

STATE OF ALASKA

SARAH PALIN, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
Division of Mining, Land and Water

550 WEST 7TH AVENUE, SUITE 1070
ANCHORAGE, ALASKA 99501
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October 12, 2007

Re: **Knik River Public Use Area
Opportunity to Comment on Proposed Regulations**

Dear Alaskan:

The Department of Natural Resources (DNR) is proposing to add new regulations and revise others concerning the use of state lands within the recently created Knik River Public Use Area. I am writing to explain the proposed regulations, why we are proposing this regulation package now and how this action relates to the ongoing resource management planning process. I would like to invite you to review and comment on these proposed regulations.

The Knik River Public Use Area

In 2006 the Alaska State Legislature designated a portion of the area along the Knik River, between Palmer and the Knik Glacier, as the Knik River Public Use Area (KRPUA), AS 41.23.180 – 41.23.230. The Commissioner of DNR is responsible for managing state land, including the mineral estate, within the KRPUA, consistent with the purposes for which it was established, AS 41.23.190. The Commissioner has the authority to adopt regulations to prohibit or restrict uses determined to be incompatible with the purposes of the KRPUA (AS 41.23.200), and to enforce the provisions of AS 41.23.180 – AS 41.23.230 (AS 41.23.210).

The KRPUA is a unique management area for DNR as the department has been provided with specific enforcement and citation authority (AS 41.23.220) to protect the uses and resources within the area. The primary purpose of these proposed regulations is to establish which activities within the KRPUA will be restricted or prohibited, and provide a list of violations that could result in a citation. Once these regulations are in place, DNR will work with the legislature and the Alaska Superior Court to establish a bail schedule for these violations, which will allow for disposition of a citation without a court appearance.

The department's proposed regulations also create the Knik River Special Use Area (SUA) as a Special Use Land Designation, (ADL 230206), located in section 31, T17N, R3E, S.M., so that these lands can be managed consistent with those included in the KRPUA.

Two Stepped Regulations Process

DNR is approaching the development of land use regulations in two phases. The first phase will be to adopt existing departmental regulations with some modifications or new restrictions, under the authority of AS 43.41.230, making them applicable to state lands

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within the KRPUA. DNR's phase one regulation package is proceeding now, and is the subject of this public notice and review.

The second phase of regulation development will proceed subsequent to the adoption of the department's KRPUA management plan. It is through the planning process that the commissioner will identify and establish specific management units within the KUPA, and develop the department's management intent for those units. Once management intent has been established, the commissioner may identify additional incompatible uses, resource protection needs, or restrictions to certain activities within the KRPUA. The regulations following the planning process will address any incompatible uses, use restrictions, or specific habitat protection needs established in the plan. The phase two regulation package will be subject to its own separate process of public review, comment, and administrative appeals.

Why Do We Need These Regulations Now?

The KRPUA is a very high value recreational and natural resource area which is 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 the KRPUA 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 an administrative tool to more intensely manage the increasing use in the area to produce less impacts to, 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 Knik River Public Use Area, be adopted in regulation. DNR intends to restrict or prohibit certain uses within the Knik River Public Use Area through these proposed regulations. To do so, the proposed regulation will restrict or manage: the recreational use of firearms in areas that constitute a threat to public safety (see attached map entitled "*Recreational Shooting Restrictions within KRPUA and Knik River SUA*" dated October 9, 2007); burning; dumping of waste or vehicles; vehicle size; commercial land use; unauthorized improvements; material removal; large public gatherings; vandalism and other activities detrimental to the area.

Enforcement

The enforcement provisions contained within AS 41.23.210 provide the foundation for one of the most critical components for a successful land management program in the KRPUA.

It is important to understand that to implement this enforcement authority, the department must adopt regulations under the provisions of AS 41.23.180 – AS 41.23.230. By starting the regulation adoption process at this time, the department expects to have enforceable regulations in place for the summer of 2008.

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://www.dnr.state.ak.us/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 16, 2007**. 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@dnr.state.ak.us

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 2, 2007, to ensure that any necessary accommodations can be provided.

For more information or a copy of the proposed regulation changes, go to <http://www.dnr.state.ak.us/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,

Dick Mylius
Director