

Seward State Parks Citizen Advisory Board

Minutes

April 20, 2022 5:30-7:30 pm

Teleconference

I. Call to Order

- A. Call to Order: 5:37 pm
- B. Minutes taker: Bob Barnwell
- C. Roll Call: Bob Barnwell, Carol Griswold, Nick Jordan, Mark Luttrell, Paul Paquette, Cliff Reid, Tess Tulley, Mica Van Buskirk
- D. Board members absent: Kat Sorensen
- E. State Park Staff: Superintendent Jack Blackwell, District Ranger Jack Ransom
- F. Public Present: Chip Arnold
- G. Minutes Approval for March 16, 2022: Amended. Paul moved for approval, Nick second, unanimous.
- H. Agenda Changes and Approval: Cliff moved for approval, Paul second, unanimous.

II. Public Comments: none

III. Board Contact and Correspondence: Carol reported high levels of use and abuse at Pinnacle Rock during recent extreme low tides: 20+ in homeschool field trip, 37 in kindergarten field trip, and other users including two women illegally collecting live kelp. The habitat and natural resources have been greatly impacted by people flipping over living rocks, stacking living rocks, collecting even temporarily, trampling, climbing Pinnacle Rock for selfies, and destruction through general ignorance. Organizations collecting for aquariums (ASLC, Kenai Fjords Tours/Marine Science Explorer Program, Alutiiq Pride Marine Institute) all had ADFG permits but did not have a State Parks permit or realize they should.

Paul suggested education with a pamphlet on beach and tidepool etiquette for Lowell Point B&Bs. Mark suggested adding an educational section to the State Parks website. Jack Blackwell suggested installing an educational panel on site; Carol noted there is one by the latrines but hardly anyone sees it or stops to read it unless they're standing in line. Mica noted the importance of this unique opportunity for children to explore the ocean, but collecting should not be allowed and exploration must be done well and respectfully. Bob noted that CJ Rae with the Kenai Fjords National Park leads school groups during low tide field trips and might have suggestions.

Bob will contact the elementary school principal and make sure he is aware of the CAB concerns. Mica noted there is a homeschool office in town too.

Jack Ransom explained a state parks permit is required for groups and collecting so parks can track use of the resource, but the fee is waived for educational groups in support of getting kids out in the Park. He will email permit application to elementary school and others. Carol noted the heavy use of the latrines by all the kids, but also that the minimal fee would not begin to cover the costs of emptying it. She will research beach etiquette brochures and information.

IV. Reports:

- I. DMLW Division Mining Sections Chief Steve Buckley: Tonsina Gold Mining Issues. Steve is responsible for all mines, regulations, and claims in the state. His staff of 10 geologists oversees 600 permits for commercial operations, and 35,000 mining claims. He appreciated the extensive summary and the successful cleanup by state parks. He noted there is now more garbage, junk and continuing conflicts that have not been resolved.

The Tonsina mining claims are for recreational use and small operations with minimal use. No permits are required from DMLW. Since Tonsina Creek is anadromous, an ADFG permit is needed. State parks issued a permit to Luck for his Argo to manage use and access through state park land.

Recreational miners can only use the surface to extract minerals. Other public users may not be excluded from use. The use is subject to the Generally Allowed Uses (GAU) which limit the horsepower of a suction dredge, the nozzle size, etc. Camping is limited to 14 days at that site then they have to move. No permanent camps or storage is allowed.

Mining laws require that all four claim corners be staked with 4x4" posts four feet high and maintained. The NE monument post should have all the mining permit information. Witness post corners can be used if the actual corner is inaccessible. If the stakes are missing for whatever reason, the miner still retains their recorded mineral rights.

To retain the claim rights, the miner has to pay the rent, do labor every year, and file a report. Not much work is required for a recreational claim: no material has to be removed, the miner can sample, or have a geologist do a report.

After 14 days, they are required to clean up, restore the site, and move on so no one knows they were there. If the miner exceeds the GAU, they are in trespass but they don't lose their mineral rights. Enforcement includes letters, mailing and posting trespass notices, and having the district attorney bring charges. which is a low priority and does not happen. Cliff asked about enforcement of existing claim violations. Steve welcomed photos showing conditions at the sites and violations; Cliff will share.

Commercial mining claims require posting a bond, but not recreational claims. It can be helpful to work with the active miners to clean up abandoned camps. Steve will reach out to Fritz and ask for help cleaning it up.

The Alaska Mapper website is slow to be updated, so that claims can be over-staked, showing different people for the same claims who have filed, paid the \$160 fee, (this amount was recently changed) and are in the system. That does not mean they are the valid claim owner. If a miner does not pay the rent fee in time, there is a grace period to pay with a penalty to "cure" the lapse, otherwise it is considered abandoned and the next person (the over-staker) has an opportunity to claim it. Steve will check the claims to make sure they are accurate.

A federal claim sign is only valid on federal land, so the sign at Tonsina on state land is not valid. Steve had no information on this sign.

Mining law would be very difficult to change. These claims are recreational, not commercial, and can be managed in other ways.

A State DNR Mineral Closure Order is a land planning process involving 640 acres or less that does not require legislative action or creation of an Interagency Land Management Agreement (ILMA). This is a long-term solution for conflicting uses of the land and resource conflicts. It will not close valid existing claims as long as they are current with rent, labor, etc but will prevent new claims from being accepted. MCOs are not stackable, just one parcel is allowed. A corridor from above Cathedral Falls and along Tonsina Creek is possible as long as it can be described legally by Township and Range. Local legislators can be asked to support a Mineral Closure Order.

Blackwell noted the Kenai Area Plan includes the Tonsina watershed in State Parks, that ILMAs can't be stacked on the Tonsina ILMA, and that legislation to add more land to state parks has failed in the past. He will work closely with Ransom and CAB on the Mineral Closure Order.

The Board expressed great interest in pursuing this Mineral Closure Option, and thanked Steve for his participation.

II. Reports

A. Staff Reports: nothing to add at this time

B. Committee Reports

1. Local issues (except parking) (Nick): No report.

2. Parking Access (Mica, Paul, Nick): Mica provided summary by email for the second telephonic meeting on April 18. Blackwell provided a visual of possible solutions provided during the two public meetings. Long-term solutions include:

A. Expand lower parking lot

B. Expand upper parking lot

C. Improve Pinnacle View Road: realign, bury electric, construct diagonal or parallel parking and pedestrian pathway on state land

D. Carrying Capacity study:

3. Mining (Cliff, Bob):

4. Legislative Committee (Bob, Mica): Representative Carpenter's Seward Town Hall meeting was canceled. Redistricting changes go into effect January 1, 2023, then Lowell Point will be grouped with Kodiak.

5. Bylaws Committee (Carol and Mark): Kachemak Bay CAB approved the bylaws. Carol will sign the bylaws with the revised format and send to Blackwell.

6. Park Expansion Committee (Carol): No report.

V. Old Business:

1. Explore creation of Friends of Seward Area State Parks (Bob): Bob talked to Robert Archibald in Homer. Their Friends group is multi-pronged and gets grants for gear and trail maintenance. It's a complicated process. Tess would like to join this committee.

VI. New Business: none

VII. Informational Items:

1. New State Park Regulations re: discharge of firearms, fat bikes on beaches
Advisory Board Chairs: Please refer to this message from the Parks Operations Manager. The main regulations affecting the Kenai Peninsula state parks are the firearms discharge, fat tire/electric bikes, Kenai River anchor buoy, and Old Kasilof Landing motor restriction.

Thanks. Jack

From: Wedeking, Matthew D (DNR) <matthew.wedeking@alaska.gov>

Sent: Wednesday, April 6, 2022 8:02 AM

To: Wedeking, Matthew D (DNR) <matthew.wedeking@alaska.gov>

Subject: DROR regulation Packet

All-

The DPOR Regulations package been signed by the LT. GOV. (attached)

They are published on

OPN. <https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=206132>

Regulations will become effective 5.5.22.

This is not a comment period.

As part of the APA process questions should be directed to LT. GOV office.

You may pass this information on to interested parties.

Reminder: As the state agency involved, we are supportive of the regulations.

Further training for staff on forthcoming regulations will be scheduled.

Matt Wedeking
Division Operations Manager
Alaska State Parks
269-8702

2. ADN article on PUCs

<https://www.adn.com/outdoors-adventure/2022/04/03/how-to-book-the-alaska-public-use-cabin-of-your-dreams-even-if-youre-getting-a-late-start/>

VIII. Public Comments: Chip still listening but no comments.

IX. Adjournment

A. Board Comments: Mica noted her husband, Karl is a long-time Scout Master who has taken his Scouts to Tonsina and Caines Head for many years. They have done community service over the years, such as providing split firewood for Tonsina Campground and cleanup. He has several ages 16-17 years ready to help, and looking for Eagle Scout projects.

B. Date/Location of next meeting: Wednesday, May 18 2022 at 5:30 pm. TBA

C. Paul moved to adjourn, Mica seconded, unanimous at 7:30 pm.

Notes: Keep these ideas in mind for our draft Priority and Goals list and budget requests:

In-town secure storage for equipment, boat (DNR property at 707 Fifth Ave?)

Emergency shelter and storage at upper Tonsina parking lot (not CAB approved)

KPB Emergency Director Brenda Ahlberg FEMA \$

Purchase of front-end loader to assist with evacuation and plowing

Secure funding for plowing and sanding of LPSRS lower parking lot

Purchase of skid steer to maintain boulder barrier at LPSRS

Replace LPSRS latrines

Expand LPSRS upper and lower parking

Mooring buoys for Thumb Cove and North Beach

Relocate Tonsina PUC away from erosional slope

2021 2-24 CHSRA deferred maintenance needs list

Replace Derby and North Beach toilets

Recondition trails to provide adequate drainage

Reroute Overland trail from Derby Cove to North Beach

Repaint picnic shelter, replace gravel under foundation and roof

Secure concrete blocks that cover floor trenches with new hardware, replace signs

Replace 4 rusted bulletin boards, picnic tables, and fire rings

Repair trail leading from North Beach to South Beach and the Fort ie Fort Trail, South Beach Trail

Replace South Fork Tonsina Creek Bridge

Relocate Callisto Canyon PUC away from creek

Replace North Beach shelter

Replace Derby and Callisto PUC roofs and stoves

Stain four PUCs (Derby Cove, Callisto, Porcupine, Spruce)

Replace Loop Trail bridge ie Rainforest Trail

2021 2-24 LPSRS deferred maintenance needs list

Replace 2 old toilets with 2 double concrete vaulted toilets

Replace shop

Reconstruct drainage, CMPs for cross drainage, resurface access roadway and parking areas

Replace parking bumpers

Replace site signage