

HOUSE BILL NO. 148

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE GUTTENBERG

Introduced: 3/1/13

Referred:

A BILL

FOR AN ACT ENTITLED

1 **"An Act creating the Stampede State Recreation Area."**

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

3 *** Section 1.** AS 41.21 is amended by adding new sections to article 4 to read:

4 **Sec. 41.21.401. Purpose of AS 41.21.401 - 41.21.405.** The purpose of
5 AS 41.21.401 - 41.21.405 is to establish the area described in AS 41.21.405 as the
6 Stampede State Recreation Area. The Stampede State Recreation Area is established
7 to

8 (1) perpetuate and enhance

9 (A) general public recreation;

10 (B) public enjoyment and traditional use of fish and wildlife;

11 (2) protect and maintain fish and wildlife habitat, particularly habitat
12 for caribou and migratory birds;

13 (3) provide an area for the public to enjoy the full spectrum of public
14 uses, including maintenance and enhancement of motorized and nonmotorized
15 recreational opportunities while retaining the natural and primitive character of the

1 area;

2 (4) allow

3 (A) continued motorized access for owners of private property
4 in the Stampede State Recreation Area; and

5 (B) additional public uses of the area determined by the
6 commissioner to be compatible with this section.

7 **Sec. 41.21.402. Management.** (a) The commissioner is responsible for the
8 management of the land and mineral estate within the Stampede State Recreation Area
9 consistent with the purposes of AS 41.21.401.

10 (b) The director of the division in the department that is responsible for state
11 parks shall appoint a citizens advisory board for the Stampede State Recreation Area,
12 with the majority of the board members residing in the Denali Borough. After
13 adequate public hearings and in consultation with the citizens advisory board and the
14 Denali Borough Assembly, the commissioner may designate incompatible uses and
15 shall adopt and may revise a management plan for the Stampede State Recreation
16 Area.

17 (c) The commissioner of fish and game, the Board of Fisheries, and the Board
18 of Game are responsible for the management of fish and game resources and public
19 use of fish and wildlife in the Stampede State Recreation Area consistent with the
20 purposes of AS 41.21.401.

21 **Sec. 41.21.403. Incompatible uses.** (a) Except as provided in this section, the
22 commissioner may prohibit or restrict uses determined to be incompatible with the
23 purposes of the Stampede State Recreation Area under AS 41.21.401 within the state-
24 owned land and water described in AS 41.21.405.

25 (b) Nothing in AS 41.21.401 - 41.21.405 prohibits the Department of Fish and
26 Game from engaging in rehabilitation, enhancement, and development of fish and
27 wildlife habitat within an area described in AS 41.21.405 that is consistent with the
28 purposes stated in AS 41.21.401.

29 (c) The commissioner may not restrict

30 (1) lawful fishing, hunting, or trapping rights allowed under a
31 regulation of the Board of Fisheries or the Board of Game in the Stampede State

1 Recreation Area; or

2 (2) the use of weapons, including firearms, in the Stampede State
3 Recreation Area except in locations where the commissioner determines that the use
4 of weapons constitutes a threat to public safety.

5 (d) The commissioner shall

6 (1) allow the Stampede State Recreation Area to be used for activities
7 compatible with the reasons for establishing the public recreation area in
8 AS 41.21.401, including hiking, bicycling, all-terrain vehicle use, watercraft use,
9 horseback riding, dog sledding, cross-country skiing, skijoring, snowmobiling,
10 camping, hunting, fishing, berry picking, wildlife viewing, and photography;

11 (2) recognize the traditional use of existing motorized and
12 nonmotorized uses in the area and conduct trail rehabilitation or reroute trails to
13 minimize damage and avoid sensitive habitats; and

14 (3) minimize additional infrastructure in order to maintain the natural
15 character of the area.

16 **Sec. 41.21.404. Purchase authorized; eminent domain prohibited.** The
17 commissioner may acquire, by purchase in the name of the state, title to or interest in
18 real property lying within the boundaries of the Stampede State Recreation Area. The
19 state may not acquire by eminent domain privately owned land for inclusion in the
20 Stampede State Recreation Area.

21 **Sec. 41.21.405. Stampede State Recreation Area.** The state-owned land and
22 water, vacant and unappropriated, and all that acquired in the future by the state lying
23 within the following parcels are designated as the Stampede State Recreation Area,
24 reserved from all uses incompatible with their primary function as public recreation
25 land, and assigned to the department for control, development, and maintenance:

26 (1) Township 12 South, Range 8 West, Fairbanks Meridian

27 Sections 6 - 7

28 Sections 18 - 19

29 Sections 30 - 31

30 (2) Township 12 South, Range 9 West, Fairbanks Meridian

31 Sections 1 - 36

- 1 (3) Township 12 South, Range 10 West, Fairbanks Meridian
- 2 Sections 1 - 36
- 3 (4) Township 12 South, Range 11 West, Fairbanks Meridian
- 4 Sections 1 - 36
- 5 (5) Township 13 South, Range 9 West, Fairbanks Meridian
- 6 Sections 1 - 6 excluding national park lands
- 7 Sections 7 - 12 excluding national park lands
- 8 (6) Township 13 South, Range 10 West, Fairbanks Meridian
- 9 Sections 1 - 6 excluding national park lands
- 10 Sections 7 - 12 excluding national park lands
- 11 (7) Township 13 South, Range 11 West, Fairbanks Meridian
- 12 Sections 1 - 6 excluding national park lands
- 13 Sections 7 - 12 excluding national park lands.