

STATE OF ALASKA

SEAN PARNELL, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
Division of Mining, Land and Water

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October 14, 2011

Re: **Hatcher Pass, Exit Glacier Road and Kasilof River, Special Use Areas, Opportunity to Comment on Proposed Regulations**

Dear Alaskan:

The Department of Natural Resources (DNR) is proposing to revise existing regulations regarding the Hatcher Pass and Exit Glacier Road Special Use Areas and to add new regulations regarding the recently designated Kasilof River Special Use Area. I am writing to explain these proposed regulations, why we are proposing this regulation package now and how this action relates to the ongoing resource management process. I would like to invite you to review and comment on these proposed regulations.

Proposed new regulations

To implement the intent of the Hatcher Pass Management Plan and Kasilof River Special Use Area designation, DNR must amend or adopt new regulations to restrict or limit certain existing allowed uses under Generally Allowed Uses in the areas (11 AAC 96.020).

The department's proposed regulations also amend the Exit Glacier Road Special Use Area so that the Special Use Area (SUA) can be better managed for the public interest.

The Hatcher Pass Special Use Area

On November 17, 2010 DNR adopted revisions to the Hatcher Pass Management Plan (management plan) for the Hatcher Pass planning area, which includes the Hatcher Pass Special Use Area (HPSUA). The revised management plan addressed issues related to recreation, environmental and habitat protection, mineral development, and changes to the restrictions of certain generally allowed activities and uses of state-owned lands within the HPSUA under 11 AAC 96.014. Of these activities and land uses, those related to camping, use of firearms and winter and summer motorized vehicles use were the most significant to the public, involving questions of public safety, adequacy of enforcement, and separation of use.

The management plan recognized that the current motorized vehicle use restrictions were not always effective in meeting these criteria and that changes to the current regulations would be appropriate and necessary to implement the plan revisions. Specifically, the

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plan recommended, during the winter period, that the current non-motorized areas be expanded to include additional areas in the Independence, Archangel, Mile 16, Reed Lakes/Little Susitna, and Government Peak units. Additionally, during the summer period the current non-motorized areas were expanded to include the Mile 16, Government Peak, Archangel, and High Glacier Peaks units. The plan also recommended that certain areas now closed to motorized use be opened to such use; these areas included a portion of the Bald Mountain unit (on a year-round basis) and a portion of the Reed Lakes/Little Susitna unit within the Reed Creek drainage (winter period only). The management plan recognized that these changes would necessitate revision of the current regulations, and the draft regulations directly reflect the plan recommendations.

These proposed regulations changes not only include the motorized use amendments proposed in the management plan but also contain restrictions on camping and the discharge of weapons adjacent to roads within the HPSUA to address public use and safety concerns. Changes to these uses were recommended in the plan.

The revised management plan identified certain generally allowed uses and activities that need to be better managed in the SUA in order to protect the resource and recreation values of the area. These proposed regulation changes are necessary in order to implement portions of this revised plan.

The Exit Glacier Road Road Special Use Area

After years of experience managing the Exit Glacier Road Special Use area, DNR has determined that certain uses require more specific control by the department. Amendments to the existing regulations for this special use area are being proposed in order to control the length of time camps may be located in the area and to manage the disposal of waste in the SUA. The enhancement to the camping limitations are necessary to close a loophole in the existing GAU regulation and will assist the department in preventing individuals from monopolizing camping sites within the Exit Glacier Road SUA. The waste management regulation will work to facilitate proper waste disposal within the SUA.

The Kasilof Special Use Area

After significant public review and consideration, DNR recently designated a portion of the area at the mouth of, and along the Kasilof River, as a Special Use Area, (ADL 230992). The May 26, 2011 decision that designated this area, addressed the special resource and recreational values that warranted additional protections and other special requirements. The intent of this designation is to better manage the intensive public use that the area experiences during the spring and summer fishing season. While the department has authority to manage state land and resources, and issue authorizations, the new SUA designation identified certain generally allowed uses and activities that need to be better managed within the SUA in order to protect the resource and recreation values of the area. Public concerns were raised regarding the affects of motor vehicle use on certain areas within the Kasilof River SUA, the accumulation trash and waste, camping and land use activities related to the Kasilof River Personal Use Gillnet Fishery, and cutting of

firewood within the SUA. The May 26, 2011 Kasilof River SUA designation decision included management recommendations considered necessary to manage these issues within the SUA. These proposed regulations are intended to implement the recommendations adopted in the May 26, 2011 designation.

Why Do We Need These Regulations Now?

The Hatcher Pass, Exit Glacier Road and Kasilof River Special Use Areas are very high value recreational and natural resource areas which are intensively used by an increasing number of people for a wide variety of uses. These uses fall along a continuum from personal to commercial; from individual users to large groups of people; from low impact to high impact activities; and from seasonal to year around uses. After numerous contacts with individuals, as well as community groups including recent public planning meetings, the department has determined that certain activities currently being conducted within these areas are creating negative impacts on public land and waters, and in many cases create a negative or unsafe environment for other users of the area.

Regulations proposed at this time, and which are subject to this review, are designed to give the department administrative tools to more intensely manage the increasing uses in the areas, to produce less impacts, and a higher level of protection for the area's natural resources. Furthermore, if adopted, these regulations will help the department reduce the costs of managing the use and abuse of the area, while creating a safer, more positive environment for the majority of users of the area.

Generally Allowed Uses

Department regulations require that restrictions on generally allowed uses on state lands, such as those proposed for the Hatcher Pass, Exit Glacier Road and Kasilof River Special Use Areas, be adopted in regulation. DNR intends to restrict or prohibit certain uses within these Special Use Areas through these proposed regulations. The proposed regulations will restrict or manage:

- Recreational use of firearms in areas that constitute a threat to public safety, (see attached map entitled "*Hatcher Pass Special Use Area- Map 2,*" dated September 30, 2011);
- Motor vehicle use, (see attached map entitled "*Hatcher Pass Special Use Area- Map 1*" dated September 30, 2011 and *Kasilof River Special Use Area (ADL 230992) Map 1: Boundary and State Land,* dated May 2011);
- Camping activities, (see attached map entitled "*Hatcher Pass Special Use Area- Map 1,*" dated September 30, 2011 and *Exit Glacier Road Special Use Area,* dated October 16, 2002);
- Personal Use Gillnet Fishing activities on state owned uplands;
- Waste Management;
- Vandalism and
- other activities detrimental to the areas.

Opportunity for Comment.

Interested parties are encouraged to review the proposed regulations and submit any comments to DNR. Enclosed is the official "Notice of Proposed Changes in the Regulations of the Department of Natural Resources," which lists the specific areas and provides the details regarding the submission of public comment. You can view the proposed regulations, as well as an executive summary of the proposed regulations on our website at:

<http://dnr.alaska.gov/mlw/hottopics>

You are invited to comment on these proposed regulation changes to the Division of Mining, Land and Water. For your comments to be considered, the division must receive them no later than **5:00 p.m. on Friday, November 18, 2011**. Comments must be in writing, and they may be mailed, faxed, or e-mailed to the address below. Please see the Notice of Proposed Changes for additional information.

Attn: Joseph Joyner
Division of Mining, Land and Water
550 W 7th Ave., Suite 1070
Anchorage, Alaska 99501-3579
Fax: (907) 269-8904
E-Mail: dnrmlw@alaska.gov

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Joseph Joyner at 269-8511 no later than November 4, 2011, to ensure that any necessary accommodations can be provided.

For more information or a copy of the proposed regulation changes, go to <http://dnr.alaska.gov/mlw/hottopics>, or write to the Director's Office, Division of Mining, Land and Water, Department of Natural Resources, Attention Joseph Joyner, 550 W. 7th Avenue, Suite 1070, Anchorage, Alaska 99501-3579; or call 907-269-8511, or email at joe.joyner@alaska.gov.

Thank you for your consideration. I look forward to reading your comments and suggestions.

Sincerely,

Brent Goodrum
Director, MLW