

DRAFT
Tanana Basin Area Plan Amendment
Alaska Department of Natural Resources
Division of Mining, Land & Water
May 2008

Background

The Tanana Basin Area Plan (TBAP) was adopted in 1985 and updated in 1991. The plan directs how the Department of Natural Resources (DNR) manages land and resources on state-owned lands within the Tanana Basin. This amendment to TBAP reclassifies lands within the Denali Borough to enable conveyance of state land to the borough under the Municipal Entitlement Act. Municipalities, including boroughs, are entitled to state-owned uplands within their corporate boundaries under the Municipal Entitlement Act (AS 29.65.010-140). A total of 49,789 acres can be conveyed to the Denali Borough under this act. To date only 20,485 acres have been approved for conveyance. Much of the remaining borough-selected land is affected by classifications that preclude conveyance under AS 29.65 making this amendment necessary to facilitate conveyance of the remaining entitlement.

Concurrent with this action, the Department of Natural Resources is issuing a Preliminary Decision (PD) that, if adopted, will convey municipal entitlement land to the borough. The PD is based on the assumption that this amendment will reclassify lands into an appropriate land classification. The PD provides a more detailed examination of what lands are appropriate for conveyance and what lands should be retained by the state due to habitat considerations, public access and other values and uses. This amendment reclassifies lands as appropriate and is consistent with the recommendations of the PD. Only those lands actually approved for conveyance to the borough through the municipal entitlement process will be reclassified.

The Tanana Basin Area Plan

The Tanana Basin Area Plan (TBAP) provides direction for the management of state land within the Tanana Basin, one of interior Alaska's largest drainages. The basin is bounded by the Yukon-Tanana Uplands on the north, the Canadian border on the east, the Alaska Range on the south, and the Kuskokwim Mountains on the west. This amendment affects lands within Subregion 4, the Parks Highway & West Alaska Range, one of the most accessible subregions in the Basin. The area is bisected by the highway and the railroad and there are many trails, roads and rivers which extend into the backcountry.

The TBAP was adopted in 1985 and updated in 1991. The 1991 update was made to include specific amendments made to Subregion 7 and Chapter 4 of the plan. Since the Denali Borough incorporated in December of 1990 and was not eligible to make their land selections until 1992, the TBAP did not address the borough's municipal entitlement.

Municipal Selections

The purpose of the Municipal Entitlement Act is to provide lands that would:

- Create or expand a tax base
- Generate revenue through land sales and leases
- Provide a land base that could be reserved for public areas or facilities as well as provide a land base for community expansion.

Alaska Statutes (AS 29.65.010-140) provide for conveyance of vacant, unappropriated, and unreserved state general grant land within the corporate boundary of a municipality or borough. Table 1 indicates which TBAP management units are affected by the municipal selection, the acreage involved, the acreage in a conveyable classification, and the acreage requiring reclassification to a conveyable status. NOTE: All acreage numbers are approximate.

Table 1

Municipal Selection Location	Current Management Unit	Acreage	Conveyable Classification Acreage	Reclassify Acreage
Browns Court	4F2, 4F3	521	309*	521
Rex Bridge	4F2, 4R1	559	0	559
West	4G2	5760	60	5700
East	4L1, 4Q2, 4P1	5760	0	7680**
Slate Creek	4F2	1364	959	405
Panguingue A	4E1	1565	0	1565
Panguingue B	4F2	2465	0	5025**
Healy	4F2	731	0	731
Otto Lake	4E1	1501	781	720
Nenana Canyon	4F2, 4R2, 4R3, 4D1, 4C2	1737	0	1737
Montana Creek	4C2, 4R4	460	0	460
Yanert	4C2, 4R4	2278	0	2278
Nenana River 1	4B1	80	0	80
Nenana River 2	4B1	3750	0	3750

* While the Agriculture/Settlement classification is conveyable under AS 29.65, the entire selection area will be reclassified to remove agriculture stipulations required for agriculture-classified lands.

** Additional land is being reclassified in this area in order to have a pool to draw from should the borough's entitlement not be met by the current proposed decisions. The reclassification will only apply if a subsequent municipal entitlement decision determines the area appropriate for conveyance.

Proposed Plan Revisions

The proposed plan revisions will reconfigure and reclassify portions of the management units in Subregion 4, Parks Highway and West Alaska Range, within the TBAP to accommodate the municipal entitlement conveyance to the Denali Borough. Table 2 contains a summary of the selections by general municipal selection area with the current classification, current subunit number, the new proposed management subunit, and new proposed classification. See the attached proposed classification maps, organized by municipal selection location, for more precise depictions of the areas being amended. The maps accompanying the PD show the entire municipal selection area while the maps accompanying this amendment depict only the areas being amended. These areas will only be amended if a municipal entitlement decision finds them appropriate for conveyance to the borough.

Table 2

Municipal Selection Location	Current Management Subunit	Current Classification	Proposed Management Subunit	Proposed Classification Change
Browns Court	4F2, 4F3	PUR,WHB, AGR, STL	4F5	STL
Rex Bridge	4F2, 4R1	PUR, WHB PUR, WHB	4F6, 4R6	PUR
West	4G2	WHB	4G3	RMG
East	4L1, 4Q2, 4P1	PUR,WHB, WHB WHB,MIN	4L2, 4Q4, 4P3*	RMG
Slate Creek	4F2	PUR,WHB	4F7	PUR
Panguingue A	4E1	PUR,WHB	4E2	PUR
Panguingue B	4F2	PUR,WHB	4F8*	PUR
Healy	4F2	PUR,WHB	4F9	PUR
Otto Lake	4E1	PUR,WHB	4E3	STL
Nenana Canyon	4F2, 4R2, 4R3, 4D1, 4C2	PUR,WHB PUR,WHB PUR,WHB MIN,WHB PUR,WHB	4F10, 4R7, 4R7, 4D4, 4C3	PUR
Montana Creek	4C2	PUR,WHB	4C4	PUR
Yanert	4C2, 4R4	PUR,WHB PUR,WHB	4C5, 4R8	PUR
Nenana River 1	4B1	PUR,WHB	4B2	PUR
Nenana River 2	4B1	PUR,WHB	4B3*	PUR

* Additional land is being reclassified in this area in order to have a pool to draw from should the borough's entitlement not be met by the current proposed decisions. The reclassification will only apply if a subsequent municipal entitlement decision determines the area appropriate for conveyance.

Browns Court

This selection is situated south of the City of Anderson, east of the Nenana River and along both sides of the Parks Highway. The selection occupies a portion of subunit 4F2 and 4F3, currently classified Public Recreation/Wildlife Habitat and Agriculture/Settlement respectively. Because the selection area is adjacent to private lands and areas already approved to the borough, this amendment proposes to reclassify the selection area to Settlement under the new subunit number, 4F5. The PD proposes to postpone conveyance of a portion (depicted on the map) of the selection area because there is a trespass situation on it. Once the trespass issue is resolved, the state will work to convey the remainder of this selection.

Rex Bridge

This selection area is generally between the Parks Highway and the Nenana River. The Nenana River runs along the east side of the selection and the Parks Highway is to the west. Birch Creek bisects the selection area at the southern end. This selection occupies a portion of two subunits, 4F2 and 4R1, and both are classified Public Recreation/Wildlife Habitat. The amendment proposes to classify the selection area Public Recreation under new subunit numbers 4F6 and 4R6. The TBAP recognized that that this area was suitable to accommodate future needs of municipal government but did not classify the area in a conveyable classification. The proposed amendment classification meets this intent.

West

This selection area lies just north of the northeast boundary of Denali National Park, east of the Teklanika River and west of the Nenana River. The area is known to be important for winter caribou migration. For this reason consultation with the Department of Fish and Game occurred and the selection area being amended has been considerably scaled back to avoid any important caribou areas. The selection occupies a portion of subunit 4G2 classified Forestry & Wildlife Habitat. This amendment proposes classifying that area Resource Management using the new subunit of 4G3.

East

There are three parcels in this selection area. The first parcel, occupying a portion of subunit 4L1 and currently classified Public Recreation/Wildlife Habitat, is situated east of Tatlanika Creek and is bisected by the Kobi-Bonnifield Trail. The second parcel is south of the first along the west side of Tatlanika Creek. This parcel occupies a portion of subunit 4P1 and is classified Mineral/Wildlife Habitat. The current selection is just for section 24 of F010S004W but this amendment proposes to classify three additional sections to the north (depicted with a different pattern on the attached maps) in order to have additional lands classified appropriately should the borough's entitlement not be met with the current selections. The new classification for these sections will only apply if a subsequent municipal entitlement decision finds them suitable for conveyance. The final parcel in the area is southwest of the Wood River and east of the Bonnifield Trail. This parcel occupies a portion of subunit 4Q2 currently classified Wildlife Habitat. The areas selected were reviewed by agency staff for their mineral and habitat values and

found to be appropriate to reclassify. This amendment proposes to classify all of these parcels Resource Management using new subunit numbers 4L2, 4P3, 4Q4 respectively.

Slate Creek

The selection area lies along the Parks Highway east of Slate Creek and west of the Nenana River. Most of the selection area is classified Settlement but there is a portion, bisected by Little Panguingue Creek, in subunit 4F2 classified Public Recreation/Wildlife Habitat. Because this portion is adjacent to a settlement area and used for recreation, the amendment proposes to reclassify it to Public Recreation under the new subunit number 4F7.

Panguingue A

This selection is situated in the Eight Mile Lake area along both sides of Stampede Road. This area lies at the end of the improved portion of the road near an existing subdivision and is used for recreation. The area occupies a portion of subunit 4E1 currently classified Public Recreation/ Wildlife Habitat. This amendment proposes to reclassify the selection area to Public Recreation under the new subunit 4E2.

Panguingue B

This continuation of the Panguingue selection lies along the both sides of the Parks Highway and along the Stampede Road. Panguingue Creek bisects the area. The selection occupies a portion of subunit 4F2 now classified Public Recreation/Wildlife Habitat. Because this selection is surrounded by private and borough-owned land, this amendment proposes to reclassify that area along with some additional adjacent land that may be needed for future municipal conveyances to Public Recreation under the new subunit number 4F8. This new classification for the additional area would only apply if a subsequent municipal entitlement decision determines the area appropriate for conveyance. Amending this area now simplifies the subsequent finding process.

Healy

This selection area is adjacent to the Panguingue selection area occupying a portion of subunit 4F2 along both sides of the Parks Highway bisected by Dry Creek. The area is currently classified Public Recreation/Wildlife Habitat. Using the new subunit 4F9, this amendment proposes reclassifying the area to Public Recreation because of the existing settlement patterns.

Otto Lake

This selection area lies west of Otto Lake. Dry Creek runs through the middle of the selection. Most of the selection area is classified Settlement. There is a portion of subunit 4E1 within the selection area that is classified Public Recreation/Wildlife Habitat. This amendment proposes reclassifying that portion to Settlement under the new subunit 4E3 to conform with surrounding land use patterns.

Nenana Canyon

This selection runs along both sides of the Parks Highway and the Nenana River along the railroad in Nenana Canyon. There are many creeks that bisect the selection area

including Antler Creek, Coyote Creek, Dragonfly Creek, Eagle Creek, Fox Creek, Grizzly Creek & Hornet Creek. The selection occupies portions of subunits 4F2, 4R2, 4R3, and 4C2 currently classified Public Recreation/Wildlife Habitat. The selection also occupies a portion of subunit 4D1 classified Mineral/Wildlife Habitat. This amendment proposes reclassifying the entire area to Public Recreation under the new subunits 4F10, 4R7, 4D4 and 4C3 because of the high recreation values and the low probability of mineral potential.

Montana Creek

This selection is north of Montana Creek and east of the Parks Highway, the Nenana River and the railroad. Kingfisher Creek and Lynx Creek bisect the selection area. The selection occupies a portion of subunit 4C2 that is classified Public Recreation/Wildlife Habitat. Because of the high recreation values of the area and because this area is adjacent to borough-approved land, this amendment proposes to reclassify the area to Public Recreation under the new subunit 4C4. The map accompanying the amendment for this area shows a clarification of the boundaries for units 4C1a and 4R4 related to a June 2000 municipal entitlement decision. The reason for the clarification is described in more detail in the PD for the municipal entitlement released concurrent with this amendment.

Yanert

This selection is situated south of the Yanert and east of the Nenana River. The selection occupies portions of subunit 4C2 and 4R4 classified Public Recreation/Wildlife Habitat. Because the selection is an important recreation area adjacent to existing private and borough-approved lands, this amendment proposes to reclassify the area Public Recreation under new subunits 4C5 and 4R8.

Nenana River 1

This selection area lies north of Bruskana Creek and the Nenana River and east of the Parks Highway and the railroad. The area is currently classified Public Recreation/Wildlife Habitat and is part of subunit 4B1. This amendment proposes to reclassify the selection area Public Recreation under the new subunit 4B2. The selection area avoids important habitat areas making the Public Recreation classification appropriate.

Nenana River 2

This selection area is on the southern end of the Denali Borough along the Denali Highway and south of the Nenana River. Though this area is state-selected and has yet to be conveyed to the state, the TBAP included it as part of subunit 4B1 classified Public Recreation/Wildlife Habitat. This amendment proposes to reclassify the selection area to Public Recreation using the new subunit 4B3 because the area has high recreation values and the selection area avoids the river and other habitat areas. This new classification would only apply if the land is conveyed to the state and a subsequent municipal entitlement decision finds it appropriate for conveyance to the Denali Borough.

Alternative Courses of Action

There are two alternative courses of action. Alternative A is the no action alternative that would leave the current classifications in place resulting in entitlement lands not being approved for conveyance to the Denali Borough. Alternative B is to reclassify the areas of the municipal selections as this amendment decision describes in the ‘Proposed Plan Revisions’ section and as depicted on the accompanying maps.

Alternative A- Make no changes in the current area plan.

Under this alternative only land classified as Settlement or Resource Management would be conveyed to the Denali Borough. This alternative eliminates most of the valuable selected land that currently has a classification that does not allow conveyance to the borough. The borough would be forced to make selections of other lands that have very little value. Forcing the borough to select areas that are remote or that are of little value would not meet then intent of the Municipal Entitlement Act which is to provide land for community use and development.

Alternative B- Amend TBAP as provided in Table 2 and depicted on the attached maps.

Under this alternative, the TBAP would be revised to reclassify the municipal selection areas to a conveyable land use classifications for those selection areas determined to be appropriate for conveyance through the municipal entitlement decision process. This option also provides for reclassification of the Nenana River 2 area in advance of the land being conveyed to the state as well as reclassifies additional lands in the East & Panguingue areas that may be needed to satisfy future municipal selection acreage.

Recommendation

Alternative B is the preferred alternative. This alternative will enable conveyance of state land to the Denali Borough by reclassifying land to a conveyable category satisfying a significant portion of their municipal entitlement. The lands that are to be reclassified are identified in Table 2 and depicted on the attached maps. This reclassification is dependent however, on the Final Finding and Decision (FFD) finding that the selection areas are appropriate for conveyance to the Denali Borough. Accordingly, this alternative matches the plan amendment decision to the entitlement decision and would affect only those areas determined to be conveyable in the FFD. It also expedites subsequent entitlement decisions for the future conveyance areas of Nenana River 2, Panguingue, and East. The conversion to land use classifications is accomplished through the adoption of a Land Classification Order which is attached to this amendment.

Evaluation of AS 38.05.065(b) Requirements

This section of statute requires that certain factors be considered as part of a plan 'revision'. A plan amendment is considered a type of plan revision. These requirements were met and are noted below.

Multiple Use and Sustained Yield: Areas determined to be appropriate for conveyance were evaluated for multiple-use values and were found to be most appropriate for uses related to public recreation, resource management and settlement.

Evaluation of physical, economic, and social factors: These factors were considered in determining the plan designation and management intent for the area of the plan amendment. Some of the selection areas are appropriate for development while others have scenic and recreational values.

Planning and Classification for Settlement: The original TBAP determined appropriate areas for development within its planning area. Some of these areas are selected by the borough. In this plan amendment, the settlement classification was applied when the adjoining land use patterns were similar in character.

Land Inventory: A land inventory was prepared as part of the Plan Amendment and as part of the original development of the TBAP.

Alternative Present and Future Uses: This Amendment analyzed possible present and future uses in selection areas and determined many of these areas suitable for public recreation and settlement. In other instances the current classifications were determined to be appropriate reflecting habitat and resource values and no change was made.

Adjacent non-state lands: Some of the adjoining lands are owned by the Denali Borough, private individuals, the Bureau of Land Management and the National Park Service.

Potential conflicts between mining and surface uses: The Amendment areas were reviewed for their mineral potential and found to have little potential therefore little conflict is anticipated between mining and surface uses.

Public Participation: The public is being given the opportunity to comment on this proposal. Interdisciplinary considerations were evaluated during initial agency review of the proposal.

Authority to Proceed

Authority to proceed to public notice is appropriate and is authorized.

Bruce Rubin

5/30/08

Section Chief,
Resource Assessment and Development Section

Date

**Tanana Basin Area Plan
Draft Plan Amendment: Revisions to Plan**

The following table shows the current subunits and classification and the proposed new subunit numbers and classification. The areas of change are depicted on the attached maps.

Municipal Selection Location	Current Management Subunit	Current Classification	Proposed Management Subunit	Proposed Classification Change
Browns Court	4F2, 4F3	PUR, WHB, AGR, STL	4F5	STL
Rex Bridge	4F2, 4R1	PUR, WHB PUR, WHB	4F6, 4R6	PUR
West	4G2	WHB	4G3	RMG
East	4L1, 4Q2, 4P1	PUR, WHB, WHB WHB, MIN	4L2, 4Q4, 4P3	RMG
Slate Creek	4F2	PUR, WHB	4F7	PUR
Panguingue A	4E1	PUR, WHB	4E2	PUR
Panguingue B	4F2	PUR, WHB	4F8	PUR
Healy	4F2	PUR, WHB	4F9	PUR
Otto Lake	4E1	PUR, WHB	4E3	STL
Nenana Canyon	4F2, 4R2, 4R3, 4D1, 4C2	PUR, WHB PUR, WHB PUR, WHB MIN, WHB PUR, WHB	4F10, 4R7, 4R7, 4D4, 4C3	PUR
Montana Creek	4C2	PUR, WHB	4C4	PUR
Yanert	4C2, 4R4	PUR, WHB PUR, WHB	4C5, 4R8	PUR
Nenana River 1	4B1	PUR, WHB	4B2	PUR
Nenana River 2	4B1	PUR, WHB	4B3	PUR

The following Management Intent applies to all of the new units indicated above with the exception of the Nenana River 2 selection area, subunit 4B3.

Management Intent

Conveyance to the Denali Borough as part of its municipal entitlement is considered appropriate in this subunit if a municipal entitlement decision determines the area appropriate for conveyance. The new designations and subunit boundaries will only apply to those lands approved for conveyance to the Denali Borough. If this condition does not occur, the designation does not attach and the area retains its original classification and subunit configuration.

Below is the management intent for subunit 4B3, the Nenana River 2 selection area.

Subunit 4B3 - Management Intent

If this unit is conveyed to the state and the Denali Borough maintains their selections in this area, and if a subsequent municipal entitlement decision determines that these lands are appropriate for conveyance, then this designation attaches. If these conditions do not occur, the designation does not attach and the area retains its original classification and subunit configuration.

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

**Draft Land Classification Order
NO. NC-90-002A50**

- I. Name: Denali Borough Selections – Parks Highway and West Alaska Range
- II. The classification in Part III are based on a plan amendment (*date of approval of Plan Amendment will be inserted*) to the Tanana Basin Area Plan which affect portions of various Subunits within Subregion 4 of that plan.

Area Plan: Northwest Arctic Area Plan
Adopted () Revised (x) Dated _____

Management Plan:
Adopted () Revised () Dated _____

Site Specific Plan:
Adopted () Revised () Dated _____

III.	Legal Description	Acreage	Acquisition Authority	Existing Classifications	Classifications by this action
	See Maps	31,211	GS	See Maps & table 2 in the Amendment Decision	

- IV. These classifications are subject to the following condition: Only those lands determined to be appropriate for conveyance to the Denali Borough through a municipal entitlement decision will be reclassified.
- V. This order is issued under the authority granted by AS 38.04.065 and AS 38.05.300 to the Commissioner of the Department of Natural Resources. 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.

Classified: _____ Date: _____
Commissioner, Department of Natural Resources