

Issue Response Summary

Within this document, issues were identified in public and agency comments or by input from DPOR staff and are grouped into general categories with the more substantive issues addressed first. Where changes are made, the change is indicated in the “Recommended Revision” column. Text that is to be deleted is indicated by ~~strike-through~~ and text that is to be inserted is indicated as underlined. The Use Compatibility Table in Chapter 6 has been substantially modified and is attached to this document for your review.

In this document the following acronyms or abbreviations are used: NLSRA - Nancy Lake State Recreation; DPOR – Division of Parks and Outdoor Recreation; DNR – Department of Natural Resources; State – State of Alaska; PRD – Public Review Draft of the NLSRA Management Plan; Permit – Special Park Use Permit.

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| Litigation | | | |
| 1. | Until recently, the DPOR had issued Permits to local property owners that allowed the use a vehicle on Lynx Lake Road and Butterfly Lake Trail for the purpose of accessing their private property within and adjacent to NLSRA. A lawsuit filed against the State (SOP vs. DPOR) challenged DNR authority to issue these Permits. The Superior Court ruled in favor of the State, but the case was appealed to the Alaska Supreme Court. The Alaska Supreme Court ruled that Permits that are not revocable at will and that are issued only to property owners constitute easements, and as such are disposals of an interest in State land. State law does not authorize disposals within legislatively designated park units, such as the NLSRA, so use of the permits in their current application cannot be | This court ruling affects policy included in the PRD, most notably the intent to continue to authorize vehicle access for access to private property via Lynx Lake Road and Butterfly Lake Trail. The ruling also affects other types of authorizations such as boat storage and long-term parking of vehicles. To be consistent with the Court ruling, authorizations cannot be granted based on ownership, and must be revocable at will. Subsequent to the Court ruling, DPOR ceased issuing permits for vehicle access that are not revocable at will to only local property owners. DPOR intends to continue to authorize vehicle use on the portions of Lynx Lake Road and Butterfly Lake Trail and allow them seasonally in other areas, and to continue to allow boat storage and long-term parking in support of | Changes in management of the recreation area and site that resulted from the court ruling are listed below. These changes affect various portions of the plan. |

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| | continued. | recreational uses. Text in the final plan is revised to describe implications of the Court ruling to DPOR and to provide updated management intent consistent with the Court ruling. | |

| Use Compatibility Table | | | |
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| 2. | The Use Compatibility Table has been significantly revised. | Due to the amount of revisions to the Use Compatibility Table and some changes to text in Chapter 6, the chapter is included in its entirety as an attachment to this Issue Response Summary. Note that changes in other chapters of the plan may have been affected by the revision of the table. | See attached Chapter 6. |

| Access – Lynx Lake Road and Butterfly Lake Trail | | | |
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| 3. | <p>Vehicle access, including a Highway vehicle and an ORV, on Lynx Lake Road and Butterfly Lake Trail.</p> <p>Appropriateness of ATV use by property owners accessing private lands within or adjacent to NLSRA in the area of Lynx, Butterfly, and Delyndia lakes.</p> <p>Additional ORV permits should not be issued to owners within NLSRA.</p> <p>ATV use by property owners should be</p> | <p>Many people indicated that that vehicle use, primarily ORV use, was inconsistent or incompatible with NLSRA management authorities. Several commented that ORV use was not appropriate but highway vehicle use was acceptable. A few commented that the public, non-property owners in this case, should be able to have vehicle access on Lynx Lake Road and Butterfly Lake Trail similar to private property owners while others indicated that authorizations for use of an ORV by property owners should not be authorized.</p> | <p>Text in Chapter 3, page 3-3 lines 35 - 36 is revised as follows:</p> <p>“This plan recommends increased public access on a portion of Lynx Lake Road <u>and Butterfly Lake trail. This access may be restricted based on impacts to developed roads, trails, and facilities and impacts to natural resources.</u>”</p> <p>Text in the Introduction section of Chapter 5, lines 20-21 and 27-32 will be revised as follows:</p> |

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| | eliminated. | <p>NLSRA specific regulations at 11 AAC 20.540 - 11 AAC 20.555 include both restrictions and allowances for specific uses, but these regulations do not address highway vehicles or ORVs nor do they identify the vehicles as an incompatible use.</p> <p>Vehicle use (ORVs and highway vehicles among others) is prohibited off of roads and parking areas under 11 AAC 12.020 - a regulation applicable to all park units. Regulations at 11 AAC 18.010 (a)(8) & (10) require a permit for: “using a state park for reoccurring or permanent motorized access, including aircraft landings and takeoffs across land or water closed to motorized use, to land not owned or controlled by the State” and for a “use limited or prohibited by the director under 11 AAC 12 or 11 AAC 20.” These regulations provide DPOR the ability to authorize motorized use for access to non-state lands and to authorize uses that are limited or prohibited – such as vehicle use off of a road or parking area – by regulation applicable to all park units or uses restricted by park specific regulations. Regulation 11 AAC 18.025 provides the procedures for the Division of Parks and Outdoor Recreation (DPOR) to follow in the adjudication of an application and identifies the information that must be included on an application. As an example, consistent with existing regulations, DPOR may authorize a person to land a float</p> | <p>“...and airplanes on specific waterbodies <u>and authorized use of ORVs on the Lynx Lake Road and possibly Butterfly Lake Trail.</u> In winter, the area south of Nancy Lake Parkway...”</p> <p>and</p> <p>“... snowmobiles or ORV’s for <u>public access to private property</u> may be allowed via a restricted opening of an area or <u>trail or on the frozen surface of Nancy, Lynx, Butterfly, and Red Shirt lakes.</u> While not a right, this plan recognizes and allows for vehicle access to private property on Lynx, Butterfly, Skeetna, and Delyndia lakes on a short term basis; however, it also recommends vehicle access be studied in greater detail to determine how access to private property should be addressed on a long term basis. The same study will address storage of personal property and moorage of boats long term on state owned land and water.”</p> <p>Text in the Use Compatibility Table regarding public use of Highway Vehicles and Off Road Vehicles is modified. See pages 6-20 and 6-22 of the modified table attached to this document for specific changes.</p> <p>The following management guideline is added on page 7-8, line 10:</p> <p><u>“Vehicle use beyond a traffic control gate on Lynx Lake Road may be authorized by DPOR under 11 AAC 18.010 during snow free</u></p> |

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| | | <p>equipped aircraft (a “vehicle” per definitions at 11 AAC 12.335 and 11 AAC 20.990) on James Lake (a lake closed to float equipped aircraft landings under 11 AAC 20.545) after adjudicating an application to conduct an activity listed in 11 AAC 18.010 (requires a Special Park Use Permit prior to engaging in a listed activity) consistent with procedures under 11 AAC 18.025.</p> <p>The 1982 Alaska State Park System: Statewide Framework (Framework) document was developed to “... further define the department’s goals and policies with regard to the management of state park units ...” The Framework provides direction to DPOR in the management of the eight different types of state park units including State Recreation Areas and Sites. Among the direction included in the Framework is a table that identifies the compatibility of activities and developments for the four types of land use zones for state park units. In this table, ORV use is indicated as “Generally Compatible” in the Recreational Development Zone, and as “Conditionally Compatible” in the Natural Zone. ORV use is not indicated as incompatible in either of these zones. A plan is the appropriate vehicle for DPOR to examine management needs, address issues and opportunities, examine recreational use patterns locally and regionally, and adjust the management of the area - if needed -</p> | <p><u>periods when resource conditions allow. Public use of an ORV may be authorized under 11 AAC 18.010 on Butterfly Lake Trail during snow free periods once permanent access across the Anchorage Church of Christ, Midnight Sun Bible Camp is secured and a sustainable ORV trail is developed. DPOR will not expend funds on the development of a sustainable trail unless use by the public is secured through acquisition of a permanent easement.”</u></p> <p>Revise the current management guideline on page 7-8, lines 10-15 as follows: <u>“Due to the lack of developed facilities to accommodate increased use and lack of dedicated enforcement in this area, DPOR will continue to manage public access in this area of NLSRA through a required authorization. All vehicle access beyond a traffic control device installed by DPOR will require an authorization. These authorizations will be open to any person and will be revocable at will by DPOR. Lynx Lake Road gate will remain...”</u></p> <p>The third and fourth Management Guidelines on page 7-8, lines 26 - 31 will be deleted.</p> <p>Facilities/Trails and Desired Outcome text on page 7-11 will be revised as follows: <u>“Redevelop the Butterfly Lake Trail as a Class 3 terra trail designed for ORV use if a permanent easement is secured across the</u></p> |

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| | | <p>consistent with the enabling statutes.</p> <p>Thus, ORVs are not prohibited by NLSRA statutes nor are they identified as an incompatible use or restricted by NLSRA specific regulations or the Framework document. Use of ORVs and other vehicles is governed by general regulations that apply to all park units; however, subsequent regulations provide DPOR the authority to authorize many kinds of uses subject to specific procedures. This plan recognizes that ORV use is a form of compatible recreation in NLSRA on specific trails and when specific conditions are met. NLSRA specific regulations will not identify ORV use as an incompatible use.</p> <p>DPOR considers use of vehicles on Lynx Lake Road and Portions of Butterfly Lake Trail appropriate as long as the resources are not significantly impacted. This plan provides a policy to allow vehicle use by the public to be authorized by DPOR on park managed lands. The plan also provides for the development of Butterfly Lake Trail to a sustainable multi-use trail if permanent access across the Anchorage Church of Christ, Midnight Sun Bible Camp (MSBC) property on Lynx Lake is secured. Expending public funds to develop the Butterfly Lake Trail would not be prudent until permanent public access through the MSBC property is secured. Securing permanent public access across this property or establishing an alternate route to connect</p> | <p><u>Anchorage Church of Christ, Midnight Sun Bible Camp property on Lynx Lake.”</u></p> <p>“Enhance sustainability by upgrading this trail to ORV standards and allowing multiple uses. This recommendation will only be implemented by DPOR if <u>a permanent the public recreational easement is secured remains across on the Anchorage Church of Christ property. DPOR will not expend funds on the development of a sustainable trail unless use by the public is secured through acquisition of a permanent easement. If the existing public easement is removed, DPOR will not expend public funds to upgrade or maintain this trail and the trail may be closed to use.”</u></p> <p>Trail Recommendation for Butterfly Lake Trail on page C-37 (reference #16) will be revised as follows:</p> <p>“The width of this trail should be the minimum necessary to accommodate use of Off-Road Vehicles. <u>Note: Only portions of this trail on state owned land will be upgraded by DPOR. DPOR will not expend funds on the development of a sustainable trail unless use by the public is secured through acquisition of a permanent easement. No state funds will be expended on upgrading this trail if the public recreational easement is removed from the Anchorage Church of Christ property. If the easement is removed, the trail may be</u></p> |

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| | | <p>Lynx Lake Road with Butterfly Lake Trail is a priority for DPOR. This is a change in management direction from the PRD and the previous 1983 Plan, but it is consistent with the statutory purpose of the recreation area to provide a maximum level of outdoor recreation opportunities consistent with the natural values of the unit. Furthermore, this direction is consistent with the intent to provide increased access to many of the lakes, including Lynx and Butterfly lakes, identified in the 1967 Nancy Lake Plan Program Budget (the first plan developed for the NLSRA).</p> <p>Due to the lack of developed facilities or infrastructure to accommodate increased use and the lack of dedicated enforcement in this area, DPOR will continue to manage public access in this area of NLSRA through a required authorization. All vehicle access beyond a traffic control device installed by DPOR will require an authorization. These authorizations will be available to any person and will not be granted based on property ownership in a specific area within or adjacent to NLSRA. All authorizations for access will clearly state that they are revocable at will and may include any additional conditions deemed appropriate by DPOR. Additionally, DPOR may restrict vehicle access in an area at any time to address impacts to resources. The number of authorizations will not be limited; however, DPOR will monitor vehicle use and</p> | <p>closed to public use or removed and the tread restored to a natural state. The width of this trail should be the minimum necessary to accommodate use of Off Road Vehicles.”</p> |

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| | | impacts to resources and may limit or restrict future access based on impacts to developed roads, trails, and facilities and impacts to natural resources. These authorizations will be issued as an 'Individual Permit' contemplated in this plan. Plan text will be modified to include this change in management intent. | |
| 4. | <p>Access by Lynx Lake property owners is historic and traditional vs. access by private property owners on Butterfly Lake Trail.</p> <p>Stewards of Lynx Lake believe they have a right to continued reasonable and historic access on Lynx Lake Road that has been used for 50 years or so and predates creation of the NLSRA.</p> <p>Present landowners should be given grandfather rights for access to private property.</p> | <p>This plan does not determine what uses are considered historic, traditional, or grandfathered for property owners at various locations either within or outside of NLSRA. Based on public comments, discussions, and responses to the questionnaire, DPOR is aware people have accessed their property for years, sometimes decades, by motorized and non-motorized means.</p> | No change. |
| 5. | <p>Inholder permits for vehicle use should be differentiated from property owners beyond NLSRA and should have an online renewal option.</p> | <p>To be consistent with the recent Alaska Supreme Court ruling (SOP vs. DPOR), DPOR can no longer issue permits for vehicle access to people based on the location of their property ownership that are only revocable for cause. Consistent with this ruling, DPOR cannot create a category of individuals that receive an authorization that is based on their length or location of ownership and issue authorizations only to those people. See Item 1 and 2 above and Item 49 below for a more</p> | <p>No change in plan text as a result of this issue. However, changes are made in several sections of the plan in response to the Supreme Court ruling. See specifically items 1, 3, and 49.</p> |

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| | | detailed discussion on the recent court case and policy provided in this plan. | |
| 6. | <p>Retain the locked gate at mile 3.5 on Lynx Lake Road and only allow access to authorized landowners/in-holders within Nancy Lake State Recreation Area.</p> <p>Clarify that the Chicken Lake Cross Park Trail trailhead will include a gate that will be closed and locked with access beyond the gate restricted to permit holders.</p> | <p>It is intended that DPOR will maintain the gate located at mile 3.5 of the Lynx Lake Road – just within the NLSRA boundary - as a traffic control device. This gate location is critical in controlling access into NLSRA during times when the Lynx Lake Road and Butterfly Lake Trail cannot support vehicle use without unacceptable impacts. In addition, this plan recommends that another traffic control gate be installed at the new Chicken Lake Cross Park Trail trailhead (if/when this proposed trailhead is constructed). When road conditions permit, the gate at the boundary will be opened to allow the public access to the new trailhead. It is intended that the new gate at the trailhead will be closed and locked with vehicle (highway and ORV) access beyond it by authorization only.</p> <p>Plan text will clarify intent to maintain the traffic control gate just within the NLSRA boundary and the intent to install a new traffic control gate at the proposed Chicken Lake Cross Park Trailhead. Access beyond a traffic control gate on Lynx Lake Road will be by authorization only.</p> | <p>A new guideline has been added and an existing guideline has been revised to address the traffic control gate on Lynx Lake Road. See revised Management Guidelines detailed in response #3 above; specifically changes to management guidelines on page 7-8.</p> |
| 7. | <p>Parking areas in the vicinity of Lynx Lake should not be developed.</p> | <p>Parking areas in the vicinity of Lynx Lake were contemplated in the alternatives phase of the planning process. As proposed, the alternatives contemplated building or</p> | <p>No change.</p> |

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| | | <p>expanding up to 5 parking areas to facilitate public use. After consideration of public comments, all but one of the proposed new or expanded lots was dropped from consideration in the PRD. The PRD proposes development of a trailhead facility, including a parking lot, as a means to enhance access into the canoe trail system, proposed looped trails, and proposed public use cabins via the new Chicken Lake Cross Park trail head. The proposed construction of this trailhead will remain in the Final Plan. Other proposed expanded or new parking areas in the vicinity of Lynx Lake are not carried forward in the Final Plan therefore no change is warranted at this time. It may be appropriate, however, to re-evaluate the need for parking areas based on future use levels and patterns. Parking areas identified through this planning process should be re-evaluated at that time.</p> | |
| 8. | <p>Degradation of the poorly constructed and minimally maintained Lynx Lake Road due to anticipated increased use by the public.</p> <p>Increased public use on Lynx Lake Road will degrade the road and will limit access by property owners within and adjacent to NLSRA. DPOR should assume responsibility for maintenance of the road.</p> <p>DPOR should post a sign stating that Lynx Lake Road is not maintained by the state.</p> | <p>Currently, Lynx Lake Road is not maintained by a state agency. Public use of Lynx Lake Road in the near term is expected to be minimal due to the overall condition of the road and lack of developed facilities. However, if facilities and trails proposed in this plan are developed (Chicken Lake Cross Park Trail Trailhead, Public Use Cabins, looped terra trails) DPOR should provide basic maintenance of the existing route to facilitate use and access. This maintenance should consist of addressing areas of poor drainage or</p> | <p>The following Management guidelines are added on page 7-8:</p> <ul style="list-style-type: none"> • <u>“DPOR will actively monitor vehicle use during snow free periods to determine if the use is having an unacceptable level of impact to natural resources, infrastructure, or facilities. If DPOR determines an unacceptable level of resource degradation is occurring, vehicle use may be restricted or prohibited.”</u> |

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| | | <p>unstable bed materials and is anticipated to occur on an annual or semi-annual basis. Cost of maintenance and availability of funds to conduct maintenance will determine the maintenance frequency. It is not intended that DPOR develop the Lynx Lake Road to a Borough standard road.</p> <p>DPOR should consider placement of informational signage that informs people of the lack of maintenance and current condition of the road. This sign should be placed at the intersection of the Lynx Lake Road and the NLSRA boundary. Additionally, DPOR should discuss placement of a sign by DNR's Southcentral Region Office at the beginning of Lynx Lake Road - outside of the ADOT/PF and Alaska Railroad Right of Ways – that indicates the road is not maintained by the State.</p> <p>DPOR anticipates some level of impact to resources, facilities, or infrastructure due to normal use; however, vehicle use during certain times of the year (i.e. freeze and thaw periods) or during or after some weather events (e.g. extended periods of rain) can result in unacceptable impacts. DPOR will monitor vehicle use and impacts and may restrict or temporarily prohibit vehicle access to protect the natural resources, infrastructure, and facilities from significant deleterious impacts. A decision to restrict or prohibit vehicle use will be done through a written</p> | <ul style="list-style-type: none"> • <u>“An easement has been issued for Lynx Lake Road by DNR South Central Regional Office (SCRO). DPOR should work with the SCRO in identifying maintenance needs of Lynx Lake Road in light of anticipated increases in vehicle use. DPOR may pursue a maintenance agreement with the Southcentral Region Office of the Division of Mining, Land & Water to facilitate maintenance of the road when the Chicken Lake Cross Park Trailhead is constructed. This guideline is subject to available funding and staff availability.”</u> • <u>“Until such time that a maintenance agreement is executed or State maintenance of Lynx Lake Road is performed; DPOR should consult with SCRO regarding placement of a sign indicating Lynx Lake Road is not maintained by the State of Alaska.”</u> |

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| | | <p>determination. Because this determination does not permanently change plan intent or guidelines, it does not constitute a plan revision, amendment, or special exception.</p> <p>A guideline will be added to the plan that indicates DPOR may restrict or temporarily prohibit vehicle access when it determines an unacceptable level of impacts are occurring, or are likely to occur, to natural resources, infrastructure, or facilities as a result of vehicle use.</p> <p>Plan guideline will be added to provide discretionary intent for DPOR to enter into a maintenance agreement to maintain Lynx Lake Road when the new Chicken Lake Cross Park Trailhead is constructed.</p> | |
| 9. | An EIS (Environmental Impact Study) needs to be conducted to measure the current public use and impacts of use prior to changes to the status quo related to use of Lynx Lake. | DPOR is not required to conduct an EIS for management decisions related to public use. However, DPOR is committed to monitoring the impacts of vehicle use on natural resources, facilities, and infrastructure. See response #2 above. | No change. |
| 10. | <p>What will happen to current permit holders if the access study is not funded or completed within the 5 year period identified in this plan?</p> <p>Current permit holders should be involved in the access study.</p> <p>Change wording of Management Guideline</p> | The PRD included the intent to continue access for property owners at 2012 levels and required DPOR to conduct a study within 5 years of the adoption of the plan to determine if vehicle access on Lynx Lake Road and Butterfly Lake Trail and long-term storage should continue as is or be modified. The study was intended to provide specific | <p>Plan text referencing the study on page 3-2, lines 12-20 will be deleted.</p> <p>Goal 1, page 4-1 will be revised as follows:</p> <p>“Determine the appropriate types and level of access to private property that should be authorized to occur. Enhance public access on Lynx Lake Road and Butterfly Lake Trail.”</p> |

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| | <p>on page 7-8 that the study would only be specific to addressing vehicle access to properties outside the NLSRA only and not address access to inholders.</p> <p>What are the goals of the access study? The access study lacks a study design that defines the goals of the study and what the study is supposed to find. Questions what the study will help DPOR do, other than allow more time to establish “grandfather” rights.</p> <p>Is a study necessary to make a determination on access to private properties within and beyond the NLSRA boundary?</p> | <p>information on the frequency and duration of vehicle use and to quantify the area of natural resources impacted through the vehicle use. The study was also intended to address the long-term storage of boats and private property on state lands and waters. The information that resulted from the study was to be used by DPOR in decision making involving restrictions on access by private property owners.</p> <p>Subsequent to the development and release of the PRD for public comment; the Alaska Supreme Court ruling necessitated a change in management guidelines that pertain to certain types of authorizations, including a change to how DPOR authorizes access on Lynx Lake Road and Butterfly Lake Trail. Specifically, DPOR must cease issuing permits to only local property owners that are not revocable at will. Instead, DPOR may authorize use of a vehicle¹ use beyond a traffic control gate installed by DPOR on Lynx Lake Road. Additionally, DPOR may authorize the storage of a limited amount of private property and the moorage of boats within designated sites on Lynx, Butterfly, and Red Shirt lakes. Permits for these uses may be issued to any person consistent with requirements under 11 AAC 18.010 and procedures included under 11 AAC 18.025 and are revocable at will. The</p> | <p>Objective 1-1 on page 4-1, lines 22-26 will be revised as follows:</p> <p>“Within 5 years of the adoption of this plan, DPOR will conduct a study to determine if DPOR should continue to authorize ORV access to private property, and if so, which property owners should be authorized access and how many permits should be authorized. The results of this study will be the basis for the determination to allow, prohibit, or restrict this use. DPOR will actively monitor vehicle use during snow free periods to determine if that use is having an unacceptable level of impact to natural resources, infrastructure, or facilities. If DPOR determines an unacceptable level of resource degradation is occurring, vehicle use may be restricted or prohibited.”</p> <p>Objective 3-1 on page 4-2, lines 10-13 will be revised as follows:</p> <p>“Within 5 years of the date of the adoption of this plan, DPOR will actively monitor designated storage and moorage sites to determine if use is being conducted in a manner that is not causing significant impact to the resources. If DPOR determines an unacceptable level of resource degradation is occurring, vehicle use may be restricted or prohibited. conduct a study to determine if</p> |

¹ As defined in 11 AAC 12.340.

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| | | <p>number of Permits will not be limited; however, DPOR will monitor vehicle use and impacts to resources and may limit or restrict future access based on impacts to developed roads, trails, and facilities and impacts to natural resources. These authorizations will be issued as an Individual Permit contemplated in this plan. Plan text will be modified to reflect these changes.</p> | <p>DPOR should continue to authorize private property storage and boat moorage on state-owned land and water within NLSRA. The results of this study will be the basis for the determination to allow, prohibit, or restrict this use.⁴</p> <p>Management Guideline on page 5-4, lines 9-15 will be revised as follows:</p> <p><u>“DPOR will continue to accommodate, and in the case of NLSRS facilitate, access for recreation opportunities; however, the type, level, method, and location of access may change based on continued monitoring of impacts to resources, facilities, and infrastructure by DPOR. If DPOR determines an unacceptable level of resource degradation is occurring, vehicle use may be restricted or prohibited.” DPOR will continue to accommodate, and in the case of NLSRS facilitate, access to private inholdings and private land contiguous or adjacent to the NLSRA; however, the type, level, method, and location of private access may change for some private property owners within and adjacent to NLSRA in the area of Butterfly Lake based on the results of a detailed study on access.² This study will also address the appropriateness of storing personal property long term on state land and storage and</u></p> |

² The access study is discussed in greater detail on page 7 - 8 of Chapter 7 unit specific management guidelines for the “Lakes Unit.”

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| | | | <p>moorage of boats long term on state lands and waters.”</p> <p>Management Guideline 1 on page 5-10, lines 12-17 will be added as follows:</p> <p><u>“Use of an ORV may be authorized as provided in this plan and regulations specific to NLSRA. DPOR will actively monitor vehicle use during snow free periods to determine that use is having an unacceptable level of impact to natural resources, infrastructure, or facilities. If DPOR determines an unacceptable level of resource degradation is occurring, vehicle use may be restricted or prohibited.”</u></p> <p><u>Text on page 5-11, lines 8 & 9 will be revised as follows:</u></p> <p>“Authorizations shall include a condition that stipulates the permit only authorizes access to private property <u>to and from a destination</u>, not recreational use of ORV’s.”</p> <p>Text on page 5-14, lines 31-33 will be revised as follows:</p> <p>“Storage and moorage associated with reoccurring access <u>and recreational use to</u> private property may continue to be authorized by the Director under 11 AAC 18 at designated sites for private property at owners <u>on Lynx, Butterfly, Skeetna, Delyndia, and Red Shirt lakes. Currently, the size of these existing sites is considered appropriate to meet</u></p> |

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| | | | <p><u>the needs of the recreating public, however, DPOR may re-evaluate these sites to determine if the needs of the recreating public are being met and may consider expanding these sites if the resources are not being significantly impacted. DPOR will actively monitor these sites to determine if use is having an unacceptable level of impact to natural resources, infrastructure, or facilities. If DPOR determines an unacceptable level of resource degradation is occurring, DPOR may restrict or prohibit the use. for a period of 5 years or until the study identified in the “Access” section above is completed and changes to the current policy are made. Until the study is completed and changes to current policy are made, DPOR will continue to authorize use of ORV’s for access to private property at up to the numbers indicated below. This cap will allow DPOR to continue to allow these uses at, and slightly above, current levels until the issue of access is addressed comprehensively based on the results of the access study.”</u></p> <p>Standards 1&2 on page 5-15, lines 11-19 will be deleted.</p> |
| 11. | Study needs to be done to ascertain basic facts regarding access. | The idea of continuing permitted access at current levels for a period of 5 years or until a detailed access study could be completed has been removed from the plan. See the response to Issue #1 above. | See previous response and recommended revision for Issue #10 above. |

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| | | <p>However, DPOR is committed to evaluating the impacts associate with this permitted use to ensure the resources are not significantly impacted. DPOR will conduct a study to assess the impacts of the permitted use on the road bed, trail tread, and adjacent natural resources. If significant impacts to resources, roads, or trails are found to be occurring, DPOR will take corrective actions to address the impacts. DPOR has the basic facts regarding highway and off-highway vehicle use. What DPOR does not know at this point is the frequency of vehicles use on Lynx Lake Road and Butterfly Lake Trail and the area of impacted natural resources have not been quantified. This information will help understand impacts related to current levels of use so anticipated cumulative impacts associated with vehicle use are better understood.</p> <p>DPOR may also conduct a more detailed access study in the future to better understand the frequency of use that may occur as the result of this management change.</p> | |
| 12. | Need to address highway vehicle use in addition to ORV use for access to private property on Lynx Lake Road. | This plan does address the use of vehicles as defined under 11 AAC 12.340 which is inclusive of both highway vehicles and ORV's. | See previous responses and recommended revisions, particularly 1, 3, 5, 7 above. |
| 13. | Maps should be revised to remove Lynx Lake Road and Butterfly Lake Trail from the private property of the Midnight Sun Bible | Maps will be revised to depict the private property without the road or trail. | The following maps will be revised to exclude depiction of Lynx Lake road and Butterfly Lake Trail on private property: 1, 2, 5, 6, 7, 8, |

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| ORV's/Vehicles | | | |
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| 14. | Compatibility of Off Road Vehicles (ORVs) within Nancy Lake State Recreation Area has been questioned given the intent of the previous plan and current recreational use patterns in the Nancy Lake State Recreation Area (NLSRA). | <p>Some people have commented that ORV use is not compatible or consistent with current use patterns within NLSRA. This assertion is not supported by existing statutes, regulations, or policies affecting NLSRA.</p> <p>The enabling statutes for NLSRA restricted the use of the described land and water to use as a “public recreation area” and reserved the use of the land “...from all uses incompatible with their primary function as public recreation land...” These statutes do not prohibit the use of ORVs within NLSRA nor do they state that ORV use is incompatible with the purposes of managing the land for public recreation.</p> <p>General regulations that affect all state park units (including State Recreation Areas) do restrict where vehicles (including ORVs) can be operated in state park units. These general regulations are found at 11 AAC 12.020. Subsequent regulations at 11 AAC 18.010 and procedures at 11 AAC 18.025 provide DPOR the ability to authorize many uses, including the use of ORVs, on lands where their use was prohibited under 11 AAD 12 or 11 AAC 20.</p> <p>NLSRA specific regulations at 11 AAC</p> | No Change. |

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| | | <p>20.540 - 11 AAC 20.555 include both restrictions and allowances for specific uses, but these regulations do not address ORVs nor do they identify ORVs as an incompatible use.</p> <p>The 1982 Alaska State Park System: Statewide Framework (Framework) document was developed to "... further define the department's goals and policies with regard to the management of state park units ..." The Framework provides direction to DPOR in the management of the eight different types of state park units including State Recreation Areas and Sites. Among the direction included in the Framework is a table that identifies the compatibility of activities and developments for the four types of land use zones for state park units. ORV use is not indicated as incompatible in either of these zones. In this table, ORV use is indicated as "Generally Compatible" in the Recreational Development Zone, and as "Conditionally Compatible" in the Natural Zone.</p> <p>This plan allows the limited use of ORVs when certain resource/use conditions are met and also recommends one sustainable ORV trail be developed if permanent access across The Anchorage Church of Christ Midnight Sun Bible Camp property is secured. This does represent a change in management direction from the previous 1983 Plan, but it is consistent with the purpose of the recreation area to provide a maximum level of outdoor</p> | |

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| | | <p>recreation opportunities consistent with the natural values of the unit. A plan is the appropriate vehicle for the DPOR to examine management needs, address issues and opportunities, examine recreational use patterns locally and regionally, and adjust the management of the area – if needed- consistent with the statutes and regulations.</p> <p>Thus, ORVs are not prohibited by NLSRA statutes nor are they identified as an incompatible use or restricted by NLSRA specific regulations or the Framework document. Use of ORVs and other vehicles is restricted by general regulations that apply to all park units; however, other regulations provide the Division of Parks and Outdoor Recreation (DPOR) the authority to authorize many kinds of uses, including ORV use, subject to specific procedures. This plan recognizes that ORV use is a form of compatible recreation on specific trails or areas within NLSRA.</p> | |
| 15. | ATVs cause irreparable damage to natural resources. | <p>ORV use on trails that were not built to sustainable standards may result in degradation to the trail tread and possibly the adjacent natural resources. As proposed in this plan; existing trails and new trails where ORV use may be authorized or allowed to be used will be upgraded to sustainable standards. These new and upgraded trails will be able to accommodate the designed and managed uses while experiencing minimal degradation to the</p> | No change. |

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| | | trail tread and minimizing impacts to the adjacent natural resources. | |
| 16. | <p>The 1983 management plan states: “ATV use in the park is closed by park regulations and any changes in these procedures require the Director’s approval.” This plan does not recommend any ATV improvements or access. The public is not calling for ATV’s to be allowed.</p> <p>There has not been a public call for ORVs in NLSRA.</p> | <p>A plan is the appropriate vehicle for the DPOR to examine management needs, address issues and opportunities, examine recreational use patterns locally and regionally, and adjust the management of the area – if needed- consistent with the enabling statutes. For instance, the first plan for NLSRA – The Nancy Lake Plan, Program, Budget – was finalized in 1967. The 1967 plan identified a very intensive management orientation for the recreation area. Some of the 1967 plan recommendations included multiple campgrounds and picnic areas; over 20 miles of new roads; a grocery store; a golf course; a group camp; a winter sports complex; and, a gas station to name a few. The update to the 1967 plan – the Nancy Lake State Recreation Area Master Plan – was finalized in 1983. The 1983 plan shifted the management orientation for the area from the intensive infrastructure development, access, and use orientation provided in the 1967 plan to a more limited development orientation for recreational use while maintaining the quiet, natural beauty of the area. Some key recommendations included in the 1983 plan were a group camp, institution of a public use cabin system, expanding backcountry opportunities through trail development, and expanding road accessible day use facilities.</p> | No change. |

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| | | <p>Similarly, this plan will make plan recommendations that vary from the two previous plans. This plan proposes limited use of ORVs when certain resource or use conditions are met and also proposes one sustainable ORV trail will be developed if permanent access across private property is secured. This does represent a change in management direction from the previous plan, but it is consistent with the purpose of the recreation area to provide a maximum level of outdoor recreation opportunities consistent with the natural values of the unit. See Response 14 above that addresses ORV use on the Butterfly Lake Trail.</p> | |
| 17. | Vehicle use should not be allowed in the area. | <p>Snowmobiles, automobiles, ATV's, bicycles, motorboats and many other types of motorized or non-motorized vehicles are included within the current definition of a "vehicle" under regulations at 11 AAC 12.340. Use of a vehicle is restricted to certain area as provided in general regulations at 11 AAC 12.020 unless authorized in unit specific regulations or under permit as provide in 11 AAC 18.010. Many recreational opportunities within NLSRA and Nancy Lake State Recreation Site (NLSRS) are dependent on use of a vehicle to some degree. For instance, a person may access a trail head, parking area, or camping site via a highway vehicle before embarking on other types recreational activities, such as hiking, boating, snowmobiling, or camping.</p> | No change. |

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| | | <p>The Final Plan will not include a blanket recommendation to prohibit the use of vehicles in NLSRA or NLSRS; however, the use of a vehicle may be restricted by type, area, or time of the year. Guidelines that impact vehicle use can be found in Chapters 5 and 6 of the Final Plan. See responses 1, 3, 7, 8, 10, & 15 for more detail discussion on vehicle use.</p> | |
| 18. | <p>Change wording of area wide guideline on page 5-10 lines 12-15 to "... or until a detailed study is conducted that analyzes the use of continued ORV access."</p> | <p>See response #3 above.</p> | <p>The second exception to ORV's on page 5-10 will be revised as follows:</p> <p><u>"Access to private properties can continue to may be authorized consistent with current policies via Lynx Lake Road and possibly on Butterfly Lake Trail, for a period of 5 years or until a detailed study is conducted that analyzes the appropriateness of continued ORV access. Until the study is completed and changes to current policy are made, DPOR will may continue to authorize use of ORV's for access, to private property at current levels, however DPOR will actively monitor ORV use during snow free periods to determine if the use is having an unacceptable level of impact to natural resources, infrastructure, or facilities. If DPOR determines an unacceptable level of resource degradation is occurring, DPOR may restrict or prohibit the use."</u></p> |
| 19. | <p>ATVs should not be allowed in NLSRA. The NLSRA is set aside for quiet non-motorized</p> | <p>The NLSRA was not set aside for quiet non-motorized recreation. "The purpose of AS 41.21.450-41.21.465 is to restrict state owned</p> | <p>No change.</p> |

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| | <p>recreation opportunities.</p> <p>The quiet natural setting of the area should be maintained; ATV's should not be allowed.</p> | <p>land and water within the boundaries described in AS 41.21.455 to use as a public recreation area". AS 41.21.455 provides additional direction stating: "The presently state owned land and water...are reserved from all uses incompatible with their primary function as public recreation land, and are assigned to the department for control, development and maintenance". The commenter may be referring to the intent in the 1983 plan that maintains the quiet natural setting that was expressed by a number of individuals during that planning process.</p> | |
| 20. | <p>Page 6-17 ORVs. Remove Red Shirt Lake from the list of lakes where ORV use will be allowed on the frozen surface of the waterbody.</p> | <p>When a limited opening occurs the public is allowed access in addition to private property owners. The limited opening will not require a permit; the ORV use will remain restricted to a specific trail and the surface of the identified water body. A restricted opening is intended to allow public access to recreation opportunities during the fall shoulder season when the area typically receives little public use. The current recommendations regarding restricted openings will be carried to the Final Plan.</p> | No change. |
| 21. | <p>Failure of this plan to take action on the issue of ORV use on Butterfly Lake Trail will result in increased damage to resources and will negatively impact hikers and home owners that access their property on foot.</p> | <p>If the Butterfly Lake Trail is not developed to sustainable standards. DPOR anticipates the tread of the trail will continue to degrade. This plan recommends the Butterfly Lake Trail be redeveloped as a Class II terra trail with a designated use of ATVs. A properly</p> | No change. |

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| | | <p>sited and designed sustainable trail will accommodate current and anticipated uses while minimizing impacts to the trail tread and surrounding environment.</p> | |
| 22. | <p>Question ORV access to the frozen surface of Lynx, Butterfly, and Red Shirt lakes since ORVs are not otherwise authorized to travel within NLSRA.</p> <p>Clarify guidelines regarding use of vehicles on frozen surface of several water bodies.</p> | <p>Two of the lakes, Butterfly Lake and Red Shirt Lake are similar to Nancy Lake in that a large portion of the shoreline is the boundary between NLSRA and private ownership or other state and borough lands. As such, property owners on these lakes can access their property via ORV from adjacent private or public lands where winter use of ORVs is authorized. In the case of Lynx Lake, vehicle access to the frozen surface is provided by authorized access on Lynx Lake Road.</p> <p>After further review and discussion on this issue, DPOR has determined that guidelines that affect use of ORV's on the frozen surface of waterbodies will be allowed as 'limited openings'. When a limited opening occurs the public is allowed access in addition to private property owners. The limited opening will not require a permit; the ORV use will remain restricted to a specific trail and the surface of the identified water body. A restricted opening is intended to allow public access to recreation opportunities during the fall shoulder season when the area typically receives little public use. Plan text will be revised to indicate where and how ORV use on the surface of a frozen waterbody may be</p> | <p>Text on page 5-10, lines 8-10 will be revised as follows:</p> <p>“ORV use remains prohibited by general regulations (11 AAC 12.020), except their use may be authorized by the DPOR Director under 11 AAC 18 or allowed without authorization <u>via restricted openings</u> in several specific instances. The exceptions to the general prohibition are:”</p> <p>Text on page 5-10, lines 24&25 will be revised as follows:</p> <p>“Use of an ORV on the frozen surface of Nancy, Lynx, Butterfly, and Red Shirt lakes will be allowed <u>via a restricted opening</u>without authorization.”</p> <p>The second management guideline on page 5-10, lines 37&38 will be revised as follows:</p> <p>“Use of an ORV on the frozen surface of a waterbody will be allowed without authorization <u>via restricted opening</u> on Nancy, Lynx, Butterfly, and Red Shirt lakes.”</p> |

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| | | authorized. | |
| 23. | Is this Plan going to open previously closed areas of the NLSRA to ORV use? | Yes. Guidelines on page 1-7 under the ORV section identify the instances where ORV use will be allowed within NLSRA. Upon review of these guidelines it is apparent that ORVs should be allowed on the access road in the NLSRA to allow connectivity for the public to the frozen surface of Nancy Lake. | No change. |

| Boat Storage | | | |
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| 24. | The number of authorizations in current plan (30) is arbitrary and should be increased to 100 to allow for current Red Shirt Lake and Cow Lake property owners to store one boat per lot. | <p>The PRD included the intent to continue access for property owners at 2012 levels and required DPOR to conduct a study within 5 years of the adoption of the plan to determine if long-term storage should continue as is or be modified. The information that resulted from the study was to be used by DPOR in decision making involving restrictions on access (including storage of property and moorage of boats) by private property owners.</p> <p>Subsequent to the development and release of the PRD for public comment; the Alaska Supreme Court ruling necessitated a change in management guidelines that pertain to certain types of authorizations, including a change to how DPOR authorizes access. Specifically, DPOR must cease issuing permits to only local property owners that are not revocable at will. Instead, DPOR may authorize the</p> | See item #10 above for changes to the plan text related to this issue. |

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| | | <p>storage of a limited amount of private property and the moorage of boats within designated sites that previously existed on Lynx, Butterfly, and Red Shirt Lakes. Currently, the size of these existing sites is considered appropriate to meet the needs of the recreating public, however, DPOR may re-evaluate these sites to determine if the needs of the recreating public are being met and may consider expanding these sites if the resources are not being significantly impacted. Permits for these uses may be issued to any person consistent with requirements under 11 AAC 18.010 and procedures included under 11 AAC 18.025 and are revocable at will. The number of Permits will not be limited; however, DPOR will monitor use and impacts to resources and may limit or restrict future storage based on impacts to natural resources. These authorizations will be issued as an Individual Permit contemplated in this plan. Plan text will be modified to reflect these changes. For additional information on the recent court case see Item #10 above.</p> | |
| 25. | <p>Boat and property storage within NLSRA should be allowed for everyone not just property owners.</p> | <p>DPOR has identified three (3) locations where storage and moorage may be authorized. This use must be authorized consistent with the guidelines and compatibility conditions identified in the plan. Text is revised to reflect the storage and moorage areas and the guidelines and conditions affecting that use. Note that the Use Compatibility Table has</p> | <p>Text beginning on page 5-14 and continuing to 5-15 will be revised as follows: <u>“Property Storage and Moorage</u> Storage and moorage associated with reoccurring access <u>and recreational use</u> to private property may continue to be authorized by the Director under 11 AAC 18 at</p> |

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| | | <p>been significantly revised as indicated in item #2 above. The compatibility conditions</p> | <p>designated sites for private property at owners on Lynx, Butterfly, Skeetna, Delyndia, and Red Shirt lakes. <u>DPOR will actively monitor these sites to determine if use is having an unacceptable level of impact to natural resources, infrastructure, or facilities. If DPOR determines an unacceptable level of resource degradation is occurring, DPOR may restrict or prohibit the use. No more than 2 boats per person will be authorized for long term moorage or storage for a period of 5 years or until the study identified in the “Access” section above is completed and changes to the current policy are made. Until the study is completed and changes to current policy are made, DPOR will continue to authorize use of ORV’s for access to private property at up to the numbers indicated below. This cap will allow DPOR to continue to allow these uses at, and slightly above, current levels until the issue of access is addressed comprehensively based on the results of the access study. An authorization for moorage and storage will include the appropriate Group B Compatibility Conditions identified in Chapter 6. See Map 6 on page 5 - 19 for a depiction of the storage and moorage sites.</u></p> <p><u>Management Guidelines:</u></p> <ul style="list-style-type: none"> • Storage and moorage associated with reoccurring access to private property may be authorized by the Director under 11 AAC 18 at designated sites |

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| | | | <p>for private property owners on Lynx, Butterfly, Skeetna, Delyndia, and Red Shirt lakes. See Map 6 on page 5 – 19 for a depiction of the storage and moorage sites.</p> <ul style="list-style-type: none"> • <u>Storage and moorage associated with reoccurring access to private property may be authorized by the Director under 11 AAC 18 at designated sites on Lynx, Butterfly, Delyndia, and Red Shirt lakes.</u> • <u>The number of authorizations for storage and moorage on state lands and waters shall be limited to the number that, based on the judgement of DPOR staff, can reasonably fit within designated boat storage areas without causing significant deleterious impacts to the natural resources.</u> • <u>No more than two (2) boats per person may be authorized for long term storage or moorage.</u> • <u>Within NLSRA, the only lake where barges³ may be moored is Butterfly Lake. The number of barges that may be authorized to moor at this location is limited to not more than eight – the number that existed on June 5, 2009.</u> |

³ Raft-barges are defined as floating dock-like structures, either motorized or non-motorized, that are not permanently affixed in any location, and are primarily used to transport small vehicles such as ORVs, equipment, or supplies that otherwise would not fit in a conventional boat across water. Raft-barges are typically too large and heavy to remove from the water after each use.

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| | | | <p><u>Additional barges will not be authorized.</u></p> <ul style="list-style-type: none"> • <u>Raft-barges may not be altered or rebuilt larger than what existed on June 5, 2009.</u> • <u>Raft-barge flotation shall be of materials which will not become waterlogged or sink when punctured. Closed cell (extruded) expanded polystyrene or equivalent material of good quality and manufactured for marine use is recommended. No unexposed foam flotation will be authorized in any future raft upgrades.</u> <p>The standards described below are to be followed when adjudicating an application for the storage of property or moorage of a boat.</p> <p><u>Standards:</u></p> <ol style="list-style-type: none"> 1) The number of authorizations for storage and moorage on state lands and waters shall be limited as follows: <ol style="list-style-type: none"> i. 30 authorizations for storage and moorage on Delyndia Lake (includes storage and moorage for access to Delyndia and Skeetna lakes). ii. 30 authorizations for storage and moorage on Red Shirt Lake (includes storage and moorage for |

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| | | | <p>access to Cow Lake).</p> <p>iii. 10 authorizations for storage and moorage on Lynx Lake.</p> <p>2) No more than one boat per private lot may be authorized for long term storage or moorage.</p> <p>3) The maximum length of a stored boat will not exceed 16 feet in length or 10 feet in width except for canoes which cannot exceed 20 feet in length.</p> <p>4) All boats required to be registered by other law, including barges, will be required to have a current registration displayed on the boat.</p> <p>5) Storage of boat trailers shall be prohibited year round.</p> <p>6) A NLSRA specific decal will be required to be affixed to the upper visible portion of the bow of the boat.</p> <p>7) All gas containers shall be metal containers approved for marine use with a maximum capacity of 3 US gallons and shall be clearly marked with the owners name, current address, and current telephone number.</p> <p>8) All gas containers are required to be removed from a boat moored on the water at a designated site and stored consistent with subsequent standards on the adjacent uplands.</p> |

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| | | | <p>9) Personal property storage is limited to one metal fuel container, oars, engine, battery (if electric trolling motor is used), and personal floatation devices.</p> <p>10) Spill response equipment, including absorbent pads, should be provided at designated storage and moorage areas.</p> <p>11) All personal property, including motors when not in use, must be stored within a single metal container with a volume not to exceed 16 cubic feet or within, or completely under, an authorized boat."</p> |

| Trails | | | |
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| 26. | <p>Existing trails and facilities should be maintained before new ones are developed.</p> <p>Given the state of DPOR's budget, the focus should be on maintaining existing facilities not developing new costly facilities and increasing maintenance costs.</p> | <p>While budget is a consideration in all facility development decisions, DPOR must provide direction for the future management of the area. This Plan is intended to provide management direction for the next 20 years at NLSRA and NLSRS. Management intent and facility recommendations are intended to address issues related to current use and provide guidance to respond to anticipated increased use in the future. It is appropriate for DPOR to include facility recommendations in this "road map" for DPOR to follow. This Plan includes guidelines on page 5-17 that states "Trails management will focus on addressing negative environmental impacts</p> | <p>The following Facilities Management Guideline has been added on page 5-7:</p> <p><u>"Facilities management will focus on addressing negative environmental impacts and enhancement of recreational opportunities at existing facilities. New facilities will be designed and developed as funding and necessary staff becomes available."</u></p> |

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| | | and enhancement of recreational opportunities on existing trails. New looped trails and interpretive trails will be designed and developed as funding and necessary staff becomes available.” A guideline similar to the one quoted above should be included for facilities on page 5-7. | |
| 27. | New trails and upgraded trails should be as narrow as possible to minimize illegal use by ATVs. | DPOR is applying standardized sustainable trail standards to all proposed trail upgrades and new trails. Trail recommendations are intended to accommodate current and anticipated future use levels because some trails are planned to accommodate increased use levels they must be developed as a sufficient width to accommodate the type and level of use identified for a particular trail or segment of trail. Illegal use of ATVs on a trail is an enforcement issue and will be addressed through providing information and continuing an enforcement presence. | No change. |
| 28. | Developing wide trails within the NLSRA canoe trail system will result in increased illegal use of ATVs on the new trails. | While the potential for illegal use of ORVs on existing and proposed trails exists, DPOR anticipates this type of prohibited use to be minimal. In fact, DPOR experiences very little illegal use of ORVs on existing trails except for use on Lynx Lake Road and Butterfly Lake Trail. However, in an effort to inform all recreational users of NLSRA, DPOR will sign all trails with the appropriate access methods. Traffic control devices such as gates and obstructions may also be | The following goal has been added to <i>Trail Goals</i> on page 4-5: <u>“Provide trail users with signs at all trailheads that show the appropriate access methods for each trail.”</u> |

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| | | employed where appropriate at trailhead facilities to discourage inappropriate access methods. Illegal use of ATVs on a trail is an enforcement issue and will be addressed through providing information and continuing an enforcement presence. | |
| 29. | Objection to recommendation to develop Butterfly Lake Trail as a Class II terra trail designed for ATV use. | This recommendation recognizes the current use of the trail by ORVs and hikers and future use of biking. Given that this plan guides DPOR to continue authorizing ORV use by the public; it is appropriate to redevelop the Butterfly Lake Trail to a standard that can accommodate the use while minimizing impacts to natural resources and the tread of the trail. This, developing the Butterfly Lake Trail as a Class II ATV trail is appropriate. | No change. |
| 30. | There is no need for the Butterfly Lake Trail to exist. | The concept of looped trails was vetted through this planning process and received some measure of support. This plan recommends a network of looped multiple-use trails that will maximize recreational opportunities in NLSRA consistent with the overarching intensive public use management emphasis of this type of state park unit. Butterfly Lake Trail is an existing trail that has been incorporated into the looped trail system proposed in this plan. Additionally, Butterfly Lake Trail, as an extension of the Lynx Lake Road, currently provides access for a number of property owners within and adjacent to NLSRA and for people recreating within | No change. |

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| | | NLSRA and remains important for these purposes. | |
| 31. | There is not a public call for the Lynx Lake Road to be open to the public. | <p>Consistent with the 1982 Statewide Framework (Framework) document NLSRA is intended to be managed to provide a maximum level of outdoor recreational opportunities based on the natural values of the unit and its ability to sustain use without significant adverse effects. The Framework goes on to identify the characteristics of this type of state park unit by stating: “A State Recreation area possesses recreational and/or natural resources of statewide or regional significance. Geographical distribution of these units and their relationships to population centers are important factors in the designation of an area as a state recreation area. The minimum size of a unit should be 200 acres so that the unit may have a diverse natural landscape capable of supporting a wide variety of outdoor recreational activities. The uniqueness and significance of an area’s natural and cultural resources are not criteria for the establishment of state recreation areas as is the case with state parks. The majority of lands within a state recreation area will be classified as natural and recreational development.”</p> <p>The plan provides general guidelines, including the compatibility of uses within the two land use zones stated in the Framework.</p> | No change. |

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| | | See the response from Issue #3 for more information regarding public use of Lynx Lake road and Butterfly Lake trail. | |

| Facilities | | | |
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| 32. | Continue to allow landowners/inholders at Lynx Lake to launch and moor boats at the current launch. | <p>The PRD contemplated continuing to authorize boat and property storage and boat moorage for property owners at Lynx, Butterfly, and Red Shirt lakes. However, consistent with the recent Supreme Court ruling DPOR cannot grant authorizations based on property ownership within or adjacent to NLSRA. Therefore, to be consistent with the Court ruling, DPOR will revise management direction in the plan to designate the launch at Lynx, Butterfly, and Red Shirt lakes as designated storage and moorage areas where any person may be authorized to launch a boat, store certain types of boats and personal property, or moor a boat on the surface of the water. The standards indicated in the PRD will be used in the Final Plan language. Storage and moorage authorizations will be revocable at will.</p> <p>DPOR will actively monitor use at this site to determine if the use is having an unacceptable level of impact to natural resources, infrastructure, or facilities. If DPOR determines an unacceptable level of resource degradation is occurring, use may be restricted</p> | See item #10 above for changes to the plan text related to this issue. |

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| | | or prohibited. Any recommendations to change the number of boats or to the amount of property authorized at these sites will be based on a written determination. The recommended revision is discussed in detail in Item #10 above. | |
| 33. | <p>Guideline on page 6-14: Long-term moorage at private property is in error and needs to be changed to allow this activity without authorization where private property exists contiguous to the NLSRA boundary.</p> <p>Page 6-14 guidelines regarding mooring needs to be updated to reflect that moorage is allowed.</p> | It is intended that long-term moorage of boats on a waterbody will be allowed without authorization at private properties contiguous with the NLSRA boundary. | <p>The following language used in the guideline has been changed to reflect that moorage for more than 15 days at private property is allowed without authorization in the natural zone.</p> <p>Incompatible except for Big Darell, Little Darell, and Skeetna Lakes where the use is allowed without authorization.</p> <p><u>Compatible. Use is allowed without authorization on Lynx, Butterfly, Skeetna, Whale, Red Shirt, Big Darell, and Little Darell lakes.</u></p> |
| 34. | A marina or commercial boat launch should not be allowed on Nancy Lake. | Disagree. This type of facility would be appropriate at Nancy Lake. A privately operated marina was in operation until recently on Nancy Lake, and this type of facility advances the ability of the public to recreate on the lake. Additionally, a number of rental properties exist on Nancy Lake. Use of a dock associated with the upland business use constitutes a commercial use of the water and must be permitted appropriately. | No Change. |
| 35. | Do not develop a campsite at the terminus of the East Red Shirt Lake Trail. Increased | This issue raised here is the impact of public use on adjacent private property. As currently | Item referenced as item #5 on page 7-10 will |

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| | <p>public use at this location will negatively impact adjacent private properties.</p> | <p>proposed, the campsite and Adirondack type shelter development at the terminus of the East Red Shirt Lake Trail would be located in close proximity to the private property to the south. This area currently experiences little public use primarily because there are no developed facilities at the end of the trail at the lake. Currently, camping opportunities on Red Shirt Lake are limited to the western shore. DPOR proposed the campsite and Adirondack type shelter facilities at the terminus of the trail to provide new destination oriented recreation opportunities where none currently exist. However, because this is a new opportunity and potential use of the site is unknown, DPOR will revise the current recommendation to state that up to two remote campsites may be built one of which may include an Adirondack type shelter. Furthermore, DPOR will develop a remote campsite prior to building the Adirondack type shelter campsite. To address the concerns related impacts to adjacent properties, the new campsite shall be developed north of the East Red Shirt Lake Trail terminus to increase the visual and acoustic buffer consistent with the intent provided in the plan. Should use of the remote campsite prove to be a popular destination, DPOR may develop the second campsite with the Adirondack type shelter in close proximity to the existing campsite. The current proposal as modified above is appropriate and will be</p> | <p>be revised as follows: <u>“Design and Develop up to two new campsites north of the terminus at the end of the East Red Shirt Lake Trail. DPOR should develop the traditional campsite including a pit privy and a bear resistant food storage container initially. If public demand warrants, a second site with an Adirondack type shelter may be developed. This site will include on Adirondack type shelter and one traditional campsite, a pit privy, and a bear resistant food storage container.”</u></p> |

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| | | included in the Final Plan. | |
| 36. | No Public Use Cabin on Butterfly Lake. Cabins at Heart and Candlestick Lakes are too close together, suggests a cabin at Skeetna Lake to provide a distribution of Public Use Cabins. | Disagree. Public Use Cabins are widely used and increase use opportunities throughout the year. The Public Use Cabins recommended are part of the overall development concept for the southern portion of NLSRA. | No change. |

| Docks/Structures | | | |
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| 37. | Question the need for reflectors during snow free periods when visibility of the structures is not at issue. Furthermore, there is some question on the appropriateness of a reflector and how it may impact personal safety and potential for damage to boats, airplanes, and to the structure itself. | The requirement for the reflector is intended to identify the furthest lake ward portion of a structure during winter months. During this time period, there is low light for much of the day and snow can partially or totally cover a structure. The requirement is intended to identify where structures are located so a person on a snowmobile, ORV, or highway vehicle can avoid private structures built within Nancy Lake State Recreation Area. DPOR intended this requirement for winter use periods only and will revise text to indicate this intent. | A new management guideline under the heading “New Structures” is added to page 5-13 as follows: <ul style="list-style-type: none"> <li data-bbox="1478 708 2032 1032">• <u>“To increase the safety for winter recreational use, particularly use of snowmobiles or other motorized vehicles on the frozen surface of a waterbody, a reflective marker must be affixed to any structure, new or existing, that remains in or on a waterbody between October 1 and ice-out of the following year.”</u> |
| 38. | DPOR should issue a blanket permit for non-conforming structures. | Most of the existing structures have not gone through a permitting review process and therefore cannot be blanket permitted by DPOR. Under the process included in this plan, all property owners with unpermitted structures below ordinary high water line will be notified that their structure is unauthorized | No change. |

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| | | <p>and whether the structure is conforming or non-conforming with new policies. Owners of existing non-conforming or conforming structures are not required to obtain a permit; however, any person with an unauthorized existing structure may apply for an “After the Fact” permit and bring the existing structure into compliance with new policies adopted in this plan. While an increased burden for the DPOR staff is anticipated to adjudicate new applications for existing structures. The new permitting system envisioned in this plan should allow for these permits to be adjudicated in a timely fashion. No change is recommended.</p> | |
| 39. | Maintenance of an existing non-conforming structure. | <p>To provide consistency in the format of the document and due to the comprehensive revisions to the Use Compatibility Table in Chapter 6, standards indicated in the PRD are applied as management guidelines. Plan text is revised to allow maintenance of an existing incompatible non-conforming structure without the need to acquire an authorization from DPOR.</p> | <p>Text beginning on page 5-12, line 10 and ending on page 5-13, line 3 is revised as follows:</p> <p><u>“Management Guidelines:</u></p> <ul style="list-style-type: none"> • <u>Maintenance and repair of an incompatible non-conforming structure is allowed subject to the following standards:</u> • <u>The maintenance and repair may not exceed 50% of the square footage of the structure during any consecutive period of 12 months. All maintenance and repair of a structure must occur within the original footprint of the structure; enlarging or expanding the</u> |

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| | | | <p><u>non-conforming structure is prohibited.</u></p> <ul style="list-style-type: none"> • <u>A structure that sustains damage up to 50% of the original square footage by natural, accidental, or malicious actions may be repaired or replaced. All work to repair the structure must occur within the footprint of the original structure.</u> • <u>A structure that sustains damage greater than 50% of its original square footage cannot be repaired or replaced without conforming to the new standards and acquiring the necessary authorizations.</u> • <u>Existing non-conforming structures shall not be expanded beyond the original footprint of the structure.</u> • <u>Relocation of a non-conforming structure may be allowed by permit issued by DPOR if otherwise consistent with these standards. No portion of a relocated structure shall be left at the original site when the structure is relocated.</u> • <u>Reduction in the size or modification of a non-conforming structure, other than modifications addressed under the first management guideline above, may be authorized consistent with a permit issued by DPOR.”</u> |

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| 40. | Width of docks may not be sufficient to facilitate loading or unloading of watercraft or airplanes. | The current compatibility condition in the plan for “New Structures” are for a maximum area of 450 square feet, with no part of the structure exceeding 10’ in width or extending more than 40’ into the waterbody beyond the ordinary high water line. This standard allows for variations in structure size that will be sufficient for safe loading and unloading of watercraft and airplanes. | No change. |
| 41. | Use the terms wharf, pier, or structure as opposed to dock; a dock is a specific type of structure that holds a vessel. | Disagree. Dock is a commonly used term that is synonymous with pier. | No change. |

| Roads | | | |
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| 42. | Plan should address maintenance of Lynx Lake Road due to CLCPT trailhead development. The road has severe impediments to travel already and increased use would exacerbate the issue. | Agree. DPOR will work with the SCRO in identifying maintenance needs of Lynx Lake Road in light of anticipated increases in vehicle use. Plan will include a recommendation to work with SCRO in upgrading Lynx Lake Road to a minimal standard. | The following text has been added on page 7-8: <u>“An easement has been issued for Lynx Lake Road by DNR Southcentral Region Office (SCRO) of the Division of Mining, Land & Water (DMLW). DPOR should work with the SCRO in identifying maintenance needs of Lynx Lake Road in light of anticipated increases in vehicle use. DPOR may pursue a maintenance agreement with the SCRO to facilitate maintenance of the road when the Chicken Lake Cross Park Trailhead is constructed. This guideline is subject to available funding and staff availability.”</u> |

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| Other | | | |
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| 43. | Update of plan text regarding summer access on Lynx Lake Road and Butterfly Lake Trail in light of Supreme Court ruling (SOP vs. DPOR). | See the response to Issue #1 above. | Text on page 3-1, lines 32-36 and page 3-2, lines 1-10 will be modified as follows: <u>“Until recently, consistent with management recommendations made in the 1983 Plan the DPOR had issued Permits to local property owners that allowed the use a vehicle on Lynx Lake Road and Butterfly Lake Trail for the purpose of accessing their private property within and adjacent to NLSRA (under authority of 11 AAC 18.010). A lawsuit filed against the State challenged DNR authority to issue these Permits. The Superior Court ruled in favor of the State, but the case was appealed to the Alaska Supreme Court. The Alaska Supreme Court ruled that Permits that are not revocable at will and that are issued only to property owners constitute easements, and as such are disposals of an interest in State land. State law does not authorize disposals within legislatively designated park units, such as the NLSRA, so use of the permits in their current application cannot be continued. Consistent with management recommendations made in the 1983 Plan, DPOR had issued Special Park Use Permits (under authority of 11 AAC 18.010) to authorize access to private properties on Lynx, Butterfly, Skeetna, and Delyndia lakes via the Lynx Lake Road and Butterfly Lake Trail. But, †The 1983 plan did</u> |

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| | | | <p>not clearly identify the type of vehicles that could be authorized for access by existing property owners, nor did it identify the number of people that were “authorized and holding access permits;” that is, the number of permits that were appropriate to be authorized.</p> <p>Under the current policy provided in the 1983 Plan, vehicle access is authorized for people that are able to prove ownership in the area of Lynx, Skeetna, Butterfly, and Delyndia lakes. Under this current scenario, the number of authorizations allowing vehicle access on Lynx Lake Road and Butterfly Lake Trail to these waterbodies could increase significantly...”</p> <p>Text on Page 3-2, lines 12-20 will be deleted: “While much is known about vehicle access to private properties on Lynx Lake Road and Butterfly Lake Trail, some information gaps still exist. Frequency and distribution of vehicle use is not known and the impacts associated with these uses have not been quantified. This plan identifies a policy that allows vehicle access on these two routes to continue to be authorized at current levels until a study is completed and DPOR determines if the current policy needs to be changed. Essentially, this plan allows vehicle access at 2012 levels without exacerbating impacts to the natural environment until additional information is acquired and a</p> |

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| | | | <p>decision is made to maintain or change the current policy. It is intended that the access study be completed within 5 years of the adoption of this plan.”</p> <p>Text on page 3-2, lines 29 -36 will be revised as follows:</p> <p>“...property owners are <u>have been</u> authorized to travel via motorized vehicle beyond the gate on Lynx Lake Road during snow free periods. Public pedestrian use beyond the gate is allowed without authorization during snow free periods. The existing policy to restrict use of this existing access route has resulted in low levels of public recreation in the southern area of NLSRA during snow free periods. Because NLSRA is intended to be managed to provide a maximum level of outdoor recreation opportunities it is appropriate to re-evaluate the need to increase public access within NLSRA. This plan recommends increased public access on a portion of Lynx Lake Road and <u>potentially on Butterfly Lake Trail. This access may be restricted based on impacts to developed roads, trails, and facilities and impacts to natural resources.</u></p> |
| 44. | Language on group camp on page 6-21 needs to be changed to allow the Midnight Sun Bible Camp to continue within the Natural Zone. | The Plan does not apply to private uplands. The guideline is specific to public facilities constructed by DPOR. | No change. |
| 45. | Guideline on page 6-11 should allow private | Even though these structures may be relatively | No change. |

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| | small scale Hydroelectric and Geothermal developments. | small in size, they occupy a portion of the public land for a private purpose that is not recreation related. By statute, lands and waters within NLSRA are reserved from all uses incompatible with their primary function as public recreation lands. This use is appropriately indicated as “incompatible” in the natural and recreational development zones. | |
| 46. | Origination of Lynx Lake Road from the Parks Highway is not correct. | Final Plan text will be revised to indicate the correct mile marker (63.9) of the origin of the Lynx Lake Road. | See page 2-16, line 10 for the text change. |
| 47. | Safety of property owners and camp attendees should be addressed if use is increased at Lynx Lake. | Use at Lynx Lake is anticipated to increase over the life of the plan; however the increase is expected to be minimal. This is primarily due to the fact that plan guidelines and recommendations are to redevelop or enhance existing facilities and trails and not to develop new ones. The exception would be the potential for a new launch to be developed at Lynx or Frazier lakes if access to the canoe trail system cannot be accommodated at existing and proposed facilities adjacent to the Nancy Lake Parkway. At some future point, additional enforcement presence or specific regulations may be needed to address safety concerns on Lynx Lake; however, no additional specific regulations are proposed at this time. | No change. |

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| 48. | Plan should include a statement that Eminent Domain acquisition of land is prohibited by the state. | AS 41.21.465 authorizes the State to acquire property within NLSRA. The Legislature did not prohibit the use of eminent domain in the enabling statutes, however, it is not the practice of DPOR to use this authority. | No change. |
| 49. | Request that the State of Alaska provide a clearer definition of what constitutes mooring. | A definition of “mooring” and “moor” will be included in the glossary. | A definition of “mooring” and moor” has been added to the Glossary on page A-3 as follows: <u>“Moor.</u> <u>To hold a boat, etc. in place by ropes, cables or chains to the shore, or by anchors etc. To cause to be held in place; secure.</u> <u>Mooring.</u> <u>A place where a boat, etc. is or can be moored.”</u> |
| 50. | Use the term snowmachine instead of snowmobile. | The term “snowmobile” is used because it is the same term used in NLSRA specific regulations at 11 AAC 20.555. The term “snowmachine” is used at 11 AAC 12.335(12). Therefore the use of both terms is consistent with existing regulations. | No Change. |
| 51. | Why does DPOR include guidance to regulate commercial barges? | Commercial barges are used periodically for shoreline development projects on upland parcels where no road access exists; and, for development of docks or other structures within a waterbody. Sometimes, the barge is used and moored for extended periods of time at a project site. To date, it is understood that this type of commercial use only occurs on Nancy Lake and that trend is anticipated to continue for the 20 year life of this plan. Due to limited access, use of a commercial barge is not anticipated to occur on other waterbodies | Text in the table on page 6-30 related to commercial barges is revised as follows: “Commercial barges facilitate construction and development of private land and the building and placing of structures on DPOR managed land and water. This use may be authorized on designated waterbodies <u>Nancy Lake or other waterbodies where inholdings or properties contiguous with the NLSRA boundary are located for limited time periods.</u> <u>To date, it is understood that this type of</u> |

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| | | <p>within NLSRA; however, several lakes do have increased numbers of inholders or property owners that have a common boundary with NLSRA. Should access be enhanced, use of a commercial barge on these waterbodies may be authorized. Text will be revised to reflect the current use and provide for this use on other waterbodies with inholders or land ownership that is contiguous to the NLSRA.</p> | <p><u>commercial use only occurs on Nancy Lake and that trend is anticipated to continue for the 20 year life of this plan. Use of a commercial barge may be authorized on other waterbodies where inholders or contiguous landowners are located; however this use is not anticipated to occur within the life of this plan due to limited access to other waterbodies within NLSRA.</u> Commercial barges may be moored at a project site during the time the barge is being used. In no case will long-term or permanent moorage be authorized on any waterbody. Currently, this use only occurs on Nancy Lake. May be authorized as an Individual Permit.”</p> |
| 52. | Weighting public comments. Comments by recreational users should be weighted more. | DPOR does not weigh comments differently for recreational users vs. property owners. Comments are all considered equally. | No Change. |
| 53. | Post public comments on website. | Agree. All public comments from the first two periods were posted prior to the public meetings on the Public Review Draft. The comments received during the PRD period are now posted as well. The format of the website has been updated to make the link to public comments more obvious. | No Change. |
| 54. | Maps of storage areas need to be modified to show the Red Shirt Lake storage area as it currently exists only in front of the DPOR host cabin. | While storage currently only occurs in front of the host cabin on Red Shirt Lake, the map is intended to indicate a larger area where DPOR will designate a storage and moorage area that minimizes impacts to natural resources, | No change. |

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| | | facilities, or infrastructure. | |
| 55. | Increase number of people in an organized or promoted assembly to 50 persons. | If the proposed group camp facility is developed, DPOR will provide a NLSRA regulation that allows for increased numbers of people to assemble at the group camp facility. A permit will be required for the organized or promoted assembly of more than 20 people in all other areas consistent with 11 AAC 18.010. | No change. |
| 56. | Potential acquisitions outside of NLSRA boundaries will impact activities and uses now conducted in public lands may change. DPOR has identified lands that if acquired from a willing seller, would provide increased recreational opportunities. | | No change. |
| 57. | Page 6-15 guidelines on use of float planes in recreational and natural zones needs to be consistent. | The guidelines for the two zones will be revised to be consistent. They will both indicate that use of a float equipped airplane is compatible and is allowed without authorization consistent with existing regulations at 11 AAC 20.545. | <p>The table on page 6-15 (Guidelines for Public Use) Airplanes, will be revised as follows:</p> <p>“Recreational Development Zone:</p> <p>Compatible. During ice-free periods, use of <u>float planes</u> is allowed on <u>Nancy, Lynx, Butterfly, and Redshirt lakes and the Little Susitna River</u> without authorization consistent with 11 AAC 20.545. During frozen conditions, use is allowed without authorization on all waterbodies when the surfaces are frozen.</p> <p>Natural Zone:</p> <p>Compatible. During ice-free periods, use of <u>float planes</u> is allowed on <u>Nancy, Lynx,</u></p> |

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| | | | <p><u>Butterfly, and Redshirt lakes and the Little Susitna River</u> without authorization consistent with 11 AAC 20.545. During frozen conditions, use is allowed without authorization on all waterbodies when the surfaces are frozen except use will not be allowed on North Rolly, Big Darell, Little Darell, and Rhein lakes, and Jano and Heins ponds.”</p> |
| 58. | A definition of multi-use should be added to the glossary. | A definition of “Multi-Use” will be added to the glossary. | <p>The following text has been added to Appendix A, page A-3:</p> <p><u>“Multi-Use. A term used to describe multiple uses that can occur in an area or on a trail. For Example, Skiing, Snowmobiling, Dog Mushing, Hunting, Fishing etc.”</u></p> |
| 59. | Allow small scale geothermal. | This type of use is not consistent with the purpose of prioritizing public recreation land. | No change. |
| 60. | Is the new method of determining adequate snow cover reliable and will it be used at other Park units. | The new method of water equivalency is a reliable method. The NPS has used the water equivalency standard for a number of years in Yellowstone National Park to determine when to open the park to snowmobile use. DPOR has adapted this method for use at NLSRA. When adjusted for water content of snow typical for NLSRA, a snowfall of at least 18 inches or 1.5 inches water equivalent will result in a packed base of approximately 6 inches. DPOR may decide to use water equivalency at other units, but this plan does not determine that decision. | No change. |

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| 61. | Public notice and involvement focused on a few people that own property in or around NLSRA and did not reach out to the public. | This planning process involved multiple opportunities for the public, including property owners, to be involved. The planning process to date is included in Chapter 1 pages 1-10 & 1-11. | No change. |
| 62. | Permitting gatherings for political means, demonstrating or for protesting should be under another heading. | 11 AAC 18.010 (a)(1) provides for assembly rules, regardless of a groups' intent. | No change. |
| 63. | The use of fireworks is traditional. Fireworks launched from a barge or raft at least 250 feet lake ward should be allowed. | 11 AAC 12.197 prohibits the use of fireworks in NLSRA without a special park use permit as provided in 11 AAC 18.010 (a) (5). Matanuska Susitna Borough authorization is required prior to submittal of an application to DPOR. | No change. |
| 64. | Reclassify NLSRA as a State Park with some small State Recreation Sites where higher use patterns have evolved (like the current Nancy Lake State Recreation Site). | Legislatively Designated Areas such as NLSRA can only be re-designated by an act of the Legislature, and is beyond the scope of this plan. | No change. |
| 65. | Portions of text regarding regulations in Chapter 8 are unnecessary has been revised. | Consistent with AS 41.21.460, shall prohibit or restrict incompatible uses by regulation. Other regulations affecting these areas may be developed or revised when appropriate. Therefore, identifying a comprehensive list of regulations that may result from, or be modified by, this plan is not appropriate. Text will be revised or removed. | Text on page 8-8, lines 22-34 are revised as follows: “Regulations will need to be promulgated to make certain plan recommendations are enforceable by DPOR. It is intended that regulations necessary to implement this plan be developed as soon as practicable after this plan is developed. A list of regulations necessary to implement this plan is provided below. While this list is intended to be comprehensive some regulations may have ” |

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| | | | <p>been inadvertently left off of the list. <u>Additionally</u>, other regulations that are determined necessary for the recreation area and site will be developed and <u>existing regulations may be modified</u> from time to time as determined necessary by DPOR. The list below is not intended to be comprehensive of all regulations for the recreation area or site. Unless indicated, the regulations would be specific to NLSRA under Chapter 20 of the Alaska Administrative Code.</p> <ul style="list-style-type: none"> ● Prohibition of use of storage and moorage outside of designated areas. ● Prohibition of building a dock or structure in excess of 450 square feet. ● Prohibition of private geothermal or electrical generation structures. ● Prohibition of marina construction outside of a single marina could be developed at Nancy Lake. ● Allowance of bicycles on designated trails. ● Allowance of horses and pack animals on designated trails. ● Allowance of the use of a motorized vehicle on the frozen surface of Nancy, Lynx, Butterfly, and Red Shirt lakes. ● Ability to allow limited openings of trails south of the Nancy Lake Parkway |

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| | | | <p>to the use of snowmobiles if snow cover is not adequate to open the entire area.</p> <ul style="list-style-type: none"> • Ability to allow use of snowmobiles on the existing trail north of the Nancy Lake Parkway and frozen surface of North Rolly Lake.” |
| 66. | Miscellaneous text changes | Portions of the text have been modified either as a result of changes in policy, guidelines, or intent; or, needed to be revised to resolve grammatical or word usage errors. These text changes are indicated as a Strikethrough where deleted and underlined where added. The reader is encouraged to read the text to | Changes made in various sections of the plan. |