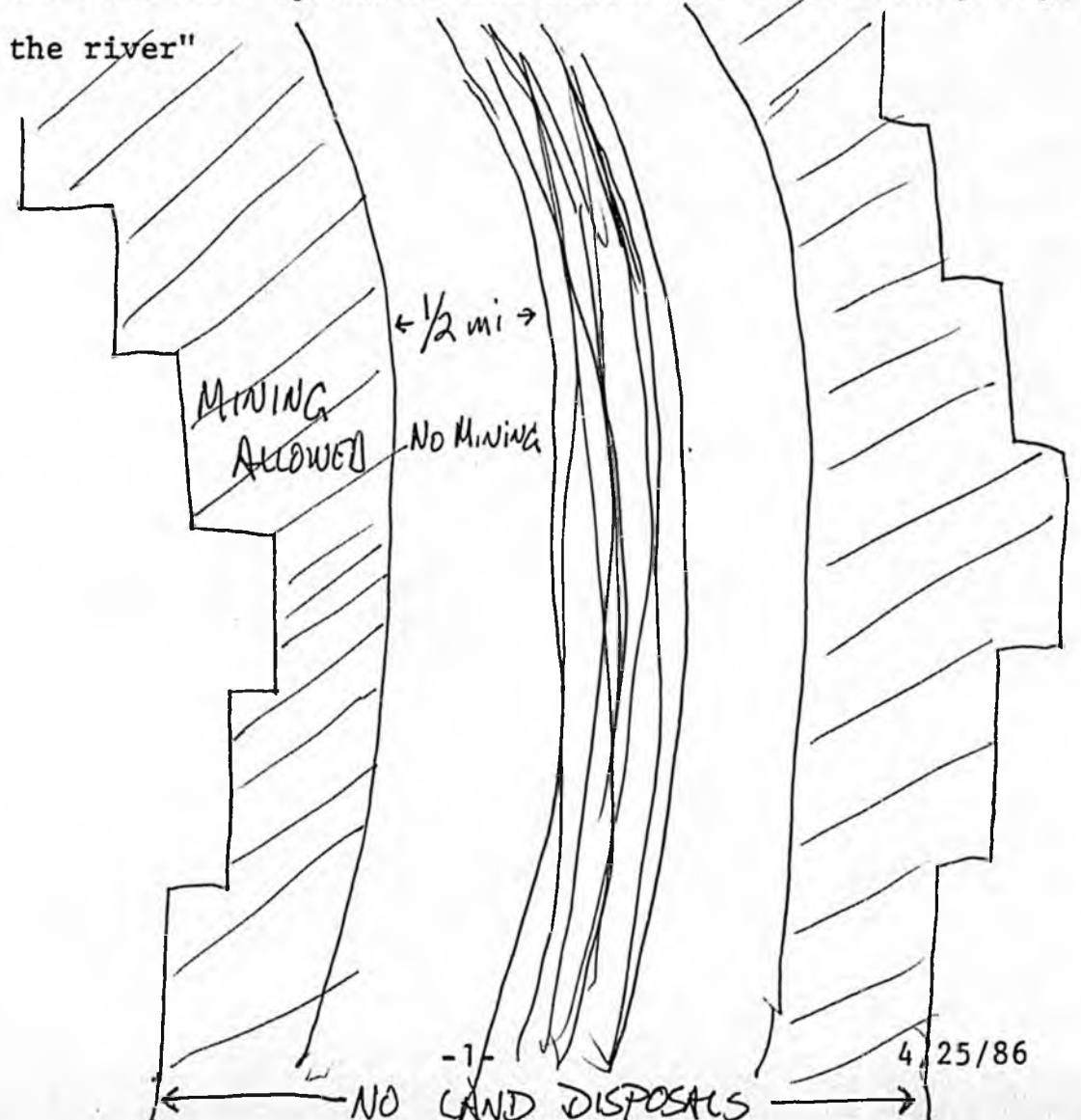
TO: CSHB 93(Fin) am

Page 6, line 19, after "section" delete "are" and insert:

"within one-half mile of a lakeshore and within one-half mile upland of the meander of the ordinary high-water mark of a river is"

Page 6, line 23, delete:

"within one-half mile upland of the meander of the ordinary high water mark of the river"



This could be easily accomplished by striking the phrase "within one-half mile upland of the meander of the ordinary high water mark of the river" from page 6, lines 23-24.

The technical amendment we suggest is that on page 3, AS 41.23.210(d), the final sentence be: "Except as provided in this subsection, the commissioner may not restrict the use of weapons, including firearms, within a recreational river." We support the intent of this subsection; we just think the last sentence is poorly drafted. The main body of the subsection deals with weapons, and not with fishing, hunting and trapping. The purposes of the bill clearly protect fishing, hunting and trapping. The present language, "not restrict the exercise of fishing, hunting, or trapping", is vague in that it leaves unanswered the question of what constitutes the "exercise" of those activities. For example, does the "exercise" include ATV use in wetlands when there are trails around a wetland? Or, does "exercise" include unregulated expansion of guides. This vague language therefore creates a tension with several authorities in the bill, such as the authority in the management plan to protect habitat, manage the level and intensity and types of recreational uses, manage and provide for access, and manage commercial activities. I have discussed this technical amendment with Rupe Andrews of the National Rifle Association and the Outdoor Council, and I understand that he concurs.

If you have any questions, please call Jim Hemming, chair of our Lands Committee, at his office (Dames & Moore Natural Resource Engineers), 562-3366, in Anchorage, or Bud Hodson, chair of our Fish and Wildlife Committee, at the Tikchik Lodge office, 243-8450, in Anchorage, or you can reach me through Mckie Campbell of the Committee staff.

Sincerely,


Jeff Parker

Vice President
Wildlife Federation of Alaska

cc: Russ Redick, Alaska Sportfishing Assoc.
Chris Goll, Alaska Professional Sportfishing Assoc.
Jim Hemming
Rupert Andrews, NRA, Outdoor Council
Scott Highlman, AEI
Ned Farquar, DNR
Roland Shanks, ADF&G

4/25/86

AMENDMENT

to CS for HB 93 (FIN) am

Pg 2 LINE 25

After (d) - before "The COMMISSIONER..."

INSERT -

"EXCEPT AS provided in this subsection.."

PAGE 2 LINE 25

delete

"...infringe upon..."

insert

"restrict"

Kil

PUBLIC OPINION MESSAGE

TO: SENATOR ARLISS STURGULEWSKI
FROM: RON MCALPIN
8341 E. 11TH COURT
ANCHORAGE 99504
333-1451

BILL NO: HB 93

SUBJECT: ESTABLISH SYSTEM OF RECREATION RIVERS

MESSAGE:

PLEASE SUPPORT HB 93 AND PASS IT OUT OF YOUR COMMITTEE INTACT AND NOT CHANGED. THIS VERY IMPORTANT PACKAGE IS VALUABLE TO ALL ALASKANS AND ACCEPTED BY ALL SPECIAL INTEREST GROUPS AT THIS TIME. CHANGES COULD NEGATE THIS SUPPORT AND KILL THE BILL.

DATE: 04/17/86 TIME: 10:20:13 SENT BY: ANCHORAGE LIO

COPIES TO: SENATE RESOURCES ✓

K

PUBLIC OPINION MESSAGE

TO: SENATOR ARLISS STURGULEWSKI
FROM: CHERYL JONG
2701 RASPBERRY
ANCHORAGE 99502
243-7539

BILL NO: HB 93
SUBJECT: ESTABLISH SYSTEM OF RECREATION RIVERS

MESSAGE:
I STRONGLY OPPOSE HB 93 BECAUSE IT ALLOWS FOR ONLY SINGLE USE OF
THE WATERS.

DATE: 04/18/86 TIME: 09:06:29 SENT BY: ANCHORAGE LIO

COPIES TO: HOUSE MEMBERS
SENATE MEMBERS

MAR 11 1986

3716 Young St., #A
Anchorage, AK 99508
March 4, 1986

Senator Arliss Sturgulewski:

The legislature is currently considering several bills that I support, and I want to urge you to support them when they come up for a vote. All of these bills would provide protection to Alaska's natural resources, protecting fish and wildlife, and ensuring that Alaskans can enjoy these resources in the future; two of the bills would protect our environment and reduce the potential for ecological disasters.

The Anchorage Coastal Wildlife Refuge bill (H.B.186) would ensure that Potter's Marsh continues to provide undisturbed coastal habitat, where Anchorage families can observe wildlife only a few miles from downtown. This is one of the few such protected wildlife observation areas so close to Anchorage. Driving along the highway, I always see many people stopped along the road, bird watching. We need to protect the few wetlands remaining in the Anchorage bowl. Please vote for it.

H.B.93 would create a system of recreation rivers, setting them aside for fish and wildlife, water quality, and recreational use. Many Anchorage residents and other Alaskans use these rivers for recreation and subsistence. We need to protect them from mining and other development, land disposal, and other incompatible uses. If action is not taken soon, we will encounter more and more Kenai River situations. I urge you to support this bill, and oppose the effort to add a section on state mining rivers to the bill—a use that is clearly incompatible with a recreational river. These rivers should be under the management of the DNR's Div. of Parks & Recreation.

As you are probably aware, the DNR is developing a plan for the Hatcher Pass area. I use this area frequently, for x-country skiing, backpacking, and climbing. Hatcher Pass has many scenic and recreational values. Use of this area has steadily increased over the past few years. The area should remain in public ownership for all Alaskans as a wildland. In recognition of its recreational qualities, Senator Kerttula introduced S.B.334, which would reserve the Hatcher Pass area for public recreational use. This bill is a good one, and I hope you would support it.

In 1983, the legislature passed the Marine Parks bill, which designated 12 parks in Southeast Alaska and Prince William Sound. More areas, however, were left out of the original bill. H.B.44 would add additional parks to the system. More and more Alaskans are kayaking, sailing, and motor boating in the coastal waters. Setting aside these areas as parks will serve the recreational needs of Alaskans and visitors who are seeking to enjoy Alaska's marine environment. These sites were all originally selected by the state for recreational purposes or were proposed by local governments or community groups for marine parks status. If action is not taken now to set aside these key areas, they may be selected for state land disposal or developed for other purposes. Please support this bill.

Spills of oil and hazardous materials have become an increasing problem nationwide. Alaska has been fortunate to have avoided major pollution problems so far. But cases like the pollution from the oil terminal in Valdez, the leaking tank car on the Kenai Peninsula, and the burial of hazardous materials in the Kenai National Wildlife Refuge indicate that we have a problem here too. We need to be able to take prompt action to contain and clean up spills of hazardous materials. An investigative report by Tetra Tech recently identified 45 potential hazardous waste sites in Alaska, three of which are of high priority. H.B. 470/S.B.375 would provide the state with the capability to control spills, by creating a "Superfund." Action needs to be taken now before a spill occurs that we all regret. I also urge you to support a citizens' suit provision, which would allow citizens to sue in the state courts to stop hazardous releases that endanger their health.

I'm sure you are aware that many Alaskans are concerned about the threat of nuclear war—the ultimate environmental catastrophe. HJR 52 would encourage a "nuclear free arctic and subarctic. By encouraging treaties to establish a nuclear-free zone, banning nuclear weapons and delivery systems, banning the disposal of radioactive and nuclear wastes, and preventing nuclear testing in the arctic and subarctic, we will taking a positive step to reduce the threat of a nuclear disaster. This

-over please-

resolution will send a clear message to both Washington and Moscow, indicating our concern for the future of both Alaska and the world.

Finally, I urge you to take action to withdraw funding for the Susitna Dam. This project is just too expensive, both from an environmental and a financial viewpoint, for us to continue supporting. With the price of oil being so low (and with nobody really knowing when it will raise again to its past levels), Susitna just does not make any sense. We need to hold on to our oil dollars for the future. There are other energy resources we can use. If the legislature continues to fund this pork barrel project, we risk putting our state and its citizens in debt for many years.

Thank you for your time, Senator Sturgulewski. I hope you will carefully consider the above bills and take action that ensures our precious environment can be enjoyed by future Alaskans. I look forward to hearing from you on these bills.

Sincerely,

Michael Rees
Michael Rees

Rea Rivers APR 17 1985

7901 E. 130th AVE.
ANCHORAGE, ALASKA 99516
APRIL 14, 1985

SENATOR ARLISS STURGULEWSKI
ALASKA STATE LEGISLATURE
POUCH V
JUNEAU, ALASKA 99811

DEAR SENATOR STURGULEWSKI,

I HAVE WRITTEN TO MY REPRESENTATIVES IN FAVOR
OF HB 93 RE: STATE RECREATIONAL RIVER SYSTEM.
NOW I FIND THAT THIS BILL HAS BEEN ALTERED
SUBSTANTIALLY. GRAVEL EXTRACTION, GRAZING, AND
COMMERCIAL LUMBERING CONFLICT BADLY WITH HABITAT
PRESERVATION AND CONTINUING RECREATIONAL USES SUCH
AS FISHING, BOATING, CAMPING, HIKING, BIRD WATCHING
AND SO FORTH. AS A 36 YEAR RESIDENT OF
ALASKA WHO HAS SEEN A LOT OF CHANGE HERE, NOT
ALL OF IT GOOD, I THINK IT IS IMPORTANT TO
PROTECT THE AREAS AROUND MANY OF OUR RIVERS.
SUPPORTING A RECREATIONAL RIVER SYSTEM IS NOT
"ANTI-DEVELOPMENT;" IT DOES MAKE ECONOMIC SENSE,
THANK YOU.

John Jensen

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 it's 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.

Incoming
Rec
Rivers

MAR 7 1985

3700 Sugon Dr.
Anchorage, AK
99503

March 3, 1985

Sen. Arliss Sturgulewski
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Sen. Sturgulewski,

I am writing to urge your support for HB 93,
which would establish a State Recreational Rivers
System. In addition, I support:

1. including the upper Little Susitna in the system;
2. including the five rivers recommended by the Susitna Area Plan;
3. making sure there is a mining exclusion to protect the water quality in these rivers.
4. prohibiting gravel extraction and logging.

Thank you for your concern and interest in this bill. Please keep me informed as to ~~developme~~ the progress of this bill.

Sincerely,
Jane Gray

	<u>Total acres</u>	<u>Boro</u>	<u>Private</u>	<u>Mental Health</u>
Little Su	16,000	400	250	2160
Tal	50,840	1,280	300	---
Alex.	22,600	2,560	---	---
Kroto/ Moose	75,000	12,000	750	---
Lake Creek	64,160	160	200	---
Talk.	27,440	---	1,000	2,000

*this info received from
Ned Farquhar*

Wildlife Federation of Alaska

P.O. Box 103782
Anchorage, Alaska 99510
(907) 278-3420

April 12, 1986

Re: HB 93 (FINANCE),
Recreational Rivers

Dear Representative:

The Wildlife Federation of Alaska is the Alaska affiliate of the National Wildlife Federation, the largest association of sport and wildlife-oriented conservation groups in the country.

The Wildlife Federation of Alaska supports passage of HB 93 (FINANCE), the recreational rivers bill, which designates six "recreational river" corridors in the lower Susitna drainage. Under a multiple use framework, the Finance Committee bill gives strong protection to the rivers, fish and wildlife habitat, fishing, hunting and other recreational uses. These designations were recommended by the Susitna Area Plan, which was adopted after a lengthy public planning and public review process. Designation of these rivers was widely supported by the sport and conservation community in southcentral Alaska.

We want to compliment Representatives Cotton, Pourchot, Larson, Rieger, Frank, Uehling and the other members of the Finance Committee who worked hard on this bill. They, along with the Alaska Sportfishing Association, have done an excellent job in furthering this bill.

Our main point is that we support passage of the bill as it stands and suggest one strengthening amendment, if that amendment can be accomplished without jeopardizing passage, opening the door to weakening amendments or offending the members who have worked so hard on this legislation. HB 93 has undergone a lengthy process of consideration, and we don't want to risk passage of or weakening the bill.

The amendment we suggest is that the full designated corridors be closed to land disposal. The issue is technical, so I'll try to describe it.

The designated corridors are generally a half mile on each side of the rivers. They are identified by sectional and subsectional descriptions, at pages 6-27 of the bill, under AS 41.23.280. There are some places where the designated lands are actually slightly more than a half mile from the river and there are some places where they are less. As part of the public planning and review process, the Susitna Area Plan developed the land descriptions in the bill. They included a very slightly

wider boundary where wetlands, moose habitats, waterfowl habitats, small lakes important for aircraft access to the rivers, and high scenic values are involved. Conversely, they are less than a half mile where these values were not involved, such as along high banks or lands suitable for agricultural or remote cabin disposal.

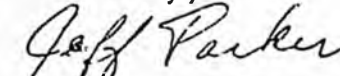
HB 93 (FINANCE) closes the corridors to land disposal within one half mile of the high water mark of each river. That mark is largely undetermined and it may shift over time. Phrasing the closure in terms of a half mile from the river may also mean that some wetlands, valuable for coho salmon rearing, waterfowl production, moose fodder, air access and hunting within the corridors could be removed from public ownership, access, and production of common property wildlife resources. These resources and access to them, along with scenic values and quality fishing and hunting, are what make these rivers valuable in a recreational and economic sense. According to the Governor, these rivers support a multi-million dollar sport fishing and tourist industry that helps Anchorage and the Mat-Su Borough economies.

We suggest that the difference between the designated corridors and the closure to land disposals be resolved by closing the designated corridors to land disposal, since that would more adequately protect the wildlife and recreational values. This could be easily accomplished by striking the phrase "within one-half mile upland of the meander of the ordinary high water mark of the river" from page 6, lines 23-24.

Again, we suggest this only if it can be done without jeopardizing passage of what is already a good bill. And again, we appreciate the work of the House Finance Committee.

If you have any questions, please call Jim Hemming, chair of our Lands Committee, at his office (Dames & Moore Natural Resource Engineers), 562-3366, in Anchorage, or Bud Hodson, chair of our Fish and Wildlife Committee, at the Tikchik Lodge office, 243-8450, in Anchorage.

Sincerely,



Jeff Parker
Vice President

Wildlife Federation of Alaska

cc: Russ Redick, Alaska Sportfishing Assoc.
Bud Hodson, Alaska Professional Sportfishing Assoc.
Jim Hemming
Rupert Andrews, NRA, Outdoor Council
Scott Highliman, AEL
Ned Farquar, DNR
Roland Shanks, ADF&G

ALASKA PROFESSIONAL SPORTFISHING ASSOCIATION

Chris Goll
President
127 Raspberry
Anchorage, Alaska 99502
(907) 243-7894



Ron McMilian
Secretary/Treasurer
3318 West 30th Avenue
Anchorage, Alaska 99517
(907) 248-1714

April 12, 1986

Re: HB 93 (Finance),
Recreational Rivers bill

Dear Representative:

The Alaska Professional Sportfishing Association is the largest association of professional sportfishing guides, lodges and outfitters in Alaska. It is a statewide organization interested primarily in furthering our industry and maintaining the high quality sportfishing upon which we depend.

In behalf of our Association, I urge passage of HB 93 (Finance). It establishes six recreational rivers in southcentral Alaska. Several of the rivers are important to the guide, air-taxi, and sportfishing industries. Lake Creek, Talachulitna River, Deshka River, the Talkeetna River and Alexander Creek offer high quality salmon and trout fisheries that support air-taxi services, riverboat services, and in the case of the Talachulitna, several lodges.

HB 93 (Finance) helps assure that the quality sportfishing, fish and wildlife habitat, and public access will be maintained. I am pleased that HB 93 protects existing commercial activities within the six river corridors, and I agree with the provision allowing management of commercial activities, including guiding. My hope is that these provisions will protect existing operations, allow for expansion that is compatible with quality guiding and quality sportfishing, and will prevent these rivers from developing problems so apparent on the Kenai. I used to guide on the Kenai and no longer do because of the changes in the character of the experience I could offer my clients.

HB 93 (Finance) strikes a good balance. I support the bill as it stands and urge consideration of one amendment if it would not jeopardize passage of the bill.

That amendment concerns land disposal. I appreciate that the bill would close to land disposal those lands within the corridors that are within a half mile of the rivers. However, I agree with the position of the Wildlife Federation of Alaska that the full designated river corridors, which average about a half mile on each side, should be closed to land disposal. The present language, "within one-half mile upland of the meander of the

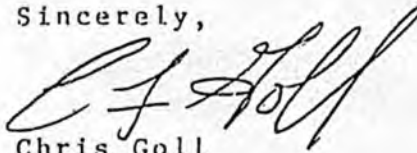
"The Keepers of the Streams"

ordinary high water mark of the river" at page 6, lines 23-24, invites disposals in small pockets of the designated corridors. I suggest that that phrase be deleted if doing so won't jeopardize passage of the bill.

Land disposals too close to highly popular rivers such as these invite the pressure that leads to regulation of industries such as ours. Naturally, I hope that our industry never has to be regulated on these rivers. An amendment to strike the above language would help further that prospect.

Again, HB 39 is a fine piece of work, and my appreciation goes to the Finance Committee.

Sincerely,

A handwritten signature in cursive script, appearing to read "C. Goll".

Chris Goll
President, Alaska Professional
Sportfishing Association

MATANUSKA-SUSITNA BOROUGH
ASSEMBLY

ASSEMBLY MEMORANDUM

Meeting of: October 21, 1986

Date: 10/9/86

ITEM TITLE:

Recreation Rivers in Matanuska-Susitna Borough

Submitted by: Gary Thurlow, Borough Manager

Continuation of public fishing and hunting access along recreation rivers on publicly owned lands has been an issue in the past three legislative sessions. The recreation rivers bill referred to by Representative Larson the last time he visited with the Assembly would have preserved fishing and hunting access in an area one-half mile wide on both sides of the following rivers where there is existing public ownership of land:

Little Susitna River
Moose Creek-Deshka River
Lake Creek
Talchulitna River
Alexander Creek
Talkeetna River to Deception Creek

Lodges and private support facilities for fishing and hunting, similar to the Alexander Creek and Lake Creek lodges, would be permitted uses upon publicly owned lands along the streams.

These rivers are described in the attached sheets from:

Backcountry Alaska "Where the Roads End... The Real Alaska Begins." Alaska Geographic, 1986.

Borough publication, Trails, adopted June 1984 amended August, 1985.

FISCAL NOTES

() N/A

Expenditure Required

Amount Budgeted: _____

This item: \$ _____

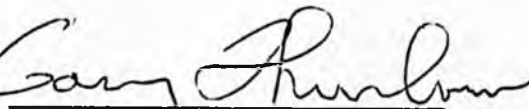
Account #: _____

TOTAL COST: \$ _____

Funds verified by: _____

RECOMMENDED ACTION:

Approved by:



Borough Manager



BACKCOUNTRY ALASKA

“Where The Roads End...
The Real Alaska Begins.”



ALASKA GEOGRAPHIC®

Quarterly / For members of The Alaska Geographic Society
Volume 13, Number 2 / 1986

Transportation: Boat; scheduled or charter air service from Kodiak. Population: 107.

Visitor Facilities: Arrangements may be made to stay in private homes. Limited groceries may be purchased at Ayakulik Inc. General Store in town or during the May-September fishing season at the Columbia-Wards Fisheries Lazy Bay cannery store five miles south of the village. Marine gas, diesel, regular gasoline available.

The community originally was a summer hunting settlement. Today, commercial fishing forms the basis of its economy. Many of the residents are commercial fishermen. Other employers include the cannery, school, health services, the city and occasional construction jobs. Almost all of Akhiok's residents depend on subsistence fishing and hunting for various food sources. Species harvested include salmon, crab, shrimp, scallop, clam, duck, seal, deer, rabbit and bear.

Akhick is located adjacent to the Kodiak National Wildlife Refuge. The community's Russian Orthodox church, Protection of the Theotokos Chapel, which was built around 1900 on the site of an earlier structure, is on the National Register of Historic Places.

ALEXANDER CREEK, near the mouth of Alexander Creek in the Susitna River delta, is 27 miles northwest of Anchorage. Transportation: Boats; charter floatplane service from Anchorage. Population: 17.

Visitor Facilities: Food and lodging at Gabbert's Fish Camp. Marine engine and boat repair, hunting and fishing licenses, gas, moorage, guide service and rental boats and motors available from Gabbert's, which also operates a river taxi service.

Alexander Creek is an unincorporated community located near the former site of a small Indian village reported by U.S. Geological Survey geologist George Eldridge in 1898.

Some area residents are commercial fishermen; others are retired. The Gabbert family runs the sportfishing lodge. Fishing is excellent for king salmon from May 20 to July 6; silver, pink, red and chum salmon from July 16 to September; rainbow trout in May and September; and grayling from July to September. Hunting in the area is for moose, black bear and ducks.



Cape House Lodge at Cape Yakataga.
(Patti Gilbert, reprinted from
ALASKA GEOGRAPHIC®)



Akhiok on Alitak Bay, Kodiak Island. (Chlaus Lotsche, reprinted from ALASKA GEOGRAPHIC®)

CAPE YAKATAGA is located on the Gulf of Alaska, 35 miles west of Icy Bay, 140 miles southeast of Cordova and 265 miles southeast of Anchorage. Elevation: 12 feet. Transportation: Scheduled or charter air service from Cordova. Population: 4 to 8.

Visitor Facilities: Food and lodging at Cape House Lodge by advance reservation.

Yakataga is said to mean "canoe road" because of two reefs forming a canoe passage to the village. The settlement was started about the turn of the century by placer miners. Besides the Cape House Lodge operation, residents today mine and trap for a living. Activities in the area include beachcombing and hunting for moose, mountain goat, black bear and brown bear, according to Patti Gilbert, manager of the lodge.

CHENEGA BAY is located at Crab Bay on

vessels use the harbor each year, delivering salmon, shrimp, herring, halibut and whitefish, plus king, tanner and Dungeness crab to the 15 seafood processing companies in Kodiak. These canneries are small, functional processing plants; no tours are available during operation.

Kodiak also is an important cargo port and transshipment center. Container ships stop here to transfer goods to smaller vessels bound for the Aleutians, the Alaska Peninsula and other destinations.

Attractions in Kodiak include Alaska's only outdoor theater production, *Cry of the Wild Ram*, the story of the first Russian-American colony in Alaska. The play is presented each August in the Frank Brink Amphitheater on Monashka Bay. Fort Abercrombie, one of the first secret radar installations in Alaska, is now a state park and a national historic landmark.

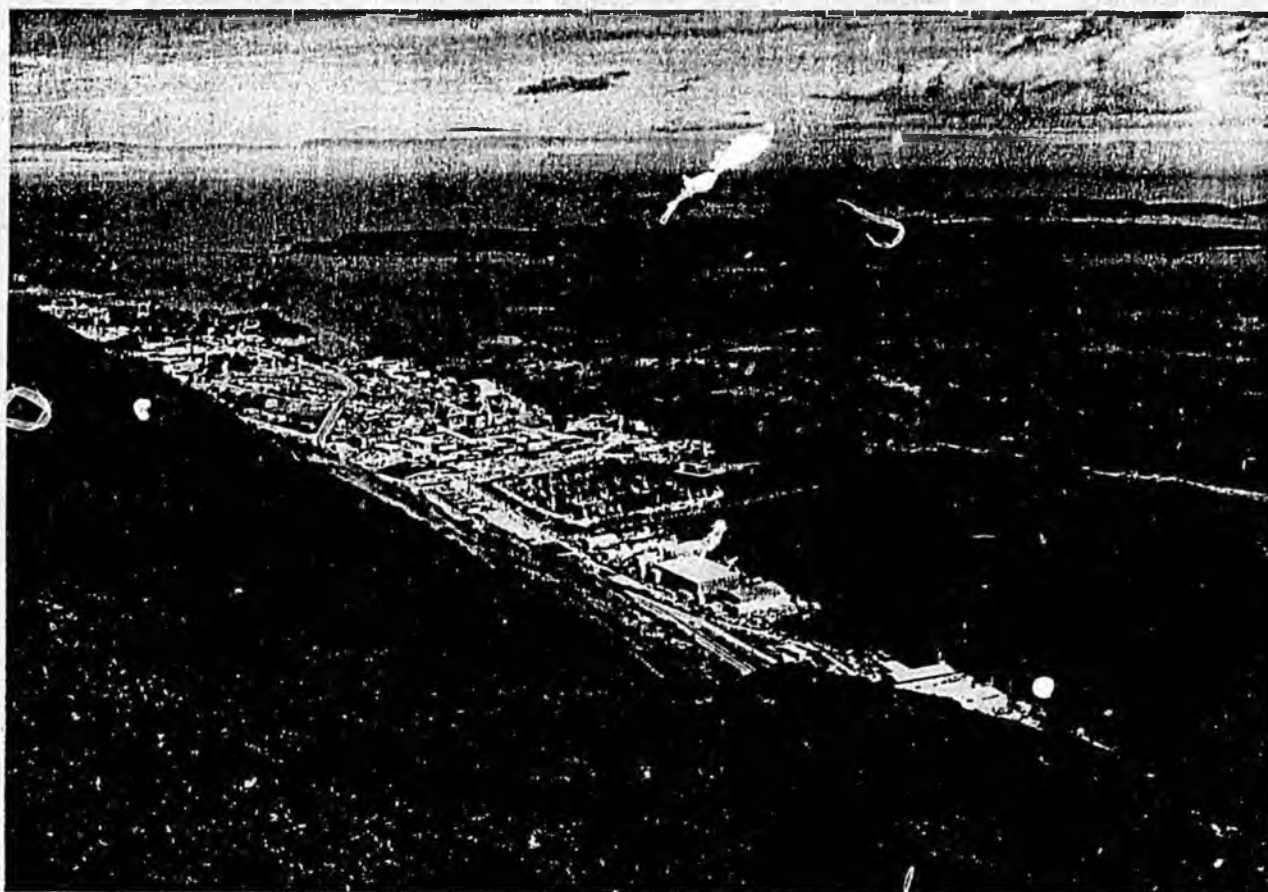
Special events include the Kodiak Crab Festival, a week-long celebration in May; the state fair and rodeo held in August; and St. Herman's Day August 9, honoring Father Herman, the first saint of the Russian Orthodox Church in North America, who was canonized in Kodiak in 1970.

One of the original clerics who established the oldest parish in Alaska, Father Herman's church is on the National Register of Historic Places and is open afternoons in summer. Also open to the public is the St. Innocent Veniaminov Research Institute Museum.

LAKE CREEK, on the Yentna River, is 70 miles northwest of Anchorage. Transportation: Boat; charter floatplane service. Population: 20 year-round.

Visitor Facilities: Food and lodging by advance reservation at Riversong Lodge, Lake Creek Lodge, McDougall Lodge and Wilderness Place Lodge. A few grocery items, camera film and sporting goods may be purchased at the lodges. Raw furs may be purchased from local trappers. Fishing and hunting licenses available at lodges. Boats may be rented. Guide services, marine engine repair services, fuel (marine gas, diesel, regular) and moorage available.

At the turn of the century, a trading post was established across the Yentna River from Lake



Kodiak is a major community. (Jon Nickles, reprinted from ALASKA GEOGRAPHIC®)

Creek to serve the trappers and gold miners in the area. Ruined cabins remain, as does the hulk of a paddle-wheeled steamboat once used for transportation.

Today, five families live year-round in the area. Residents guide fishermen and hunters and provide lodging for recreationists.

In summer there is excellent fishing for five species of salmon, some up to 65 pounds, as well as for trout and grayling. The hunting season is in September for moose, bear and ducks. Lake Creek, a clear stream that flows about 50 miles south from near Mount McKinley through scenic

countryside, provides white-water excitement for river floaters, as well as good fishing.

Carl Dixon of Riversong Lodge writes: "In winter things quiet down some. It provides us with close times with the family and neighbors for reading, visiting, skiing, snow machining. We travel to Skwentna 15 miles for mail and some children attend school there via snow machine. In winter, the moose come right in the yard. We must protect our plum trees! In February, we act as a checkpoint for the Iditaski Cross Country race for skiers. It is the longest cross-country race in the world at 335 kilometers."

Southcentral Rivers

The Southcentral/Gulf Coast region has many rivers that offer a wide variety of wilderness and boating experiences. Some of the more popular rivers are:

Chitina River — A silty glacial river located in the Chugach Mountains in Wrangell-St. Elias National Park and Preserve. This river heads at Chitina Glacier and flows west-northwest 112 miles to the Copper River, 1.2 miles east of Chitina, 66 miles northeast of Valdez.

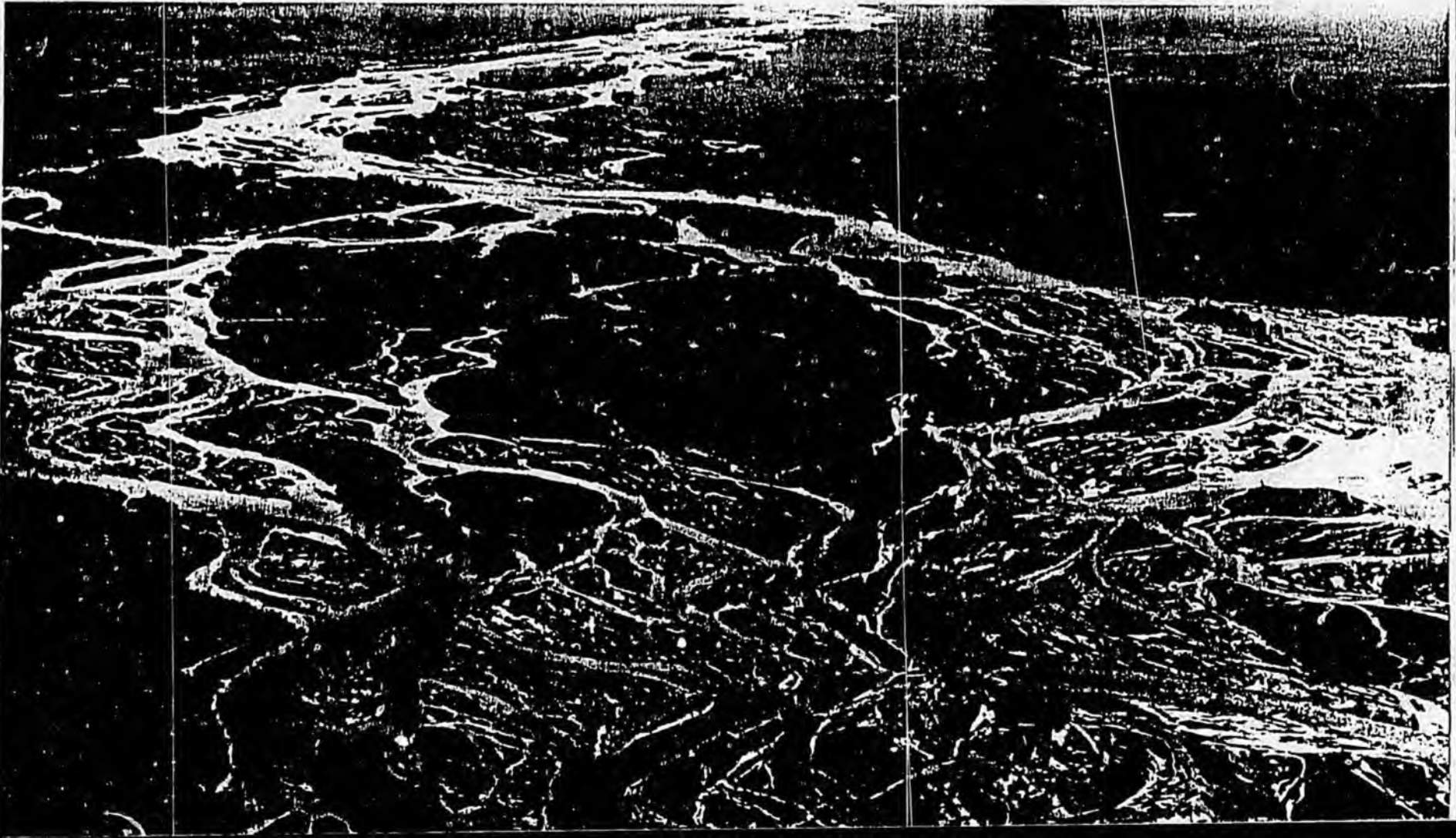
Chulitna and Tokositna rivers — The Chulitna,

located along the George Parks Highway north of Talkeetna, is described as "a glacier river of consequence." It runs partially through Denali State Park. The Middle Fork is clear water, generally shallow and rocky. The East Fork is clear, too, but fast (four to five miles per hour). Below the West Fork confluence, the Chulitna is even faster. The Tokositna River is described as one of the most scenic, yet easy to run rivers in the area. It has glaciers along its course and Mount McKinley towers above it. The Tokositna can be reached in a few minutes by air charter from Talkeetna to Home Lake. Its flow is moderately swift, but it

presents no special obstacles down to its confluence with the Chulitna River.

Copper River — This major glacial river heads on the north side of the Wrangell Mountains and flows south 250 miles through a gap in the Chugach Mountains to the Gulf of Alaska, just east of Cordova. Although the Richardson and Glenn highways parallel the river, they are rarely within sight or sound. This braided river passes through

Broad and braided Susitna River. (Sepp Weber, reprinted from ALASKA® magazine)



true wilderness country and features silty, but always swift water.

Copper River — A river trip of nearly 300 miles is possible by using this wild and scenic river. For many paddlers and portage through the Tanana River's Canoe Trail, then float the Middle Fork Copper to the Gulkana River, which joins the Copper River for the final leg to the Gulf of Alaska.

Kahiltna River — This river heads at Kahiltna Glacier, 35 miles northeast of Talkeetna between Mount Foraker and Mount Hunter in the Alaska Range, and flows southeast to the Yentna River, 53 miles northwest of Anchorage.

Karluk River — This river heads in Karluk Lake on the west coast of Kodiak Island and flows north and west 24 miles through Karluk Lagoon to Shelikof Strait at the village of Karluk.

Kenai River — This river heads at Kenai Lake on the Kenai Peninsula and flows west 75 miles to Cook Inlet at Kenai. Much of this river is located on the Kenai National Wildlife Refuge. It features an exciting white-water canyon for the experienced paddler.

Klutina River — This river heads at Klutina Glacier in the Chugach Mountains and flows 63 miles northeast to the Copper River at Copper Center on the Richardson Highway, 66 miles northeast of Valdez.

Lake Creek — This clear-water stream heads in Chelatna Lake and flows southeast 56 river miles to the Yentna River. This river offers spectacular views of the Alaska Range and Mount McKinley to the northeast, and excellent fishing for Dolly Varden, grayling and rainbow trout.

Little Susitna River — The "Little Su" heads at Mint Glacier in the Talkeetna Mountains and flows southwest 110 miles to Cook Inlet, 13 miles west of Anchorage.

Maclaren River — This river heads at Maclaren Glacier in the Clearwater Mountains and flows southwest 55 miles to the Susitna River.

Nabesna River — This river heads at Nabesna Glacier and flows northeast to join with the Chisana River to form the Tanana River near Northway Junction on the Alaska Highway. The river begins

in Wrangell-St. Elias National Park and Preserve and flows through Tetlin National Wildlife Refuge.

Skwentna River — This river heads at South Twin Glacier below Mount Spurr and flows north and east 100 miles to the Yentna River near the settlement of Skwentna, 70 miles northwest of Anchorage. The Skwentna is considered one of the most difficult and remote, but spectacular wilderness rivers in Alaska, recommended only for expert paddlers who are experienced in wilderness travel. It has many difficult rapids and steep-walled canyons.

Susitna River — This large river heads at Susitna Glacier in the Alaska Range and flows southwest 260 miles to Cook Inlet, 24 miles west of Anchorage. This river's Tanaina Indian name, said to mean "sandy river," first appeared in 1847 on a Russian chart.

Talachulitna River — This river heads on Beluga Mountain and flows south and northwest to the Skwentna River, 14 miles upriver from the settlement of Skwentna, which is 70 miles northwest of Anchorage. The upper reaches of Talachulitna Creek, which drains Judd Lake, may be shallow and have logjams.

Tazlina, Nelchina and Little Nelchina rivers — These rivers offer a variety of water conditions and trip alternatives. The Tazlina River drains Tazlina Lake and flows east 30 miles to the Copper River, seven miles southeast of Glennallen and about 140 miles east of Anchorage. The Nelchina River heads at Nelchina Glacier and flows north and southeast 28 miles into Tazlina Lake. The Little Nelchina is a 48-mile-long tributary to the Nelchina.

Tyone River — This river heads at Tyone Lake and flows northwest 30 miles to the Susitna River, 68 miles northwest of Gulkana. This trip combines lake paddling with an easy river journey. About half the distance is across three adjoining lakes: Louise, Susitna and Tyone.

Yentna River — This river is formed by its East and West forks and flows southeast 75 miles to the Susitna River, 30 miles northwest of Anchorage. This flat-water glacial river winds in graceful sweeps through the basin south of Mount McKinley.

Southcentral Sportfishing

Southcentral and the Gulf Coast offer a wide range of fishing experience, from lakes and streams to ocean trolling. A variety of species are available, depending on where the angler drops a line.

King salmon, the most prized species in Alaska, are found throughout this region. These fish often reach 30 pounds and more and can attain 90 to 100 pounds. The best catches of kings in Prince William Sound are made near Valdez and Cordova

Charter-boat fishermen out of Homer go after pink salmon. (© Chlaus Lotscher)

