

Appendix 4.

**PLAN
MODIFICATION**

APPENDIX 4

MODIFICATIONS OF AND EXCEPTIONS TO THE PLAN AS IT AFFECTS STATE LANDS

The goal of this land use plan is to produce maximum benefits from public land. To achieve this goal the plan strongly encourages multiple land uses. Primary uses designated by the plan are not the exclusive uses allowed to occur on public lands; designated secondary uses as well as other uses not specifically mentioned by the plan may occur if they are consistent with the management intent for the management unit in question and any applicable policies. In general the plan specifies the intent for the management of a particular resource or area and leaves the method for achieving this goal to the knowledge and creativity of staff implementing the plan.

Procedures for amendments to and minor modifications of the plan as it affects state lands are described below. Following this is a description of the procedures for making special exceptions to the plan to be used when modifications are not necessary or appropriate.

MODIFICATION OF PLAN

The land use designations, the policies, and the management guidelines of this plan may be changed if conditions warrant. The plan will be updated periodically as new data and new technologies become available and as changing social and economic conditions place different demands on public lands. The Department of Natural Resources and the Matanuska-Susitna Borough will jointly review proposed modifications of the plan.

A. Periodic Review

An interagency planning team, led by the Division of Research and Development, will coordinate periodic review of this plan at the request of the Commissioner of the Department of Natural Resources or the Mayor of the Matanuska-Susitna Borough. The plan review will include meetings with all interested groups and the general public.

B. Amendments

The plan may be amended. An amendment adds to or modifies the basic intent of the plan. Changes to the planned uses, policies, or guidelines constitute amendments. A proposal to change an agricultural area for disposal to residential use, or a proposal to sell land up to the river's edge where a guideline requires that a 300 foot buffer be retained in public ownership are examples of changes requiring amendment. Amendments require public notice and public hearings. They must be approved by the Commissioner. Management plans developed by the Division of Land and Water Management may recommend amendments to the plan. Amendments may be proposed by agencies, municipalities, or members of the public. Requests for amendments are submitted to the Anchorage office of the Division of Research and Development, Alaska Department of Natural Resources.

C. Minor Changes

A minor change is one which does not modify or add to the basic intent of the plan. Minor changes may be necessary for clarification, consistency, or to facilitate implementation of the plan. Minor changes do not require public review. Minor changes may be proposed by agencies, municipalities, or members of the public. Requests for minor changes are submitted to the Anchorage office of the Division of Research and Development, Alaska Department of Natural Resources.

SPECIAL EXCEPTIONS - DNR PROCEDURES

Exceptions to the provisions of the plan may be made without modification of the plan. Special exceptions shall occur only when complying with the plan is excessively difficult or impractical and an alternative procedure can be implemented which adheres to the purposes and spirit of the plan.

The Department of Natural Resources may make a special exception in the implementation of the plan through the following procedures:

- A. The District Manager of the Division of Land and Water Management shall prepare a finding which specifies the following:
 - 1. The extenuating conditions which require a special exception.
 - 2. The alternative course of action to be followed.
 - 3. How the intent of the plan will be met by the alternative.

- B. Agencies having responsibility for land uses with primary or secondary designations in the affected area and the Matanuska-Susitna Borough will be given an opportunity to review the findings. In the event of disagreement with the District Manager's decision, his decision may be appealed to the Director of the Division of Land and Water Management, and the Director's decision may be appealed to the Commissioner. If warranted by the degree of controversy, the Commissioner will hold a public hearing before making his decision. The public hearing may be held jointly with the Borough if appropriate.