

APPENDIX

A. Chugach State Park Master Plan: Eagle River Planning Unit Development and Phasing Plan

The following are taken from the Chugach State Park Master Plan. The Eagle River Greenbelt was identified in the Master Plan as a "Planning Unit". A Phasing Development chart was included at the end of the Master Plan. Many of the facilities anticipated to be developed in Phase A are complete. The Eagle River Greenbelt Management Plan will continue to follow Master Plan phasing when possible.

PHASE A

- * Visitor Center and Ranger Station
- * Iditarod Trail and Eagle River Trailhead
- * Iditarod Trail (Visitor Center to Crow Pass)
- * Picnic Tables (Visitor Center)
- * Nature Trail and Canoe Portage (Visitor Center to River)
- * Eagle River Canoe Trail (Visitor Center to Power crossing above Eagle River Campground)
- * Picnic Area and Trailhead (Mile 11.1)
- * Canoe Take-out (Mile 9.3)
- * Canoe Take-out at Powerline
- * Canoe Take-out at Campground
- * Campground and Picnic Area Expansion

PHASE B

- * Cross-Country Ski Trails (Adjacent to Lion's Park)
- * Canoe Trail Access and Picnic Area (Mile 8.1)

PHASE C

- * South Fork Trailhead
- * South Fork Trail
- * Canoe Trail Access and Picnic Area (Mile 7.4)

PHASE D

- * Campground Picnic Area/Trailhead
- * Campground Trailhead
- * Trail (South Side of Eagle River)

B. Land Title Encumbrances: Documented and Undocumented

DOCUMENTED

- * (R/W #31) Easement to DOT&PF for Eagle River bridge crossing. Variable length and width. 21.6389 acres. DOT&PF project file A8428\53121.
- * (R/W #33) Easement to Matanuska Electric Association, Inc. for a transmission and distribution line. Parallels section line in Section 13, T14N,R2W,S.M. 15 feet on each side of pole centerline. Lies partially within R/W #31.
- * (R.W #35) Easement reserved to Eklutna, Inc. for a sewer and waterline crossing. Forty feet wide. This line is not built. It is involved in Corps of Engineer Permit #071-OYD-4-860429. Most of this alignment lies within Eklutna, Inc. R/W #31.
- * (R/W #26) Letter of Entry to ripen into a 10-foot wide permanent easement for a natural gas pipeline for ENSTAR Natural Gas Company.
- * (R/W #39 & 40) EIN 61 (BLM File #AA25016). This is a 100-foot wide electrical transmission easement extending easterly from Section 19, T14N,R1W,S.M. to Section 16, T14N,R1W,S.M. This powerline is often referred to as the Briggs Transmission Line.
- * A 30-foot wide (15 feet each side of centerline) electric distribution line for Matanuska Electric Association., Inc. within the S2NW4 of Section 21, T14N,R1W,S.M. The east-west leg of this line lies within the 100-foot wide easement identified as EIN 61.

- * A 200-foot wide floating easement across lands acquired by the state in accordance with this agreement in the SE4NE4 of Section 20 and SW4NW4 of Section 21, T14N,R1W,S.M. to accommodate a public road with bridge, and public utilities. If this easement is used, an as-built alignment will be provided and reduced down to a 100-foot wide easement.
- * EIN 1. A 60-foot wide easement for the Lower Eagle River Trail shown on the U.S.G.S. Quadrangle Map. This road extends from Section 24, T14N,R2W,S.M. easterly and southeasterly through Section 31, T14N,R1E,S.M.
- * The 17(b)(3) easement for EIN 1D9 reserved in Patent No 50-79-0094 will be expanded from the current 60-foot width to 100 feet where it passes through lands acquired by the state pursuant to this agreement to accommodate a future public road and public utilities. This easement can be adjusted to provide for a more desirable alignment.
- * EIN 59. A 60-foot wide easement for old Eagle River Road on the north side of the river. This old road is separate from the existing Eagle River Road that is upgraded and maintained by DOT&PF.
- * A right-of-way A-046425, twenty-five (25) feet each side of the centerline located in Sections 23,24,25, T14N,R1W,S.M. and Section 30,31,32, T14N,R1E,S.M. for an electric distribution line for the Matanuska Electric Association, Inc. This powerline parallels the Eagle River Road and in many instances lies within the road right-of-way.
- * Lands identified by Municipality of Anchorage permit 84-6003 in the SW4, Sec 18, T14N,R1W,S.M. shall remain available for use as a fill site for ten (10) years from the date of execution of this agreement. Use and restoration of this site shall conform to the conditions specified on the Municipality of Anchorage permit 84-6003.
- * Eklutna, Inc. reserves an access easement as follows: North 100 feet of the NE4SE4 and the north 100 feet of the east 100 feet NW4SE4, Section 22, T14N,R1W,S.M.

UNDOCUMENTED OR UNAUTHORIZED ENCUMBRANCES

- * The Eklund homestead litigation (A79-336 Civil) and Carr homestead litigation (A79-336 Civil) are within Section 32, T14N,R1E,S.M. These are homestead claims that were denied to the applicants by the Bureau of Land Management. The plaintiffs have lost in the District Court. The 9th Circuit Court affirmed the District Court, but a petition for rehearing is pending.

- * The Donnelly homestead dispute is within the E2 of Section 25, T14N,R1W, S.M. Donnelly also claims to have a right-of-land under 14(c)(1) of the Alaska Native Claims Settlement Act.

The Federal District Court has ruled against Donnelly on his claims, but has not yet entered an appealable judgement. However, Donnelly has already filed a Notice of Appeal to the 9th Circuit Court of Appeals.

- * The Lee homestead litigation is within the NW4 of Section 25, T14N,R1W,S.M. and has been joined with the Eklund and Carr cases referred to in (1) above. The Lee 14(c)(1) claim has been joined with the Donnelly case referred to in (2) above.

- * The McIntyre homestead litigation is within Section 23, T1N,R1W,S.M. McIntyre lost his claim for a homestead in the 9th Circuit Court. The District Court still has before it his claim under 14(c)(1) of the Alaska Native Claims Settlement Act. McIntyre has expanded his 14(c)(1) claim beyond the boundaries of his homestead claim.

- * There may be claims for right-of-access to homestead lands to the south of the ANCSA 17(b) easement EIN 1-9. The homesteaders built their roads long before ANCSA but the BLM did not reserve these lesser easements in the patent. Eklutna, Inc. does not have a list of who those users might be.

- * There appears to be a telephone line buried along the section line common to Section 13, T14N,R2W,S.M. and Section 19, T14N,R1W,S.M. Eklutna, Inc. has contacted the Matanuska

Telephone Association on many occasions to determine if they had an easement of record. None has been provided, however, they did apparently apply for an easement at one time.

C. Land Acquisitions (non-critical)

The following is a list of lands outside of the State Eagle River Greenbelt boundary that were recommended by the Municipality as non-critical acquisitions in an Assembly Memorandum (No. AIM 178-87) dated June 23, 1987.

1. (Eklutna, Inc.) part of Dena'ina Estates, a subdivision with preliminary plat approval (Case S-8482). One of the conditions of approval provides:

A final plat shall provide for a dedication of a 20-foot wide undisturbed vegetative easement from the tip of the bluff as depicted in the petitioner's Exhibit B/Site Slope Analysis and Buildable Areas, dated June 12, 1986. The building setback from the top of the bluff line is 30 feet.

No acquisition necessary. In the event this plat is not filed, similar buffering should be required on a different plat.

2. (Eklutna, Inc.) part of Dena'ina Estates, a subdivision with preliminary plat approval (Case S-8482). One of the conditions of approval provides:

A final plat shall reflect the splitting out of Tract A as depicted by the Municipal Community Planning Exhibit A - Reserve Tract and as reflected in the Municipal "Eagle River Greenbelt Plan," Map 1 of 4, Page 30, and which includes Phase 4 to be designated as a reserve tract for purposes of greenbelt acquisition according to a letter dated May 30, 1986 from the Municipality which states its intention to provide for acquisition.

This area 2 includes approximately 22 acres within the original identified Eagle River Greenbelt, known in the Dena'ina Estates plat as Phase IV. The original intention of the Municipality to acquire area 2 was based on the need to maintain a bicycle trail linkage for the greenbelt trail system on the south side of Eagle

River. Upon detailed field analysis, it is believed that the excessive slopes would make the provision of such linkage prohibitively expensive. Thus, it is now intended that a footpath be provided within the state-acquired greenbelt around area 2.

Consequently, the Municipality no longer has the intention of acquiring this area. The Municipality will initiate an amendment to the plat to remove the condition which called for the reserve tracking of the Phase IV area.

3. (Eklutna, Inc.) parts are critical for trail corridor and buffering. The demarcation line of the state acquisition area was based upon a possible trail corridor which was identified during the course of the boundary survey in 1986. The state acquisition area included a trail corridor, but no buffer area. However, the Municipality had previously identified a trail corridor with an adjoining buffer area on the north side of Eagle River. The Municipality-identified trail corridor and buffer areas were protected by special limitations placed on the zoning in 1984. Specifically, the R-3SL zone applicable to area 7 as per AO 84-101 Section 7, Paragraph 10 states:

Unless authorized as part of the Master Development Plan Review, development shall be prohibited between the mean high water of Eagle River and the trail corridor identified in Exhibit B, and within 150 feet of the northern boundary of the trail corridor. Deviation from the 150 feet vegetative buffer adjoining the trail corridor may be permitted. Such deviations shall only be authorized as part of the master Development Plan Review, and only if it can be demonstrated upon review of geotechnical, visual and noise information submitted by the applicant, that a lesser width would not jeopardize the design of the trail corridor and its associated vegetative buffer.

Nearly all of the Municipal-identified trail corridor along the north side of Eagle River in Section 17 and 18 is located within the state acquisition area. There are two parts of the trail corridor, however, which total approximately 1,770 feet, that are outside the acquisition area. They are located in the southeast quarter section of Section 18 and the southwest quarter section

of Section 17. The Municipality questions whether the trail can be located wholly within the state acquisition area given the dynamic physical characteristics of the area. Thus, while a couple portions of the trail corridor and much of the buffer area are outside the acquisition area, the Municipality intends to rely on the zoning special limitation to adequately resolve the location of the trail and dimension of the buffer area. It is essentially the same process for trail locating and buffer dimensioning that was done for the Innsbruck plat. Under that process, there is enough flexibility to resolve the difference between the two trial corridors in a practical manner.

In addition 11 additional areas were identified. Three as critical, which can be found in Section II, G4, plus eight that were recommended not to be acquired with no buffering necessary.

Finally, Municipal policy regarding those properties outside the state greenbelt acquisition area is:

- a. The Municipality reserves the right to separately acquire the three critical greenbelt lands (CBS property site, Bear Homestead property site, and South Fork Waterfall site) acknowledged in Section II, G4.
- b. The Municipality may use existing authorities in the review of subdivisions to acquire the three critical areas identified in 1. above, (AMC 21.80.100), and to dedicate trail easements on other lands, (AMC 21.80.060). No reserve tract will be designated without a reasonable expectation that sufficient funds will be available for Municipal purchase. This expectation and intent to purchase will be conveyed in writing to the Platting Board. Trail easement will not exceed a maximum width of 25 feet and will include the trails identified in the Greenbelt Plan Map (following page 30 in the Municipal Eagle River Greenbelt Plan). Additionally, connecting trails may be required to allow for access to the Greenbelt at approximately quarter-mile to half-mile intervals, or wherever practical and reasonable based upon future development patterns and physical features.
- c. The Municipality will work cooperatively with the

landowner to establish a building setback or buffer area which may contain the trail easement in order to separate trail users from adjacent developed uses.

D. EAGLE RIVER GREENBELT PLANNING TEAM MEMBERS

- * Mr. David Christy; Private Citizen
- * Mr. Dale Tubbs; Eklutna, Inc.
- * Mr. Hadley Jenner; Anchorage Municipality
- * Ms. Anne Ziesmer-Hays; Private Citizen
- * Mr. Dave Young; Chugach S.P. Citizens' Advisory Board
- * Mr. Harvey Engle; Eagle River Valley Community Council
- * Mr. Stan Carrick; DNR/DGGS (non-voting)
- * Mr. Cliff Eames; Alaska Center for the Environment
- * Mrs. Jean Marx; U.S. Army Corps of Engineers (non-voting)
- * Mr. Ron Godden; Alaska Snowmachine Association
- * Mr. Jerry Dunn; Knik Kanoers & Kayakers
- * Mr. Bruce Stafford; DNR/DLWM (non-voting)
- * Mr. Phil Brna; ADF&G/Habitat Division
- * Ms. Linda Wermers; South Fork Community Council
- * Ms. Sandy Kelly; Equestrian Community member

E. Acknowledgment

The Department of Natural Resources, Division of Parks and Outdoor Recreation would like to thank the Eagle River Greenbelt Planning Team members, staff members John S. Thiede and Diane Showalter, and all others who helped with the completion of this management plan.

F. Plat of Eagle River Greenbelt