

Tanana Basin Area Plan Amendment Issue Response Summary and Recommended Revisions

The Issue Response Summary has been prepared by the Department of Natural Resources in response to comments on the Public Review Draft (PRD) of the Tanana Basin Area Plan Amendment. Comments and responses are sorted by subject primarily using the municipal selection name. All of the recommended revisions to the PRD are also noted in this document and where appropriate are depicted on revised maps. The PRD along with the recommended revisions constitute the “Intent-to-Adopt” version of the Tanana Basin Area Plan Amendment and corresponding Land Classification Order.

Subject	Issue	Response	Recommended Revision
Land Classification Changes- General	Removal of the wildlife habitat classification simply to expedite land conveyance does not reflect a detailed examination under AS 34.04.065(b). In addition, maintaining a classification of “public recreation” on selected lands argues mainly for retention by the state. The TBAP, on page 1-9, states “Recreation values are protected mainly by retention and multiple use management”.	<p>A detailed evaluation of all the lands selected by the Denali Borough was conducted and reclassification was considered. In some cases it was appropriate to drop the wildlife habitat classification and in other cases different classifications were used if the land patterns warranted the change. This type of analysis does fulfill the requirements of evaluation under AS 38.05.065(b).</p> <p>On page 1-9, the TBAP further describes that protection of recreation values should be done through the retention of certain buffers and corridors. These areas have been retained in state ownership. It is important to note that the TBAP recognized that periodic updates would be necessary as different demands were placed on public lands specifically stating that the state would set a high priority on making land available for community expansion.</p>	Some changes were found to be appropriate and are noted in the specific unit responses below.

Subject	Issue	Response	Recommended Revision
Land Classification Changes- General	The land classification change from dual wildlife habitat/public recreation to just public recreation to make the land conveyable is inappropriate because it misleads the public about the true nature of the reclassification and allows land that would never be classified by DNR as “settlement” to become settled since the TBAP no longer applies once land is conveyed to the borough. There are other more suitable lands to convey to the borough for the purposes of settlement.	How the borough intends to use or develop the parcels it has selected is unknown. DNR, through the amendment process, considered present and future uses and when appropriate used the settlement classification. Most areas were found to be important for public recreation and were so classified. The borough is entitled to receive lands that are important both for recreation in order to have a land base for public areas and facilities as well as for settlement in order to have lands for community expansion. Future use and development concerns need to be addressed by the borough through their planning process.	Some changes were found to be appropriate and are noted in the specific unit responses below.
Land Classification Changes- General	DNR must leave current classifications in place until such time as the borough institutes good faith land use regulation. DNR has no obligation to change classifications simply to allow conveyance to the borough.	DNR does have an obligation to provide suitable lands to satisfy the Denali Borough’s municipal entitlement. Municipal entitlements are a land grant and not an authorization of what will occur on the land. How the borough plans to develop this area in the future is unknown and can be addressed by the borough through their planning process.	Some changes were found to be appropriate and are noted in the specific unit responses below.

Subject	Issue	Response	Recommended Revision
West	The area receives substantial use from caribou and wolves which implies a range of wildlife and habitat values. The wildlife habitat classification should not be dropped in this area.	ADF&G provided a reanalysis of this area during Agency Review (November 7, 2007) after the borough scaled back its selection and responded that the McKinley caribou herd may use the area but it does not appear to be a prime use area. It may only be used during harsh winters when other habitats are unavailable. Based on this information, DNR finds that it is acceptable to reclassify the selection area as previously recommended.	No Change

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Slate Creek	<p>Comments were received that a corridor for wildlife to travel along both Little Panguingue and Panguingue Creek should be retained. Panguingue Creek is a major fish and wildlife highway between the stampede/wolf townships area, the Nenana River, and beyond. Both of these creeks have been identified as being anadromous fish waters. Additionally, this uncluttered stretch of the Parks Highway should be preserved for its scenic value. Land on the east side of the highway is unsettled and mostly unstable lowland.</p>	<p>DNR concurs in part. The unit will be revised to exclude the portion that contains Panguingue Creek to allow for wildlife movement. The portion containing Little Panguingue Creek will not be altered since a significant portion of that creek is already in borough ownership within the area classified settlement. It should also be noted that Little Panguingue Creek has not been catalogued as anadromous by ADF&G for the portion currently proposed for conveyance to the borough.</p> <p>The majority of the lands on the west side of the highway are either already in borough ownership or part of a previously offered settlement area. Reclassifying the small area to the east of the highway provides a nearby land base that could be used for public areas and facilities adjacent to the settlement area. Future developments, including whether Little Panguingue Creek warrants a corridor for wildlife movement, need to be addressed by the borough through their planning process.</p>	Unit 4F7 will be revised to exclude the south half of the unit in section 34. See the revised map.
Panguingue A	<p>Numerous comments were received objecting to the reclassification and conveyance of this (8 mile lake) selection to the borough due to its importance for wildlife habitat.</p>	<p>Recognizing the unique importance of this particular area for wildlife and recreation, DNR has changed its recommendation for amending the unit.</p>	Unit 4E2 will be eliminated from the Amendment and the current classifications and unit number will remain in place.

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Panguingue B	The amendment proposes to reclassify lands not presently proposed for conveyance in sections 3, 4 and 5. Included in these sections is low-lying land around Panguingue Creek that is a wildlife travel corridor for many species. If this conveyance and others along the George Parks Highway and Stampede Road are all approved there will be an uninterrupted block of land open to development by the borough. A break is needed to provide for wildlife movement and to keep the open tundra along Stampede Road undeveloped. Additionally, this area should retain its current classification because of the range of wildlife and habitat values that should be protected.	DNR concurs that it is important to allow for wildlife movement along the low-lying areas of Panguingue Creek. The new unit boundary will be altered to exclude this area. Because the remaining unit area is already a node of private development and important for recreation, the rest of the unit will be reclassified as described in the Public Review Draft.	Unit 4F8 will be revised to exclude sections 3, 4 and 5. See the revised map.
Healy	Concerns were raised to the appropriateness of reclassification and the need to exclude an archeological site. This area is important for wildlife movement, is adjacent to a scenic byway and should provide a break between selections to avoid strip development.	The Dry Creek Archeological Site was not selected nor is it being reclassified. It will remain in state ownership. In reference to providing a break along the highway to avoid strip development, a break was provided based on input and resource information to the north at Panguingue Creek. Conveyance of this selection does not affect the Scenic Byways designation.	No change
Otto Lake	Do not remove the wildlife habitat classification so that it may be conveyed to the borough. This area is particularly important to the population of wolves and is a travel corridor for wildlife. If conveyed the areas on the steep hillside of Sections 26, 27 and 35 should be rejected along with a corridor on each side of Dry Creek for habitat travel and migration.	DNR concurs that it is appropriate to alter a portion of this unit to exclude areas that are important for wildlife movement.	Unit 4E3 will be revised to exclude Dry Creek and the south half of the unit in section 35. See the revised map.

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Nenana Canyon	Numerous comments stressed the need for the state to reject and retain in state ownership the entire selection. The importance of these lands as a habitat and wildlife corridor, their statewide recreational importance, their incredible view shed values, and their potential need for highway expansion or realignment for safety between Bison Gulch (mile 243.7) and Iceworm Gulch (mile 238), all argue for state retention of the selection. The state should continue its efforts to designate the Nenana River as a State Recreation River.	<p>The TBAP amendment determined that the current classification of Public Recreation/Wildlife Habitat is appropriate for a large portion of the selection area. This affects the borough's selection between Bison Gulch and Iceworm Gulch which will not be reclassified and retained in state ownership.</p> <p>The area north of Bison Gulch is not considered a prime habitat area like the canyon south and is not identified as being important for future road alignment or development needs. Additionally, the recreational activities afforded by the Nenana River would not be interrupted in this area as the river sits down in the valley and is separated from the selection by the ARR.</p>	Units 4R7 and 4F10 will be revised to exclude those portions south of Bison Gulch where it bisects the highway, roughly between mile 243.7 and Iceworm Gulch at mile 239.5. Units 4D4 and 4C3 will be eliminated all together from the Amendment and the current classifications and unit numbers will remain in place. See the revised map.
Montana Creek	Comment was received that the boroughs selection of Sections 34 and 35 should be rejected and the area should not be reclassified. Borough ownership of this area is not needed to provide access to their present holdings. Development of the area is not appropriate as it will affect the viewshed and the habitat in the area.	This area is adjacent to borough-approved land and is highly recreational in nature. Why the borough made this selection and how they intend to develop the parcel is unknown. How the borough plans to use or develop this area in the future needs to be addressed by the borough through their planning process.	No Change
Yanert	Comment was received that this area should retain the wildlife habitat classification due to its wildlife values. The valley provides natural corridors for wildlife movement to and from the park which should be protected from development.	Consideration was given to wildlife movement along the Yanert Fork. The Amendment did not propose to reclassify land along the Yanert Fork.	No change

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Yanert B	The Nenana River is recommended for legislative designation as a State Recreation River. A ¼ mile buffer should be state retained and not reclassified within the proposed new unit 4R8.	DNR concurs and will alter Unit 4R8 to exclude the portion (Lot 3 of USS 5566) that is within the ¼ mile buffer of the Nenana River.	Unit 4R8 will be revised to exclude Lot 3 of USS 5566. See the revised map.
Nenana River 2	This area off the Denali Highway is used for recreation year-round and should remain in state ownership if conveyed to the state. It is a major tourist destination.	The Amendment recognized the importance of this area for recreation and classified it appropriately. The important wildlife habitat areas were considered and are not reflected in this unit change. Should this area be conveyed to the state, a subsequent best interest finding process will at that time determine if it is appropriate to convey to the borough.	No Change