

**STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER
NORTHERN REGION
Extension of 2009 Amended Administrative Decision
Rex Trail – RST 119, ADL 412566, ADL 401880
2012 Extension**

Management Action

In order to collect additional trail condition, vehicle use, and impact information, the DNR, DMLW Northern Region is extending the effective date of the 2009 Amended Decision to issue permits for certain rubber tracked vehicles heavier than 1500 lbs to travel on the Eastern Rex Trail. This extension constitutes a change from the 2009 amended decision and the 2010 and 2011 extension decisions by authorizing issuance of permits for the fall 2012 hunting season.

To be approved for a fall travel permit, off-road vehicles heavier than 1500 lbs must be equipped with rubber tracks, be Nodwell 110-sized or smaller, and may not pull wheeled or skid trailers. Individuals who wish to obtain a permit for the 2012 season must first apply to DNR. This extension will be implemented on August 29, 2012, and will remain in effect until April 15, 2013. All conditions as noted in the August 25, 2009 Amended Decision, the July 30, 2010 and August 1, 2011 extension decisions, and all other conditions and restrictions as noted in the original May 12, 2008 Administrative Decision remain in effect.

Vehicles (tracked or wheeled) weighing less than 1500 lbs dry weight will still be allowed to travel without the need for a permit.

Authority

These permits are being adjudicated pursuant to Alaska Statute 38.05.035(a) (powers and duties of the director), and Alaska Administrative Code 11 AAC 51 (easement management), Alaska Administrative Code 11 AAC 96.010 (uses requiring a permit), and Alaska Administrative Code 11 AAC 05.010 (fees).

Administrative Record

The administrative record for the proposed action consists of case files RST 119, ADL 401880, ADL 412566, The Tanana Basin Area Plan, DMLW Northern Region White Paper (Rex Trail – Resource Management Evaluation), the August 1, 2011 and July 30, 2010 Extensions of Administrative Decision, the August 25, 2009 Amended Rex Trail Administrative Decision, The May 12, 2008 Rex Trail Administrative Decision, and this decision.

The scope of this decision is limited to extending the effective date of the August 25, 2009 Amended decision (originally restricted to August 29, 2009 through April 15, 2010 and ultimately extended through to April 15, 2012) to continue through the 2012/2013 hunting season. The area affected by this decision is limited to the portion of the eastern Rex trail –which is unimproved and essentially a trail - between the intersection with ADL 415819 and the southern boundary of Fort Wainwright near the Wood River.

Background and Discussion

On May 12, 2008, DNR, DMLW Northern Region issued a management decision temporarily restricting summer and fall motorized travel on a portion of the Rex Trail (RST 119, ADL 412566 and ADL 401880) to vehicles with a curb weight of 1500 lbs or less, in order to slow the degradation of trail conditions, reduce the risks to public safety during trail travel, and to reduce the potential for more significant resource damage. This original decision noted that DNR recognizes the need for more comprehensive evaluation of trail conditions and the relative impacts caused by different types of vehicles, in order to evaluate long-term management options.

On August 25, 2009, this original decision was amended, allowing for issuance of permits to rubber tracked vehicles from 1500 lbs up to and including Nodwell RN 110 or similar sized vehicles during the fall 2009 hunting season. This amendment was designed, in part, to allow the Department to learn more

about vehicle use patterns and to monitor impacts of this additional use. To further this goal, the Department created a special Rex Trail permit application, established 10 monitoring sites and began to evaluate each site for trail condition, rutting occurrence and depth, and braiding. Measurements were collected both before and after the fall moose season; review and analysis of the data is ongoing.

The 2009 amended decision specified permit issuance for the 2009 hunting season only. The decision was twice extended (on July 30, 2010 and August 1, 2011) to issue permits through the 2010/2011 and 2011/2012 hunting seasons to enable continued monitoring of the test plots through additional hunting seasons in order to provide more comprehensive data about trail conditions over time.

In 2011, the Alaska State Legislature designated limited funding for DNR land stewardship management, including the Rex Trail. On July 26, 2011, DNR-DMLW applied for a Recreational Trails Program grant through the Alaska State Trails Program to obtain further funding to evaluate the feasibility of potential trail upgrades and/or reroutes, and to implement clearly beneficial upgrades or reroutes identified during that evaluation. DNR-DMLW's grant application was approved for \$100,000. DNR-DMLW intends to use a combination of stewardship and grant funds to identify and implement select feasible upgrades; however, no trail treatments are expected to be implemented before the 2012 hunting season.

DMLW NRO intends to continue test plot monitoring and trail condition data collection. Information gathered could be incorporated into future feasibility studies; therefore, maintaining consistency in the permitting conditions through the upcoming season would likely yield more meaningful information. Extending the effective date of the 2009 amended decision (with no changes to the permit requirements) will allow the Department to continue data collection in accordance with the 2009 test plot monitoring program under consistent vehicle use stipulations. This may aid the Department in effective data evaluation and management decision-making, consistent with DNR's goal of ensuring long-term access on the Rex Trail.

Decision

It is the decision of the Northern Region to extend the August 25, 2009 amended Administrative Decision to issue permits for certain rubber tracked vehicles heavier than 1500 lbs to travel on the Eastern Rex Trail. This extension will be implemented on August 29, 2012, and will remain in effect until April 15, 2013. All permit requirements and conditions as noted in the August 25, 2009 Amended Decision, the July 30, 2010 and August 1, 2011 extensions, and all other conditions and restrictions as noted in the original May 12, 2008 Administrative Decision remain in effect.

/s/
Chris Milles
Northern Region Manager
Department of Natural Resources, Division of Mining, Land & Water

8/8/2012
Date

A person affected by this decision may appeal it, in accordance with 11 AAC 02. Any appeal must be received by August 28, 2012 and may be mailed or delivered to Dan Sullivan, Commissioner, Department of Natural Resources, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska 99501; faxed to 1-907-269-8918, or sent by electronic mail to dnr.appeals@alaska.gov. This decision takes effect immediately. If no appeal is filed by the appeal deadline, this decision becomes a final administrative order and decision of the department on September 8, 2012. An eligible person must first appeal this decision in accordance with 11 AAC 02 before appealing this decision to Superior Court. A copy of 11 AAC 02 may be obtained from any regional information office of the Department of Natural Resources.