

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER

LAND CLASSIFICATION ORDER
No. SC-99-02A15

Related to the
Kenai Peninsula Borough Municipal Entitlement – ADL 201306

- I. Name: Kenai Peninsula Borough Municipal Entitlement
- II. The classifications in Part III are based on written justification contained within the following:
- a Final Finding and Decision for Kenai Peninsula Borough’s Municipal Entitlement, dated February 24, 2015; and
 - an Amendment to the Kenai Area Plan
- III.

Legal Description	Acreage	Acquisition Authority	Existing Classification	Classification by this Action
Section 1, Township 4 North, Range 1 West, Seward Meridian South portion Lot 3	17	NFCG 13	Wildlife Habitat/Public Recreation	Public Recreation
Section 12, Township 4 North, Range 1 West, Seward Meridian Lots 2 and 7	17	NFCG 13	Wildlife Habitat/Public Recreation	Public Recreation
Section 13, Township 4 North, Range 1 West, Seward Meridian That portion of USS 7391 in NE1/4SE1/4 and that portion of USS 1778 in N1/2SE1/4	46	NFCG 13	Wildlife Habitat/Public Recreation	Public Recreation

- IV. This order replaces and supersedes the existing land classification order that affects these parcels.
- V. This order is issued under the authority granted to the Commissioner of the Department of Natural Resources by *AS 38.04.065 Land Use Planning and Classification* and *AS 38.05.300 Classification of Land*. The above-described lands are hereby designated and classified as indicated. Nothing shall prevent the reclassification of these lands if warranted in the public interest.

Approved:  Date: 3.24.22
Corri A. Feige, Commissioner
Department of Natural Resources

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER

FINAL KENAI AREA PLAN AMENDMENT
SC-99-02A15

Region 2 – Management Unit: 380G

related to the
Kenai Peninsula Borough Municipal Entitlement – ADL 201306

The Commissioner of the State of Alaska, Department of Natural Resources (DNR) finds that the following amendment to the Kenai Area Plan, described more fully in the Attachment, meets the requirements of *AS 38.04.065(b) Land Use Planning and Classification* and *11 AAC 55.010-030 Land Planning and Classification* for land use plans and hereby adopts the amendment. DNR will manage state lands within the area of the revision consistent with this designation and management intent.

Designation: Approximately 80 acres within Unit 380G (see attached map) will be incorporated into a new management subunit, 380G(1) that is designated Public Recreation and Tourism – dispersed use (rd) and classified Public Recreation Land. The new management subunit will include five parcels of land within Sections 1, 12, and 13, Township 4 North, Range 1 West, Seward Meridian and described as the following:
Section 1, South portion of Lot 3 (approx. 17 ac.)
Section 12, Lots 2 and 7 (approx. 17 ac.)
Section 13, That portion of USS 7391 in the NE1/4 SE1/4 and that portion of USS 1778 in the N1/2 SE1/4 (approx. 46 ac.)

The remainder of Unit 380G will remain designated Habitat and Public Recreation and Tourism – dispersed use.

Management Intent Unit 380G(1): Manage for dispersed recreation. The unit may be conveyed to the Kenai Peninsula Borough (KPB) should KPB meet the conveyance conditions stipulated in Municipal Entitlement Final Finding and Decision for ADL 201306, dated February 24, 2015.

This plan amendment is dependent on an associated plan amendment to the Kenai River Comprehensive Management Plan. If the related action does *not* occur, the current plan management intent for Unit 380G is retained.

Approved: 
Corri A. Feige, Commissioner
Department of Natural Resources

3.24.22
Date

ATTACHMENT

to the
**FINAL KENAI AREA PLAN AMENDMENT
SC-99-002A15**

Related to the
Kenai Peninsula Borough Municipal Entitlement - ADL 201306

Location and Legal Description: Five parcels located south of Upper Trail Lake and Lower Trail Lake in the Kenai Peninsula Borough within Sections 1, 12, and 13, Township 4 North, Range 1 West, Seward Meridian, containing approximately 80 acres.

Specifically: Section 1, South portion of Lot 3 (approx. 17 ac.)

Section 12, Lots 2 and 7 (approx. 17 ac.)

Section 13, That portion of USS 7391 in the NE1/4 SE1/4 and that portion of USS 1778 in the N1/2 SE1/4 (approx. 46 ac.)

Authority: The authority to revise plans derives from *AS 38.04.065(b) Land Use Planning and Classification*. *11 AAC 55.030(f) Land Use Plans* defines when a revision constitutes a plan amendment.

Current Plan: Unit 380G is currently designated as Habitat (ha) and Public Recreation and Tourism - dispersed use (rd). These designations convert to the classifications of Wildlife habitat land and Public recreation land. The management intent for this unit states:

The east side of the Trail River and Lake system is used as a brown bear movement corridor between Trail Creek and Snow River drainages. Important Kenai River habitat and recreation values. Scenic waterfall at the outlet of Grant Lake. Scenic: precipitous mountain walls with over 3,500- foot relief on the east shore of the lake. Riparian habitat values for Kenai River fishery, scenic viewshed from Seward Highway. Grant Creek is an anadromous fish stream below the falls that prevent fish passage to Grant Lake. Lower creek supports king, coho and sockeye salmon spawning. The riparian and lacustrine areas provide habitat for mink and river otters. Moose use unit for winter range. Mountain goat winter habitat between 500 and 1,000'. The Iditarod National Historic Trail traverses this unit. Other trails in the unit include the Grant Lake Trail, Al Solar's Mill Road, Vagt Lake Trail, Crown Point Mine Road and Trail. Potential hut-to-hut trail area. Proposed addition to the Kenai River Special Management Area. Manage for trails-related recreation. Also see the "Management Intent for Multiple Units" and "Specific Management Intent for Units" sections for this region. See Chapter 2 guidelines on the INHT.

Proposed Plan Amendment: Approximately 80 acres within unit 380G will be incorporated into a new subunit 380G(1) and designated Public Recreation and Tourism – dispersed use. Refer to the attached map for a depiction of the subject parcels. The proposed management intent of new unit 380G(1) states:

Manage for dispersed recreation. The unit may be conveyed to the Kenai Peninsula Borough (KPB) should KPB meet the conveyance conditions stipulated in Municipal Entitlement Final Finding and Decision for ADL 201306, dated February 24, 2015.

The management intent and designations of the remainder of Unit 380G would remain unchanged.

Explanation: The purpose of this amendment is to enable conveyance of state land to the Kenai Peninsula Borough (KPB) in order to satisfy their municipal entitlement. The Kenai Peninsula Borough Municipal Entitlement Final Finding and Decision for ADL 201306, dated February 24, 2015, conditionally approved lands located in Sections 1, 12, and 13, Township 4 North, Range 1 West, Seward Meridian, which are included in the Kenai Area Plan (KAP) and referred to as Unit 380G(1) in the FFD. The conditions DNR expected the Kenai Peninsula Borough (KPB) to satisfy in order to consider conveyance of lands in Unit 380G(1) are as follows:

“The borough shall prepare and adopt a land management plan for this area, or it shall be included in a local comprehensive plan within five (5) years from the dates of adoption of the FFD. This plan is to ensure adequate screening from the Seward Highway, the protection of anadromous streams, and the provision of a lakeshore buffer of at least 100 feet. The plan shall provide sufficient management detail to locate uses and shall identify mitigation stipulations to ensure the protection of significant wetlands, riparian areas, and the hydrologic connections from streams to Lower Trail Lake. To effectuate this plan and result in the conveyance of state land will require an amendment to the KAP and Kenai River Comprehensive Management Plan (KRCMP). The borough shall request the initiation of the Plan Amendment process for the two plans and shall be responsible for the provision of required information to the state, if requested, in these actions. The amendment of these plans shall occur within the 5-year period.”

The FFD also stipulates that if the local plan and amendments are not complete within the five-year period or if the outcome of that process is the inability to amend either of these plans, these selections are rejected, and the land remains in state ownership. KPB was granted a 2-year extension to satisfy these conditions. KPB satisfied the FFD requirement by issuing a plan amendment to the Comprehensive Plan for Moose Pass adopted by borough Ordinance 2021-36 in October 2021.

Currently, Unit 380G has a co-classification, Wildlife habitat land and Public recreation land, which is allowed from *AS 38.05.300* and *11 AAC 55.040(d)*. Co-classifications reflect both primary and underlying resources associated with the land, although they are co-equal in authority. Wildlife habitat land is a non-conveyable classification, and subsequently, Unit 380G(1) needs to be amended to the conveyable classification of Public recreation land to effectuate conveyance of these lands to KPB.

This plan amendment is contingent upon the approval of the related action involving changes to the KRCMP and the deletion for the subject parcel's inclusion in KRSMA to effectuate conveyance of these lands to KPB.

Assessment: The following alternatives are being considered:

1. (Preferred) Amend the Kenai Area Plan as described above. Amending the plan is the preferred alternative since KPB has indicated, by amending their local management plan, these parcels would be managed under the same protections the KAP intended for recreational, scenic, and habitat uses.
2. (Status Quo) Do not amend the plan. This alternative is not preferred. Under the FFD, the lands were conditionally approved to KPB indicating DNR's intent to approve conveyance to KPB once they satisfied the requirements set forth by the FFD. KPB completed its requirement to amend their local management plan and it would be in the best interest of the State to follow through with the requirements of the conditional approval.

Attachment to the Kenai Area Plan

Region 2, Management Unit 380G

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Requirements of AS 38.04.065(b): The factors identified in this section of statute have been considered and the proposed action is consistent with that portion of the statute.

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER

FINAL KENAI RIVER COMPREHENSIVE MANAGEMENT PLAN AMENDMENT

related to the
Kenai Peninsula Borough Municipal Entitlement – ADL 201306
Kenai Area Plan - Region 2 – Management Unit: 380G

The Commissioner of the State of Alaska, Department of Natural Resources (DNR) finds that the following amendment to the Kenai River Comprehensive Management Plan (KRCMP), described more fully in the Attachment, meets the requirements of *AS 41.21.500-514 Comprehensive Management Plan; regulations* and does hereby adopt it as the policy of DNR. DNR will manage state lands within the area of the revision consistent with this plan amendment.

Recommendation: Recommendation 4.5.4.6 is to be amended to remove a portion of the Kenai Area Plan’s Management Unit 380G from the listing of areas to be added to the Kenai River Special Management Area (KRSMA) in Table 4-6d. Specifically impacted are five parcels located south of Upper Trail Lake and Lower Trail Lake in the Kenai Peninsula Borough within Sections 1, 12, and 13, Township 4 North, Range 1 West, Seward Meridian, containing approximately 80 acres.

Specifically: Section 1, South portion of Lot 3 (approx. 17 ac.)
Section 12, Lots 2 and 7 (approx. 17 ac.)
Section 13, That portion of USS 7391 in the NE1/4 SE1/4 and that portion of USS 1778 in the N1/2 SE1/4 (approx. 46 ac.)

Special Use Designation: With the removal of those parcels from being added to KRSMA, these parcels will be deleted from the Special Use Designation (SUD), ADL 226527. This updates the inclusive SUD legal description and acreage for Unit 380G Lower Trail Lake, narrow channel (Appendix G, Table 1) to read:

T. 004 N., R. 001 E.,
Section 06: Lots 1-6, 8, and 9, SE1/4SW1/4, SW1/4SE1/4;
Section 07: Lots 1, 2, 5, and 6, NW1/4NE1/4, NE1/4NW1/4;
Section 18: Lots 1-3;
T. 004 N., R. 001 W.,
Section 01: Lots 1, 4-8;
Section 12: Lots 1, 3, and 4, that portion of Lots 5 and 6 as shown on State status plats, Lots 8, 11, and 12;
Section 13: Lot 1;
T. 005 N., R. 001 E.,
Section 31: Lot 6.
Approximately 571.9 acres.

This plan amendment is dependent on an associated plan amendment to the Kenai Area Plan and the approval of Land Classification Order SC-99-02A15. If any related actions including the plan amendment and land classification order do *not* occur, the current plan recommendation to retain this unit and incorporate it into the KRSMA as provided for in Recommendation 4.5.4.6 (Table 4-6d) in the KRCMP is retained.

Approved: 
Corri A. Feige, Commissioner
Department of Natural Resources

3.24.22
Date

Notice of administrative review

An eligible person affected by this decision of the department, and who provided timely written comment or public hearing testimony to the department, may request reconsideration to the DNR Commissioner per AS 44.37.011 and 11 AAC 02. Any request for reconsideration must be received by the Commissioner's Office within twenty (20) calendar days after issuance of the decision under 11 AAC 02.040. The Commissioner may order or deny a request for reconsideration within thirty (30) calendar days after issuance of the decision. If the Commissioner takes no action on a request for reconsideration within thirty (30) days after issuance, the request for reconsideration is considered denied. The Commissioner's decision on reconsideration, other than a remand decision, is a final administrative order and decision of the department. An eligible person must first request reconsideration to the Commissioner before seeking relief in superior court. The Alaska State Courts establish its own rules for timely appealing final administrative orders and decisions of the department.

Reconsideration may be mailed or hand-delivered to the DNR Commissioner's Office, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska, 99501; or faxed to (907) 269-8918, or sent by electronic mail to dnr.appeals@alaska.gov. Reconsideration must be accompanied by the fee established in 11 AAC 05.160(d)(1)(F), which has been set at \$250 under the provisions of 11 AAC 05.160(a)-(b). A .pdf or print copy of 11 AAC 02 may be obtained by contacting Erik Fossum via phone at (907) 269-8429, via email at erik.fossum@alaska.gov, and is also available on the department's website at www.dnr.alaska.gov.

The effective date, is thirty (30) calendar days after issuance (certified mail delivery to the applicant and eligible parties). A decision becomes effective 30 days after it is delivered or mailed to the respondent unless DNR itself orders that the decision become effective sooner per AS 44.62.520.

ATTACHMENT

to the FINAL KENAI RIVER COMPREHENSIVE MANAGEMENT PLAN AMENDMENT

Related to the Kenai Peninsula Borough Municipal Entitlement - ADL 201306 Kenai Area Plan - Region 2 – Management Unit: 380G

Location and Legal Description: Five parcels located south of Upper Trail Lake and Lower Trail Lake in the Kenai Peninsula Borough within Sections 1, 12, and 13, Township 4 North, Range 1 West, Seward Meridian, containing approximately 80 acres.

Specifically: Section 1, South portion of Lot 3 (approx. 17 ac.)

Section 12, Lots 2 and 7 (approx. 17 ac.)

Section 13, That portion of USS 7391 in the NE1/4 SE1/4 and that portion of USS 1778 in the N1/2 SE1/4 (approx. 46 ac.)

Authority: The authority to revise management plans derives from *AS 41.21.506 Comprehensive management plan; regulations* and resides with the DNR Commissioner.

Current Plan: These lands are part of Unit 380G, as identified in the Kenai Area Plan (KAP) and the Kenai River Comprehensive Management Plan (KRCMP) and are currently identified for inclusion in the Kenai River Special Management Area (KRSMA).

Recommendation 4.5.4.6 (page 75) states the intent to incorporate State land into KRSMA. The recommendation specifies:

“That DNR develop and submit to the Legislature amendments to the legal description that established KRSMA, to include State properties identified in Table 4-6a through 4-6d on pages 76-78 and depicted on Maps 4-1 through 4-4 on pages 49-55. Borough properties intended for eventual inclusion are also identified in this Table. Until these properties are included within KRSMA, the Division of Land should establish a ‘special use area’ as provided under 11 AAC 96.010(b) to administer the tracts in state ownership. To the extent allowed under this regulatory authority, these lands will be administered by the Department to ensure consistency with the statutory objectives of the Special Management Area (since these parcels are intended for eventual inclusion within KRSMA). The Division of Lands may enter into a management agreement to transfer the responsibilities for day to day administration to DOPOR. Note: this recommendation has been implemented (see Appendix).”

Table 4-6d includes Unit 380G as intended for incorporation into KRSMA.

Appendix G includes Unit 380G in Table 1 thereby identifying those lands to be designated as special use lands. The purpose of this Special Use Designation, serialized as ADL 226527, is to:

“...protect and perpetuate the fishery and wildlife resources and habitat along the stream corridors flowing into Kenai and Trail Rivers and Kenai and Upper & Lower Trail Lakes. It will also provide for the management of those recreational uses and development activities that may occur within the area.”

Proposed Plan Amendment: Refer to the attached map for a depiction of the subject parcels. Recommendation 4.5.4.6 is to be amended to edit the listing of areas to be added to KRSMA in Table 4-6d to delete the subject parcels. The lands to be removed are five parcels located south of Upper Trail Lake and Lower Trail Lake in the Kenai Peninsula Borough within Sections 1, 12, and 13, Township 4 North, Range 1 West, Seward Meridian, containing approximately 80 acres.

Specifically: Section 1, South portion of Lot 3 (approx. 17 ac.)

Section 12, Lots 2 and 7 (approx. 17 ac.)

Section 13, That portion of USS 7391 in the NE1/4 SE1/4 and that portion of USS 1778 in the N1/2 SE1/4 (approx. 46 ac.)

Approximately 80 acres of Unit 380G will be withdrawn from the Special Use Designation (SUD), ADL 226527. This updates the inclusive SUD legal description and acreage for Unit 380G Lower Trail Lake, narrow channel (Appendix G, Table 1) to read:

T. 004 N., R. 001 E.,
Section 06: Lots 1-6, 8, and 9, SE1/4SW1/4, SW1/4SE1/4;
Section 07: Lots 1, 2, 5, and 6, NW1/4NE1/4, NE1/4NW1/4;
Section 18: Lots 1-3;
T. 004 N., R. 001 W.,
Section 01: Lots 1, 4-8;
Section 12: Lots 1, 3, and 4, that portion of Lots 5 and 6 as shown on State status plats, Lots 8, 11, and 12;
Section 13: Lot 1;
T. 005 N., R. 001 E.,
Section 31: Lot 6.
Approximately 571.9 acres.

Explanation: The purpose of this amendment is to enable conveyance of state land to the Kenai Peninsula Borough (KPB) in order to satisfy their municipal entitlement. KPB Municipal Entitlement Final Finding and Decision (FFD) serialized as ADL 201306, dated February 24, 2015, conditionally approved lands located in Sections 1, 12, and 13, Township 4 North, Range 1 West, Seward Meridian, which are included in KAP and referred to as Unit 380G(1) in the FFD. The conditions DNR expected KPB to satisfy in order to consider conveyance of lands in Unit 380G(1) are as follows:

“The borough shall prepare and adopt a land management plan for this area, or it shall be included in a local comprehensive plan within five (5) years from the dates of adoption of the FFD. This plan is to ensure adequate screening from the Seward Highway, the protection of anadromous streams, and the provision of a lakeshore buffer of at least 100 feet. The plan shall provide sufficient management detail to locate uses and shall identify mitigation stipulations to ensure the protection of significant wetlands, riparian areas, and the hydrologic connections from streams to Lower Trail Lake. To effectuate this plan and result in the conveyance of state land will require an amendment to the KAP and Kenai River Comprehensive Management Plan (KRCMP). The borough shall request the initiation of the Plan Amendment process for the two plans and shall be responsible for the provision of required information to the state, if requested, in these actions. The amendment of these plans shall occur within the 5-year period.”

The FFD also stipulates that if the local plan and amendments are not complete within the five-year period or if the outcome of that process is the inability to amend either of these plans, these selections are rejected, and the land remains in state ownership. KPB was granted a 2-year extension to satisfy these conditions. KPB satisfied the FFD requirement by issuing a plan amendment to the Comprehensive Plan for Moose Pass, adopted by borough Ordinance 2021-36 in October 2021. Accordingly, it is appropriate to delete the requirement to retain this unit in state ownership and not include these lands in KRSMA.

This plan amendment is contingent upon the approval of the associated actions involving changes to the KAP and creation of Unit 380G(1) with the designation of Public Recreation and Tourism to effectuate conveyance of these lands to KPB.

Assessment: The following alternatives are being considered:

1. (Preferred) Amend the Kenai River Comprehensive Management Plan as described above. Amending the plan is the preferred alternative since KPB has indicated, by

amending their local management plan, these parcels would be managed under the same protections the KRCMP intended for recreational, scenic, and habitat uses.

2. (Status Quo) Do not amend the plan. This alternative is not preferred. Under the FFD, the lands were conditionally approved to KPB indicating DNR's intent to approve conveyance to KPB once they satisfied the requirements set forth by the FFD. KPB completed its requirement to amend their local management plan and it would be in the best interest of the State to follow through with the requirements of the conditional approval.

Comments Received

DNR DMLW LCS received six comments from agencies and 14 private individuals during the public comment period. All comments received during the public comment period are summarized and addressed below.

DNR DMLW LCS received brief comments of non-objection from the following:
ADF&G, MGTLO, DOF, and DEC.

DNR DMLW LCS Response: LCS appreciates your review.

PAAD Comment: PAAD notified LCS that Trail River (creek) between Upper and Lower Trail Lakes is a navigable in fact river per AS 38.04.062.

DNR DMLW LCS Response: LCS appreciates your review.

SAIL Comment: SAIL notified LCS that there are no contaminated or obvious solid waste sites or suspect surface disturbance that could negatively impact the proposed use of the parcels.

DNR DMLW LCS Response: LCS appreciates your review.

Individual Comment regarding an error: The incorrect meridian was referenced on the draft Land Classification Order.

DNR DMLW LCS Response: The error has been corrected. The draft Land Classification Order now references the correct meridian, Seward Meridian.

Comments regarding public notice: Multiple comments were received regarding the public notice and public notice process. Concerns included the need for a longer public notice period, that the public notice was not well advertised, and that there needed to be more public input. In addition, there were concerns that the public notice and attached decision did not provide enough detail.

DNR DMLW LCS Response: The solicitation for public comment was conducted pursuant to AS 38.05.945. The original public notice was issued for 30 days, as outlined in statute, and was extended for an additional 15 days at the request of the public. Per AS 38.05.945, the public notice was advertised in through the appropriate channels such as public libraries, post offices, tribal entities, native corporations, and to the borough representatives. The public notice was also posted to the State Online Public Notices website, the Land Sales website, and the Municipal Entitlement website. Details on how to view the decision, related actions, and how to submit a comment were outlined in the public notice document.

Comments regarding future uses: Nearby landowners were concerned with how KPB plans to use the land after the State conveys the land. There was not sufficient detail regarding their plans and how it might affect the nearby neighborhoods.

DNR DMLW LCS Response: Issues with KPB plans for the land are outside the scope of this decision. KPB has indicated these parcels would be managed under the same protections the

Attachment to the Kenai Area Plan and Kenai River Comprehensive Management Plan

Region 2, Management Unit 380G

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KAP and KRCMP intended for recreation, scenic, and habitat uses. In addition, the KPB has its own comprehensive plan for Moose Pass as well as its own public process. Any concerns over future actions taken by the KPB after conveyance will need to be directed to the Borough.

Comments regarding environmental issues: Multiple individuals were concerned with how the proposed action may disturb the local wildlife, scenic values, and personal recreation. One comment asked whether wildlife or environmental studies have been done in the area.

DNR DMLW LCS Response: KPB has indicated these parcels would be managed under the same protections the KAP and KRCMP intended for recreation, scenic, and habitat uses. There is no foreseen impact on these resources in the area. In addition, ADF&G, DEC, and DOF had no concerns for the reclassification during agency review. Please refer to these agencies' available resources for further information regarding environmental concerns.

Comments regarding nearby watershed: LCS received concern from the public about the Kenai watershed being under stress from human activity and that the 100' shore buffer and woods screening is not enough protection for wildlife.

DNR DMLW LCS Response: ADF&G had no concerns about the proposed amendment during agency review. The 2015 decision for the Municipal Entitlement established the 100' lakeshore buffer as sufficient and the buffer will remain.

Comments regarding the Grant Lake Hydro project: How do the new classifications relate to the Grant Lake Hydro project? No mention of the plans in this decision. One individual recommended improving the Crown Point Mine Road so that an additional railroad crossing is avoided during the hydro project.

DNR DMLW LCS Response: This reclassification is not related to the Grant Lake Hydro project. Multiple actions are taking place in the same area, though they are not related to each other.

Individual Comment regarding decision process: One comment requested clarification on the "...if no significant change is required, the draft amendment, including minor changes, will be issued as the final amendment without further notice," statement in the preliminary draft amendment.

DNR DMLW LCS Response: This statement is to convey that as long as no significant changes are required based on information received during this public notice, the amendment would be sent to the commissioner for review and signature without a second public notice.

Comments regarding the Moose Pass Comprehensive Plan: The Moose Pass Comprehensive Plan is currently being revised. Transfer of ownership should not take place until the new plan is adopted.

DNR DMLW LCS Response: The current Moose Pass Comprehensive Plan is still effective until the revised plan is adopted.

Attachment to the Kenai Area Plan and Kenai River Comprehensive Management Plan

Region 2, Management Unit 380G

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Individual Comment regarding classifications: One comment was seeking clarification on the definition for the classification of public recreation and tourism land.

DNR DMLW LCS Response: “Public recreation and tourism – dispersed use” (Pr) is a designation applied in the Kenai Area Plan (KAP) to describe a use for the land. This designation then translates to the classification of Public Recreation (PUR). Land must hold a conveyable classification before it can be transferred to a municipality. Wildlife Habitat (WHB) is a non-conveyable classification and must be removed if the land is to be conveyed. The KAP defines public recreation as “land that is suitable for recreation uses, waysides, parks, campsites, scenic overlooks, hunting, fishing or boating access sites, trail corridors, or greenbelts along bodies of water or roadways.” per 11 AAC 55.160. Pages 2-39 to 2-46 in the KAP cover the designation in more detail.

Individual Comment regarding maps attached to decisions: USS 1778 and USS 7391 have current private property, the AKRR, public road and access to Vagt Lake. None of this is shown on attached maps or descriptions. Further current and future USFS plans for trails and access are not shown on attached maps or described in the paragraphs.

DNR DMLW LCS Response: The attached map in the draft amendment was only to show the location and boundary of the parcels addressed in the draft plan amendments.