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SENATE COMMITTEE REPORT
FIRST COMMITTEE OF REFERRAL

DATE: 1/21/91

FURTHER: Finance

Date of 5-Day Notice: _____
(in accordance with Uniform Rule 23)

DATE TURNED
INTO OFFICE: _____

Resources Committee considered SENATE BILL NO. 49

"An Act relating to the Tanana Valley State Forest."

and recommended:

- replace with _____ CS _____ same title
- attached amendment(s) new title
- _____ letter of intent adopted

- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to _____

ATTACHES NEW FISCAL NOTE(S):

Department(s)/Date:

Department(s)/Date:

- fiscal note(s) _____

- zero fiscal note(s) _____

appropriation-no fiscal note

Governor's bill w/fiscal note

SIGNING DO PASS:

OTHER RECOMMENDATIONS:

Chair: Signature and Recommendation



Alaska State Legislature

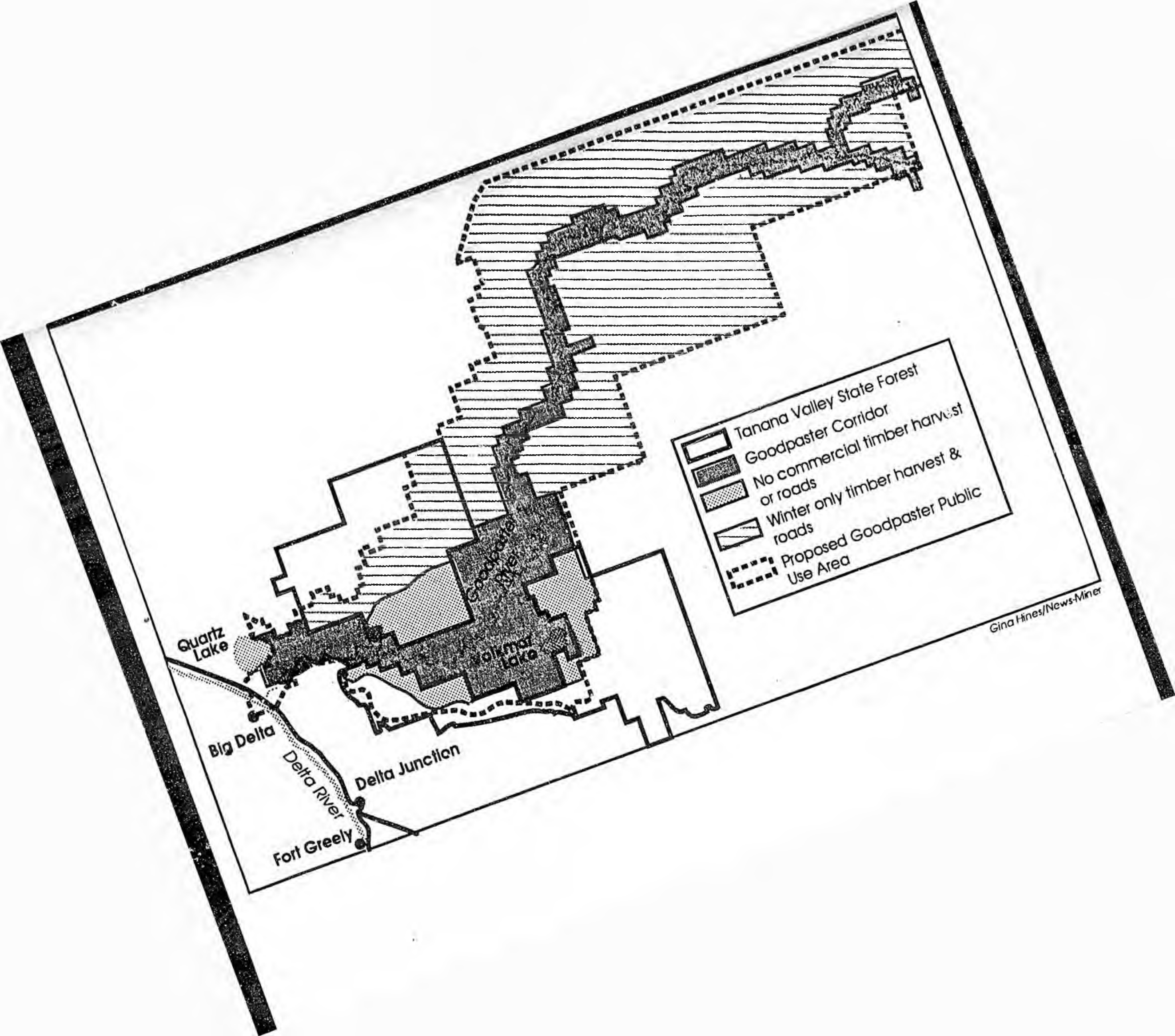
Please enter into the record my testimony to the House Resources
 committee name
Goodpaster Public
 committee on HB 94 - Use Area, dated February 21, 1991
 bill/subject

I wish to state that I oppose this bill for the following reasons: 1) Everything covered under "purpose" of this bill is already in place. The Fish & Game Dept. over the fish protection and Natural Resources over the land - timber cutting- road building - etc. 2) This lock-up area includes lands which have no impact on the Goodpaster River and therefore should not be included in the lock-up. There are more property owners on Quartz Lake than there are on the Goodpaster River - yet the rights of the Quartz Lake property owners will be denied by this lock-up, to protect the homes of the Goodpaster land owners. There may come a time when the Quartz Lake property owners will want a road around Quartz Lake to access their property. 3) Quartz Lake is some six miles from the Goodpaster River and a 500 foot ridge separates the Quartz Lake basin from the Goodpaster and Tanana River drainage. A Valdez Exxon cist oil spill could take place in Quartz Lake and not one drop of oil would find its way into either the Goodpaster River or the Tanana River. A major fire or logging project could occur in the Quartz Lake Basin and not one piece of debris would ever find its way into the Goodpaster or Tanana River. The property owners at Quartz are not, at present, thinking of building a road to their property, but this option should not be denied to them because home owners in another watershed want to exclude all others from their area. 4) I believe RS 7344 (Trails and Right-of-Ways), a federal law, requires that the Goodpaster trail remain open to the public and the public maintains the right to improve the trail for their use. This would lead one to believe that the Goodpaster winter trail is subject to be turned into a road if/when desired and/or necessary. I doubt the state has a right to close this trail/road and prevent its upgrading to a usable road. 5) Are the hundreds of Delta residents who signed petitions against this lock-up to be completely ignored in favor of a few land owners?

Signed: *Reston L. McGeer*
 Testifier

Self
 Representing (Optional)
2740 Old Bushland Hwy. Delta Junction
 Address

895-4668
 Phone No.



Gina Hines/News-Miner

Do not open

DIVISION OF LEGAL SERVICES

**LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

P.O. Box Y, Juneau, Alaska 99811
(907) 465-3867 or 465-2450
FAX (907) 465-2029

Deliveries to: 240 Main Street
Court Plaza, Room 500
Mail Stop 3101

MEMORANDUM

February 20, 1991

SUBJECT: Goodpaster Public Use Area (17-LS0447/A) (HB 94)

TO: Representative Mark Boyer
Attn: Alexis Miller

FROM: Jerry Luckhaupt *JEL*
Legislative Counsel

You have requested a sectional analysis of the above-referenced bill. Preliminary, please note that a sectional analysis should not be considered an authoritative interpretation of a bill--the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it relates to a particular set of circumstances, please advise.

Section 1.

AS 41.23.180 is a statement of the purpose of the bill and the establishment of the proposed Goodpaster Public Use Area.

AS 41.23.190 provides for the management of the proposed Goodpaster Public Use Area by the Department of Natural Resources. The commissioner of natural resources: (1) may issue a management plan for the area; (2) may not sell state land within the area; (3) may not allow construction of permanent year-round roads and shall take steps to reduce all terrain vehicle traffic; (4) may allow timber cutting as specified in the bill; and (5) may not manage the area as a unit of the state park system. Further, provisions allowing ADF&G and DPS access to the area and continuing their respective responsibilities in the area are included.

AS 41.23.200 provides a procedure for the restriction of incompatible uses of the area by the commissioner. Certain uses may not be restricted: (1) lawful sport and subsistence hunting, fishing, and trapping; (2) mineral entry; (3) traditional access except as limited in AS 41.23.180(1)-(4).

Representative Mark Boyer
February 20, 1991
Page 2

AS 41.23.210 designates the land of the proposed Goodpaster Public Use Area. There are two types of land, watershed land and river corridor land. Greater restrictions on use and development are provided for the river corridor land in AS 41.23.190(g).

GPL:gc
91-081.glc

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

WALTER J. HICKEL, GOVERNOR

400 WILLOUGHBY AVENUE
JUNEAU, ALASKA 99801-1796
PHONE: (907) 465-2400
FACSIMILE: (907) 586-2754

February 20, 1991

The Honorable Cliff Davidson, Chair
House Resources Committee
P.O. Box V
Juneau, AK 99811

Dear Representative Davidson:

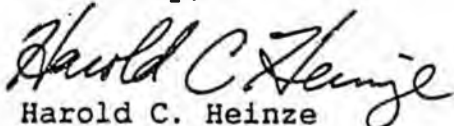
Subject: HB 94, which establishes the Goodpaster Public Use Area.

Position: We ask the Legislature to wait until the ongoing amendment process for the Tanana Basin Area Plan and the Tanana Valley State Forest Plan is completed before considering new legislative designations for this area. In addition, we ask the Legislature to consider placing an informal moratorium on the establishment of any new legislative designations until the mental health land trust problem is resolved and the land selection process is completed.

Background: This bill establishes a public recreation area in the Goodpaster River drainage, near Delta. Most of the same area is also considered for inclusion in the Tanana Valley State Forest under SB 49. The Department of Natural Resources recently reopened the Tanana Basin Area Plan and the Tanana Valley State Forest Plan to make them consistent in management intent for the Goodpaster area. The possibility of new legislative designations for this area will be considered during the planning process.

Recommendation: Defer action on this bill, at least until the planning process is completed.

Sincerely,


Harold C. Heinze
Commissioner

cc: Committee members
Representative Boyer
Senator Shultz
Bruce Kendall, Legislative Liaison, Office of the Governor
Carl Rosier, Commissioner, Department of Fish and Game

**STATE OF ALASKA
1991 LEGISLATIVE SESSION**

BILL NO. HB 94

Revision Date: Feb. 19, 1991 Department Affected: Natural Resources
 Title: Good Pasture Public Use Area BRU: Land & Water Management
 Components: Land & Water Management
 Sponsor: Representative Boyer
 Requestor: House Resources COMPONENT SERIAL NO. 431

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND&STRUCTURES						
GRANTS,CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of Current year impact: 0

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Carol Wilson Phone: 465-2400
 Division: Commissioner's Office Date: 19-Feb-91
 Approved by Commissioner: Harold Heinze Date: 19-Feb-91
 Agency: Department of Natural Resources

Distribution (by preparer) : Legislative Finance, legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

MEMORANDUM



Alaska Department of
**NATURAL
RESOURCES**

STATE OF ALASKA

TO: Gary Gustafson, Director
Division of Land & Water
Bob Dick, State Forester
Division of Forestry

DATE: January 3, 1991

FILE NO.:

TELEPHONE: 465-2400

FROM: Harold C. Heinze
Commissioner

SUBJECT: Goodpaster River
Reconsideration

Pursuant to 11 AAC 02.030, I have reconsidered the adoption decision for the Tanana Basin Area Plan's Goodpaster River Management Unit 7D. Because of the diversity and amount of public comment received during the last review period, I am remanding this matter to you for further proceedings. Please return this matter to the planning team for reconsideration, including additional public review as needed.

cc: Anna Plager, Project Manager

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF LAND AND WATER MANAGEMENT

WALTER J. HICKEL, GOVERNOR

3601 C STREET
P.O. Box 107005
ANCHORAGE, ALASKA 99510-7005
PHONE: (907) 782-2692

January 30, 1991

Mr. Edmond C. Packee
1977 Melanie Lane
Fairbanks, AK 99709

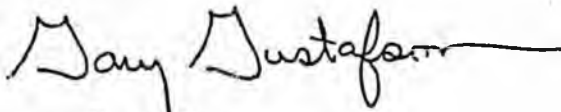
Dear Mr. Packee:

The commissioner has reviewed your request that he rescind the finding(s) of the former commissioner that the Tanana Basin Area Plan meets the requirements of AS 38.04.065 and 11 AAC 55.010.030. You also ask that he appoint a new project manager and revise the planning process.

The commissioner has remanded the Goodpaster River Management Unit decision, for further agency review and public involvement (attachment). The remainder of the plan remains in effect. As a result, we are now in the process of scheduling the particulars for reexamination of the Goodpaster River Management Unit portion of the plan. We will keep you notified.

Finally, I believe there is no justification at this time for alteration of either the planning process or project manager, rather, the process should be allowed to reach its proper conclusion.

Cordially,



Gary Gustafson
Director

cc: Governor Walter Hickel
Lieutenant-Governor Jack Coghill
Commissioner Harold Heinze
Senator Dick Shultz
Senator Bettye Fahrenkamp
Representative Tom Moyer
✓ Representative Mark Boyer
Representative John Gonzales
Bob Dick, DOF
Anna Plager, NRO

Attachment

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF LAND AND WATER MANAGEMENT

Steve Cowper
STEVE COWPER, GOVERNOR

NORTHERN REGION
3700 AIRPORT WAY
FAIRBANKS, ALASKA 99709-4013
PHONE: (907) 451-2700

The Commissioner of the Department of Natural Resources finds that the Tanana Basin Area Plan meets the requirements of AS 38.04.065 and 11 AAC 55.010-.030 for land use plans and hereby adopts the plan for Management Unit 7D. The Department of Natural Resources will manage state lands within the planning area consistent with this plan. The 1990 update of the Tanana Basin Area Plan amends the Tanana Basin Area Plan and supersedes the area plan adopted in 1985.

Rod Swope

Rod Swope, Commissioner
DEPARTMENT OF NATURAL RESOURCES

Nov 20 1990
Date

The Alaska Department of Fish and Game assisted the Department of Natural Resources in preparing the Tanana Basin Area Plan, 1990 Update. We appreciate the opportunity to represent fish and wildlife habitat, harvest, and public use values during the development of the plan. The Department of Fish and Game will use the plan as guidance when implementing its authorities and when reviewing and commenting on proposed uses of state lands in the planning area for Management Unit 7D.

Don Collinsworth

Don Collinsworth, Commissioner
DEPARTMENT OF FISH AND GAME

11.30.90
Date

Management Unit 7D

Goodpaster River

MANAGEMENT INTENT

General. This management unit will be retained in public ownership and managed for multiple use, with an emphasis on recreation and fish and wildlife values. The unit will remain open to mineral entry. The Goodpaster River corridor (Subunit 7D1) will be managed to maintain the existing character of the river. Special guidelines apply to surrounding forested land (Subunits 7D2 and 7D3) to minimize impacts of timber harvest and other activities on the river corridor.

DNR supports legislative designation for this management unit that is consistent with the management intent and guidelines of this plan.

Fish and Wildlife. This management unit is designated primary use fish and wildlife habitat. The Goodpaster River is one of only two known king salmon spawning streams in the upper Tanana drainage. The lowlands surrounding the river are wetland, providing year-round range and important calving grounds for moose. It also provides prime-rated habitat for black bears, furbearers, and waterfowl. Additionally, the upper stretches of the river provide prime-rated habitat for caribou, grizzly bear, and Dall sheep. The unit is predominantly rated as B1, with some B2 in the upper reaches of the river and at higher elevations (see *Glossary*).

Forestry. Timber harvest is an allowed use in Subunit 7D2, and a primary use in Subunit 7D3. The hillsides in this subunit are dominated by an extensive cover of white spruce saw and pole timber, with non commercial black spruce on the north slopes and high elevations. Timber harvest activities in this unit will maintain the existing character of the river corridor.

Within Subunit 7D1, timber harvest is restricted to personal-use harvest and salvage of burned or diseased timber. Timber sales for harvest of over 10,000 board feet are prohibited. No new roads may be constructed on state land for timber harvest in this subunit, or for access to timber harvest on other state lands (see access guideline below).

Within subunits 7D2 and 7D3, access will be limited to winter roads only (see access guideline below). Timber harvest will be designed to minimize impact to river scenery (see visual resources guideline below).

Minerals. The entire unit remains open to mineral entry. There is moderate to high mineral potential in this unit, particularly along the Eisenmenger Fork of the Goodpaster River, Tibbs Creek, and Michigan Creek. The only reported lode mining production in the Goodpaster District is from gold-antimony quartz veins near the head of Tibbs Creek. Active placer mining also occurs near the Goodpaster River at Central Creek, and along Tibbs Creek and its tributaries.

Recreation. Recreation is a primary use in subunits 7D1, 7D2, and 7D3. This management unit is designated primary use recreation. Much public recreation is related to hunting, fishing, and trapping. Recreation use also occurs by the landowners of the over 80 private parcels along the river. Good campsites exist along publicly owned stretches of the river.

To protect the existing character of the river, authorizations for commercial recreation activities on state land will be allowed if they are short-term and temporary. On the river corridor above Central Creek, a limited number of long-term authorizations for permanent commercial recreation facilities may be allowed. A limited number of public use cabins may be allowed along the river corridor if located to avoid conflicts with existing uses.

MANAGEMENT GUIDELINES

Management guidelines that apply to all state land are listed in Chapter 2. Some or all of those guidelines may apply to uses in this management unit. Special guidelines that apply only to this unit follow.

Access - Subunit 7D1. No new roads may be constructed on state land in this subunit, or across this unit for access to other state lands, except to access mining claims. Access routes to mining claims should avoid the corridor unless no feasible and prudent alternative exists.

Access - Existing Trails. The existing Goodpaster River Trail and Big Delta-Fortymile Trail can be used for traditional access (primarily winter use), but will not be upgraded to an all season road with unrestricted summer access.

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Access - Subunit 7D2 and 7D3. Construction of overland access routes in these management units will be limited to winter roads only (*see Glossary*). The access routes will be sited and managed to minimize possible use by ATVs in the summer. Specific actions that may be taken include:

- Require that winter use of the trail cross areas that are too wet to be passable in the summer, including across lakes or ponds wherever possible,
- Erect bollards or mounds, or dig a trench at the beginning of the trail to prevent summer use.

- All season roads will not be built to cross the Goodpaster River trail east of Quartz Lake (~~see management guidelines in units 7B and 7C~~).

Visual Impacts. Development activities within this unit shall be designed to minimize the visual impacts to the scenic values of the Goodpaster River Corridor (Subunit 7D1).

- Cutting units will be located so they minimize impacts on the viewshed from the river.
- There will be no timber harvest within a 200' leave strip along the Goodpaster River winter trail, except for the purposes of removing hazards.
- Cutting units and access shall be designed to blend into the natural landscape pattern. Type of harvest for cutting units will give consideration to topography and silvicultural requirements in meeting visual concerns. In the case of patch clearcuts, size and shape are recognized as primary concerns.
- Preliminary cutting unit design will be included in the Forest Management Report available for public and interagency review.

**LAND-USE DESIGNATION SUMMARY
MANAGEMENT UNIT 7D: GOODPASTER RIVER**

SUBUNIT	LAND USE DESIGNATIONS			COMMENTS
	Primary Surface Uses	Secondary Surface Uses	Subsurface ¹	
7D1 River corridor	Public recreation Wildlife habitat		Open	Land disposals Remote cabins New roads Commercial timber harvest
7D2	Public recreation Wildlife habitat		Open	Land disposals Remote cabins All-season roads in Goodpaster R. watershed
7D3	Forestry Public recreation Wildlife habitat		Open	Land disposals Remote cabins All-season roads in Goodpaster R. watershed

¹Subsurface designations refer to locatable minerals. All areas are available for leasing for leasable minerals, except as noted for coal.

²Other uses such as material sales, land leases, or permits that are not specifically prohibited may be allowed. Such uses will be allowed if consistent with the management-intent statement, the management guidelines of this unit, and the relevant management guidelines listed in Chapter 2.


A. M. Good

TANANA BASIN AREA PLAN



To: Planning Team Members
Special Distribution List (see other side)

Date: January 23, 1991

From: Anna Plager 
Project Manager

Re: Tanana Basin Area
Plan Update

Commissioner Heinze has decided to return the Management Unit 7D portion of the plan to the planning team for reconsideration (see attached memo). The rest of the plan remains in effect. I will be contacting prospective working group members to discuss process and participants for reconsidering Goodpaster.

We will probably delay the final printing of the plan until the Goodpaster reconsideration has been resolved. In the interim, we will have a library copy of TBAP (without Management Unit 7D) available that may be checked out or copied as needed. A newsletter will be sent to the TBAP general mailing list informing others of the plan adoption, the Goodpaster reconsideration, and the delayed printing.

Also enclosed is the final summary of planning team meeting #7.

Alaska Department of Natural Resources

Land & Resources Section
3700 Airport Way
Fairbanks, Alaska 99709
(907) 451-2700



Alaska Department of
**NATURAL
RESOURCES**

Distribution list:

Planning Team Members--

Matt Robus	ADFG
Diane Stevens	DCRA
Kris DuBois	DEC
Ed Arobio	DNR-Agriculture
Steve Clautice	DNR-Forestry
John Wood	DNR-Mining (alternate)
Mitch Henning	DNR-Mining
Kris O'Connor	DNR-Oil & Gas
Nancy Welch	DNR-Land & Water Management
Mike Lee	DNR-Parks & Outdoor Recreation
Norm Piispanen	DOT&PF
Tom Duncan	FNSB

Others--

Tom Bundtzen	DNR-DGGS (technical advisor)
Lisa Jaeger	TCC
Barry Haight	GRPHA
Ed Packee	
Steve Jones	Denali Borough Planning Committee
Gordon Mahar	Denali Wilderness Safaris
Richard Gumm	Common Ground-Alaska
Roger Burggraf	Alaska Miners Association
Jack McCombs	Salcha River Property Owners Association
Dick Shultz	State Senator
Bettye Fahrenkamp	State Senator
Mark Boyer	State Representative
Tom Moyer	State Representative

MEMORANDUM



Alaska Department of
**NATURAL
RESOURCES**

STATE OF ALASKA

TO: Gary Gustafson, Director
Division of Land & Water
Bob Dick, State Forester
Division of Forestry

DATE: January 3, 1991

FILE NO.:

TELEPHONE: 465-2400

FROM: Harold C. Heinze
Commissioner

SUBJECT: Goodpaster River
Reconsideration

Pursuant to 11 AAC 02.030, I have reconsidered the adoption decision for the Tanana Basin Area Plan's Goodpaster River Management Unit 7D. Because of the diversity and amount of public comment received during the last review period, I am remanding this matter to you for further proceedings. Please return this matter to the planning team for reconsideration, including additional public review as needed.

cc: Anna Plager, Project Manager

RECEIVED

01 JAN 10 AID: 29

DIV OF LAND & WATER
ANCHORAGE

TANANA BASIN AREA PLAN UPDATE
Planning Team Meeting #7

November 28, 1990
Department of Natural Resources Building, Fairbanks

Attendance

Anna Plager	DNR Tanana Basin Area Plan
Ed Fogels	DNR Tanana Basin Area Plan
Marty Welbourn	DNR DLW - Land and Resources
Nancy Welch	DNR Division of Land and Water
Steve Clautice	DNR Division of Forestry
Mike Lee	DNR Division of Parks and Outdoor Recreation
Ed Arobio	DNR Division of Agriculture
Matt Robus	Department of Fish & Game, Habitat Division
Norm Piispanen	Department of Transportation & Public Facilities
Diane Stevens	Department of Community and Regional Affairs
Tom Duncan	Fairbanks North Star Borough
Rick Solie	Senator Steve Frank's Office
Jack McCombs	Salcha River Property Owners Association
Chris Maisch	Menasha Corp.
Andy Miscovich	State Board of Forestry
Dick Shultz	State Representative
Roger Burggraf	
Edmond Packee	

The TBAP planning team and additional representatives as noted met in the DNR Conference Room from 1:00 pm to 5:30 pm on November 28.

PRELIMINARIES

The agenda was reviewed and revised to add time for comments from the public and other representatives present at the meeting. Anna distributed several handouts to the team, and asked everybody to take a few minutes to review them. She then asked the team for comments on the summary of planning team meeting #6. The following comments were offered:

- Diane said that the wording for the Traditional Uses section for the Subregion 2 summary was missing a sentence. She felt that the team had agreed to reword, not delete, the sentence pertaining to subsistence. Diane agreed to draft up some suggested wording for review.

- Diane suggested changing the paragraph referring to the recommendation to re-evaluate agriculture/settlement lands during the next update. The paragraph would begin "It was determined that..." instead of "The team agreed that..."
- Ed Packee asked the team if their decision to drop the salvage exemption for the Goodpaster corridor was based in part on the lack of access under their proposal. It was agreed that this did affect their decision, and the meeting summary should reflect this.
- Ed Packee asked that the wording for the discussion on proposed additions to the state forest be clarified. He felt that it was unclear that these additions were for the state forest. The team agreed that this should be clarified.

With these changes, the summary of planning team meeting #6 was approved.

PROPOSALS FROM PREVIOUS ISSUES

Buffers

The team discussed the proposed new buffer guideline. Norm wanted to ensure that this guideline would not interfere with highway maintenance. Ed Packee suggested that the word "protect" be changed to "maintain and enhance." The team agreed to the following wording:

A 300-foot buffer from centerline on each side of the roadway should be managed to maintain or enhance scenic views along the highway. Development activities such as timber harvesting and land-use authorizations may be allowed within this buffer if the activity is designed to maintain or enhance the scenic values of the highway corridor, and to provide opportunities for viewing background scenery. This guideline will not preclude highway maintenance and improvement.

Shorelands

The team reviewed the proposed text for Subregion 8 - Remnant Rivers. The following changes were agreed to:

- In the second paragraph of the management intent, the word "rivers" will be changed to "shorelands".
- A paragraph will be added explaining that no maps are included for this subregion, and that the TBAP Easement Atlas (when completed) will show most of the navigable rivers in the planning area.
- The guideline for Director's Policy 91-03 will be reworded to apply also to future amendments of that policy.

Settlement

Representative Shultz and Ed Packee both stated that Tok residents did not want additional state disposals in the Tok area as there was currently a glut of private property on the market. Nancy Welch said that DLW has stopped all over-the-counter sales in the Tok area in response to public input.

Anna distributed some proposed settlement wording for Chapter 1 and the Appendix. Anna noted that the Chapter 1 chart needs to be completed. The chart also needs an explanation that acreages offered in past sales are not included.

Diane asked that Chapter 1 wording on the distribution of land disposals be clarified. The team agreed to rewrite the last sentence in the second paragraph to say, "The department should offer land disposals in a variety of locations, within the constraints of public demand and available funding."

Nancy clarified the Appendix wording, changing "feasibility" to "physical capability" when considering problems that may eliminate projects (first sentence, third paragraph). The rest of the settlement text was approved by the team.

Except for one change, the team agreed to the proposed wording for the Chapter 4 recommendation for settlement evaluation during the next update. The paragraph will begin with "At a minimum, all settlement lands..."

Trails

After reviewing the proposed Chapter 4 Trails wording, the team agreed to several changes. The revised wording follows:

The original TBAP identified numerous important trails in the planning area and called for development of a plan for managing these trails. As an alternative to a management plan, the TBAP Update proposes that the trails listed in TBAP be mapped (see Appendix __, List of Important Trails in the Planning Area). A series of 1:250,000 scale maps showing these trails will be developed upon completion of this update. These maps will be made available to the public.

An interagency team should recommend if an easement or a publicly owned buffer should be used to maintain the integrity of each trail. The guidelines for Trail Management in Chapter 2 (PAGE ?????) will be used to determine whether buffers or easements should be used to maintain the integrity of these trails on a case-by-case basis.

The department is also preparing an atlas that will show where public easements provide access across private land to state and federal public land.

GOODPASTER

Anna reviewed the Goodpaster proposal that went out for the final notice, and asked the team if they had any questions or comments. Copies of the earlier planning team proposal (briefing paper 8/21/90) were also distributed.

Ed Packee voiced his objection to the meeting between Commissioner Swope and Barry Haight. Ed said that he was not allowed to participate in this meeting, and that because the final Goodpaster decisions were made at this meeting, the meeting should have been open to the public.

Diane Stevens said DCRA has to seriously consider the new comments from the City of Delta Junction and the Deltana Community Corporation in reviewing the Goodpaster proposal since this is the first time municipal or community organizations have formally expressed a position on this issue.

Representative Shultz gave a brief overview of the history of the Goodpaster issue, and read a letter that he sent to Commissioner Swope. Representative Shultz made the following points:

- Senator Fahrenkamp's Goodpaster legislation has never moved from committee, and never will. Usually legislators don't introduce legislation that affects land management in another legislator's district.
- Commissioner Swope's proposal is not a good one, and is a result of political pressure. The legality of the commissioner's proposal is questionable because the process circumvented certain people's involvement.
- He is confident that the Goodpaster decision will be turned around by the next administration.
- This issue can be resolved, but only if local communities are involved. Also, the planning team must hold meetings in Delta.

Representative Shultz thanked the team for their hard work on such a controversial issue. He expressed his hopes that the process will continue, and he felt confident that solutions can be reached.

Roger Burggraf voiced his opposition to the enlargement of the no-harvest/no-new access areas.

Chris Maisch said he was observing as a representative of the Menasha Corporation to get a better idea of how the state goes about making resource decisions.

Andy Miscovich, a member of the State Board of Forestry, said that it was the duty of the commissioner to manage the state's resources for the benefit of all Alaskans. Andy said that with his new proposal, the commissioner is not doing this.

Ed Packee, representing himself, made the following points:

- He is concerned about the process. Public input was ignored, and the process was flawed even before the planning team began their work.
- The commissioner's proposal does not provide recreation for "the common person." The common person cannot afford a large river boat to access the Goodpaster.
- The commissioner's proposal is designed to block access. Access is needed to utilize the fishery and recreation resources of the Goodpaster.
- The commissioner's proposal is a result of the Governor's paying back of favorites.
- No socio-economic study was done for this update, as required by statute.
- Each cubic foot of wood in the Delta area is worth \$8-\$10 in "value-added" products. This would be worth approximately \$100 million/year if a mill was located in Delta Junction.
- The plan should not be signed by the commissioner because an adequate analysis of the resources was not done.

Planning Team's Recommendations

The planning team unanimously agreed on the following points:

- There was not enough time to adequately review the comments received during the final notice period.
- There was strong public support for additional public review.
- The comments were diverse, and were not overwhelming toward either side.

The following are each agency's recommendations and comments on the Goodpaster proposals (the July planning team proposal mentioned below is the one summarized in the 8/21/90 briefing paper):

Division of Forestry

Steve felt that the team did not have enough time to adequately review all the comments received during the final notice. The team cannot make an informed decision without taking more time to review these comments.

The division generally supports the July planning team proposal, but feels that even this may need some work after additional public review before it can be finalized.

Department of Fish and Game

Matt also felt that we did not have enough time to review all the comments.

ADF&G supports the July planning team proposal. Eliminating timber harvest in the Goodpaster watershed will perpetuate unproductive habitat. Keeping a large block of land locked up is not the best scenario. Nature will take care of the habitat in the long-run, but the short-run best-scenario would be for ADF&G and DOF to work together to manage for more productive habitat. The planning team's proposal went a long way to achieving this. River boats are potentially more of a threat to habitat than the logging.

Department of Environmental Conservation

Although a representative from DEC was not present, Kris Dubois had communicated DEC's position to Anna before the meeting. DEC supports the July planning team proposal.

Division of Mining

Although a representative from DOM was not present, Mitch Henning had communicated DOM's position to Anna before the meeting. DOM takes no position on the proposals as long as mining access is protected.

There was some uncertainty among team members as to how any of the proposals would affect access to mining claims.

Division of Agriculture

DOA does not have a position on the proposals. As a planning team member, Ed Arobio supported the July planning team proposal. Also, he needed more time to review comments.

Department of Community and Regional Affairs

DCRA generally supports the July planning team proposal, but feels it may need some work after additional public review before it can be finalized.

Department of Transportation and Public Facilities

DOT&PF has not been very involved with this issue. Their only concern is that we don't lock ourselves into a RS2477 policy that we can't live with.

Division of Parks and Outdoor Recreation

DPOR's main concern was that the proposal that went out for final notice could hinder recreational development near Quartz Lake.

Fairbanks North Star Borough

FNSB has no position on the proposals. As a planning team member, Tom Duncan supports the July planning team proposal.

Division of Land and Water

DLW supports the proposal that went out for final notice, and emphasizes that the Goodpaster winter trail must remain open to existing uses.

Anna will communicate the planning team's recommendation to the commissioner in a briefing paper, along with all the comments and petitions received.

OTHER ISSUES (comments received during final notice period)

Salcha River

The planning team reviewed letters from Mr. Jack McCombs and the Salcha River Property Owners Association (SRPOA) regarding the proposed new forestry designation near the Salcha River. Mr. McCombs also spoke to the team in person. Both Mr. McCombs and the SRPOA said that the recreational values of the river are still threatened by this forestry designation, even though the designation has been pulled back an additional 1-2 miles from the river. Mr. McCombs and the SRPOA asked DNR to delete the forestry designation, or at a minimum restrict access to winter-only, through the state forest to the south.

Most team members were in favor of keeping the designation - the timber values need to be identified, and most of the recreation activity occurs in the river corridor away from the forestry land (Jack agreed with this). Diane felt we should drop the designation in response to public comments. After some discussion, it was agreed that the designation should remain, but that access should be restricted to winter-only, through the state forest to the south.

Marty suggested that the access guideline for this subunit should be prefaced with "To protect adverse impacts on the Salcha River..." There were no objections.

Minerals Designation

Anna asked the team to address Usibelli Coal Mine, Inc.'s letter. Usibelli commented that the Lignite Homestead area (Subunit 4D2) and part of the adjacent Subunit 4F2 (Public Recreation/Wildlife Habitat) both had very high coal potential. Usibelli recommended redesignating these areas to reflect the high coal potential. Anna has spoken with Mitch, who agrees that these areas have high coal potential.

Nancy agreed that we should not offer land for disposal if the area has high coal potential. She was reluctant to give up the area entirely, as there may be portions of the area that have lower coal potential and may be suitable for settlement. The team agreed to re-designate the settlement area (Subunit 4D2) to high-value resource management, with settlement, minerals, and wildlife habitat as important values. The small section of Subunit 4F2 will become part of Subunit 4D1 (Minerals/Wildlife Habitat).

Matt addressed Usibelli's comments regarding fish habitat in Lignite Creek. Matt said he reviewed the information on Dolly Varden and Grayling rearing areas near Lignite Creek, but concluded that the current plan wording was accurate, and should not be changed. There was no objection to this.

Toklat Springs

Ed Fogels briefed the team on the agreement on the road-prohibition within the Toklat Springs Subunit (301) reached by Norm and Matt: roads will still be prohibited within the Toklat Springs subunit, but a re-evaluation of this prohibition will be included in the Chapter 4 list of issues to address in the next update. There were no objections.

Miscellaneous

Ed Packee summarized his comments on the TBAP Update in general:

- Social and economic factors were not adequately addressed during the update process.
- The average person would have had a hard time following this process.
- TBAP needs more resource information available, perhaps in an appendix.
- The planning team has ignored the bark beetle issue. Foresters need the flexibility to go in and harvest an infested area before the trees are killed.
- DNR policy seems to have been to try and get around Article VIII of the State Constitution.
- The planning team needs to look at the overall productivity of the land when making decisions.

- The way the plan uses the term "forestry" makes it look like the bad guy. The term "forestry" should be replaced with "timber harvest."
- Ed hopes his comments can be used constructively, to improve the process.

Anna said that we will review Mr. Packee's detailed comment letter and correct any mistakes that he has pointed out. We will also include additional information such as updated population figures.

THE TEAM ADJOURNED AT 5:30 PM.

TANANA BASIN AREA PLAN



To: Planning Team Members
Special Distribution List (see other side)

Date: December 31, 1990

From: Anna Plager, Project Manager
Ed Fogels, Asst. Project Manager

Re: Tanana Basin Area
Plan Update

The final plan update was signed by the commissioners of DNR and DF&G on November 30, 1990. Our final briefing paper is enclosed for your information--you may want to use it to brief new administration people. The plan was signed by the commissioner in two parts: 1) the TBAP Update, without Management Unit 7D (the Goodpaster River Unit), and 2) Management Unit 7D only. A request for reconsideration of the entire plan has been submitted to Commissioner Heinze by Mr. Edmond Packee. We have not heard the commissioner's official response.

Also enclosed is the final summary for planning team meeting #6, and the draft summary for our last planning team meeting (#7). Please review meeting #7 summary carefully, especially to make sure your Goodpaster comments are correctly reflected. We need your comments by January 15th to prepare the final meeting #7 summary.

Alaska Department of Natural Resources

Land & Resources Section
3700 Airport Way
Fairbanks, Alaska 99709
(907) 451-2700



Alaska Department of
**NATURAL
RESOURCES**

Distribution list:

Planning Team Members--

Matt Robus	ADFG
Diane Stevens	DCRA
Kris DuBois	DEC
Ed Arobio	DNR-Agriculture
Steve Clautice	DNR-Forestry
John Wood	DNR-Mining (alternate)
Mitch Henning	DNR-Mining
Kris O'Connor	DNR-Oil & Gas
Nancy Welch	DNR-Land & Water Management
Mike Lee	DNR-Parks & Outdoor Recreation
Norm Piispanen	DOT&PF
Tom Duncan	FNSB

Others--

Tom Bundtzen	DNR-DGGS (technical advisor)
Lisa Jaeger	TCC
Barry Haight	GRPHA
Ed Packee	
Steve Jones	Denali Borough Planning Committee
Gordon Mahar	Denali Wilderness Safaris
Ron Swanson	DNR-Land & Resources
Marty Welbourn	DNR-Land & Resources
Dee Koester	DNR-Land & Resources
Dick Mylius	DNR-Land & Resources
Richard Gumm	Common Ground-Alaska
Roger Burggraf	Alaska Miners Association
Jack McCombs	Salcha River Property Owners Association
Dick Shultz	State Representative

TANANA BASIN AREA PLAN



1990 UPDATE

Goodpaster River Briefing Paper

December 10, 1990

Final Plan Proposal:

- Within the Goodpaster River Subunit-7D1 (approximately 119,000 acres), no timber harvest over 10,000 board feet and no new roads.
- Existing access, and access to mining claims will be allowed.
- No land disposals within the watershed.
- Within the watershed, timber harvest will be accessed by winter road only and will follow special scenic guidelines, and winter roads will be designed to minimize summer ATV use.
- DNR supports legislative designation for the Goodpaster River that is consistent with the management intent and guidelines in the final plan.

Final Notice Comments:

Supporting the final plan proposal were

- Goodpaster River Property Holders Association
- Salcha River Property Owners Association
- Alaska Center for the Environment
- Susitna Valley Association
- three individuals
- a petition with 1426 signatures
- a form letter with 219 copies

Supporters say this proposal would protect the entire watershed ecosystem; manage for all forest values, not just logging; reduce conflicts between logging and existing traditional uses; and better balance habitat and recreation values with existing agriculture and forestry development in the Delta region.

Opposing the final plan proposal were

- Deltana Community Corporation
- City of Delta Junction
- Tok Chamber of Commerce
- Tanana Valley State Forest Citizen Advisory Committee
- three individuals

(continued)

- a petition with 950 signatures
- two requests for additional public hearings
- resubmittal of an earlier petition of 227 signatures

Opponents of the proposal say that access is needed for other owners and resource uses; all season access is needed; more employment is needed; and the proposal wastes fire suppression investment, undermines the planning process and advisory committee work, and causes further friction without adequate review.

Planning Team Recommendations:

For the Goodpaster issue, the team agreed on three points:

- they need additional time to review the large volume of public comments received during the final period;
- the public comments were strongly divided;
- additional time is required for a more comprehensive public review of the final proposals (for example, City of Delta, Tok residents, and the Deltana Community Corporation requested additional public hearings).

The team did not reach a consensus on appropriate management and guidelines for the area. The departments of Fish & Game and Environmental Conservation were the only team members to officially oppose the final plan proposal. However, the planning team as a whole did not recommend the Goodpaster issue for adoption at this time. The majority of team members expressed more support for the original planning team proposal (July 1990) as better reflecting the diversity of public opinion. They expressed concern about the process and the changes made by the commissioner late in the process. This did not allow enough time for adequate public involvement and planning team review.

Final Decision:

The plan was adopted on November 30, 1990, with no changes to the Goodpaster River management.

Management Unit 7D

Goodpaster River

Management Intent

General. This management unit will be retained in public ownership and managed for multiple use, with an emphasis on recreation and fish and wildlife values. The unit will remain open to mineral entry. The Goodpaster River corridor (Subunit 7D1) will be managed to maintain the existing character of the river. Special guidelines apply to surrounding forested land (Subunits 7D2 and 7D3) to minimize impacts of timber harvest and other activities on the river corridor.

DNR supports legislative designation for this management unit that is consistent with the management intent and guidelines of this plan.

Fish and Wildlife. This management unit is designated primary use fish and wildlife habitat. The Goodpaster River is one of only two known king salmon spawning streams in the upper Tanana drainage. The lowlands surrounding the river are wetland, providing year-round range and important calving grounds for moose. This management unit also provides prime-rated habitat for black bears, furbearers, and waterfowl. Additionally, the upper stretches of the river provide prime-rated habitat for caribou, grizzly bear, and Dall sheep. The unit is predominantly rated as B1, with some B2 in the upper reaches of the river and at higher elevations (see Appendix A, *Glossary*).

Forestry. Timber harvest is an allowed use in Subunit 7D2, and a primary use in Subunit 7D3. The hillsides in this subunit are dominated by an extensive cover of white spruce saw and poletimber, with non commercial black spruce on the north slopes and high elevations. Timber harvest activities in this unit will maintain the existing character of the river corridor.

Within Subunit 7D1, timber harvest is restricted to personal-use harvest and salvage of burned or diseased timber. Timber sales for harvest of over 10,000 board feet are prohibited. No new roads may be constructed on state land for timber harvest in this subunit, or for access to timber harvest on other state lands (see access guideline below).

Within subunits 7D2 and 7D3, access will be limited to winter roads only (see access guideline below). Timber harvest will be designed to minimize impact to river scenery (see visual resources guideline below).

Minerals. The entire unit remains open to mineral entry. There is moderate to high mineral potential in this unit, particularly along the Eisenmenger Fork of the Goodpaster River, Tibbs Creek, and Michigan Creek. The only reported lode mining production in the Goodpaster District is from gold-antimony quartz veins near the head of Tibbs Creek. Active placer mining also occurs near the Goodpaster River at Central Creek, and along Tibbs Creek and its tributaries.

Recreation. Recreation is a primary use in subunits 7D1, 7D2, and 7D3. This management unit is designated primary use recreation. Much public recreation is related to hunting, fishing, and trapping. Recreation use also occurs by the landowners of the over 80 private parcels along the river. Good campsites exist along publicly owned stretches of the river.

To protect the existing character of the river, authorizations for commercial recreation activities on state land will be allowed if they are short-term and temporary. On the river corridor above Central Creek, a limited number of long-term authorizations for permanent commercial recreation facilities may be allowed. A limited number of public use cabins may be allowed along the river corridor if located to avoid conflicts with existing uses.

Management Guidelines

Management guidelines that apply to all state land are listed in Chapter 2. Some or all of those guidelines may apply to uses in this management unit. Special guidelines that apply only to this unit follow.

Access - Subunit 7D1. No new roads may be constructed on state land in this subunit, or across this unit for access to other state lands, except to access mining claims. Access routes to mining claims should avoid the corridor unless no feasible and prudent alternative exists.

Access - Existing Trails. The existing Goodpaster River Trail and Big Delta-Fortymile Trail can be used for traditional access (primarily winter use), but will not be upgraded to an all season road with unrestricted summer access.

Access - Subunit 7D2 and 7D3. Construction of overland access routes in these management units will be limited to winter roads only (*see Glossary*). The access routes will be sited and managed to minimize possible use by ATVs in the summer. Specific actions that may be taken include:

- Require that winter use of the trail cross areas that are too wet to be passable in the summer, including across lakes or ponds wherever possible,

-
- Erect bollards or mounds, or dig a trench at the beginning of the trail to prevent summer use.
 - All season roads will not be built to cross the Goodpaster River trail east of Quartz Lake.

Visual Impacts. Development activities within this unit shall be designed to minimize the visual impacts to the scenic values of the Goodpaster River Corridor (Subunit 7D1).

- Cutting units will be located so they minimize impacts on the viewshed from the river.
- There will be no timber harvest within a 200' leave strip along the Goodpaster River winter trail, except for the purposes of removing hazards.
- Cutting units and access shall be designed to blend into the natural landscape pattern. Type of harvest for cutting units will give consideration to topography and silvicultural requirements in meeting visual concerns. In the case of patch clearcuts, size and shape are recognized as primary concerns.
- Preliminary cutting unit design will be included in the Forest Management Report available for public and interagency review.






LAND-USE DESIGNATION SUMMARY MANAGEMENT UNIT 7D: GOODPASTER RIVER

SUBUNIT	LAND USE DESIGNATIONS			COMMENTS
	Primary Surface Uses	Secondary Surface Uses	Subsurface ¹	
7D1 River corridor	Public recreation Wildlife habitat		Open	Land disposals Remote cabins New roads Commercial timber harvest
7D2	Public recreation Wildlife habitat		Open	Land disposals Remote cabins All-season roads in Goodpaster R. watershed
7D3	Forestry Public recreation Wildlife habitat		Open	Land disposals Remote cabins All-season roads in Goodpaster R. watershed

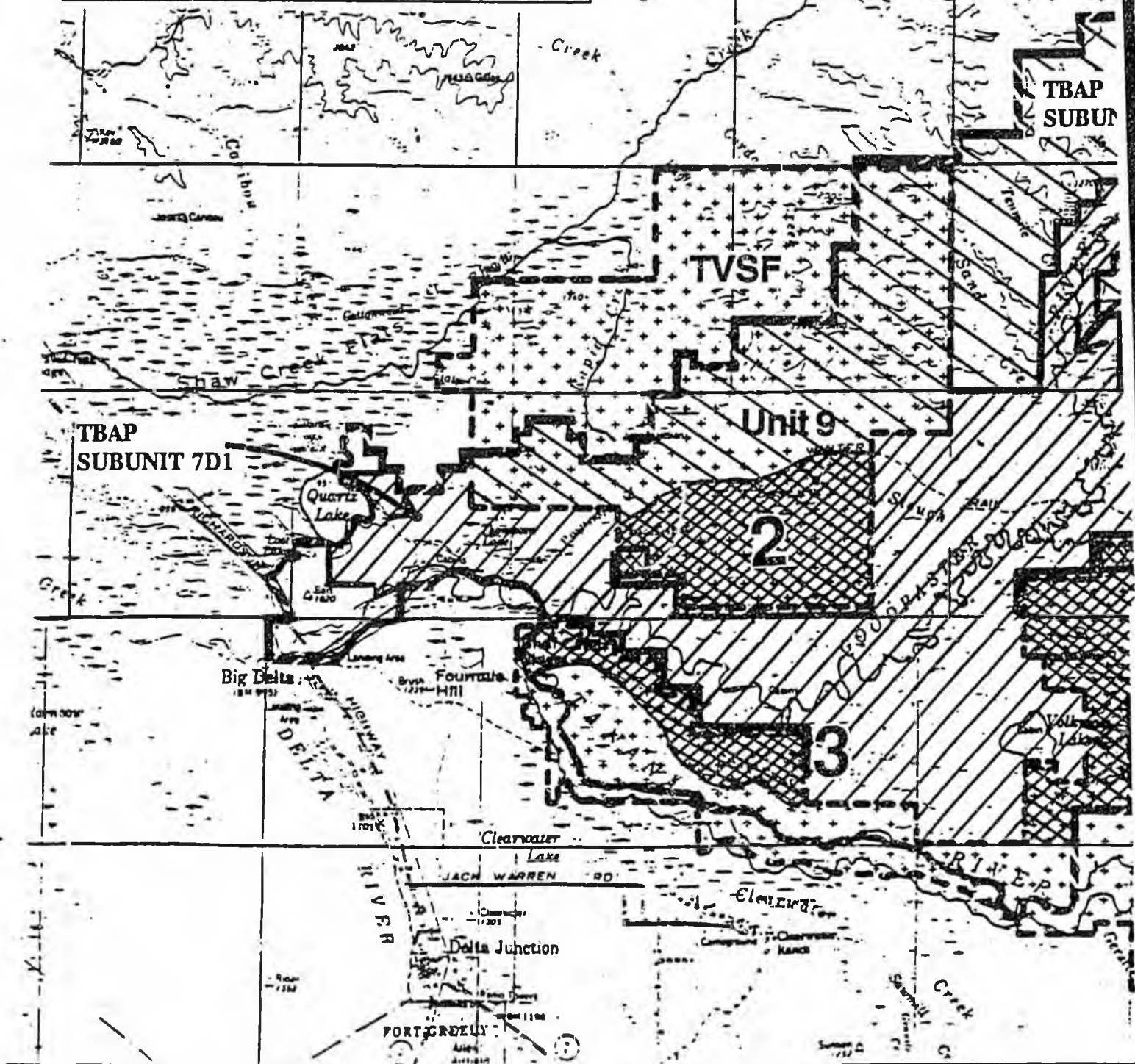
¹Subsurface designations refer to locatable minerals. All areas are available for leasing for leasable minerals, except as noted for coal.

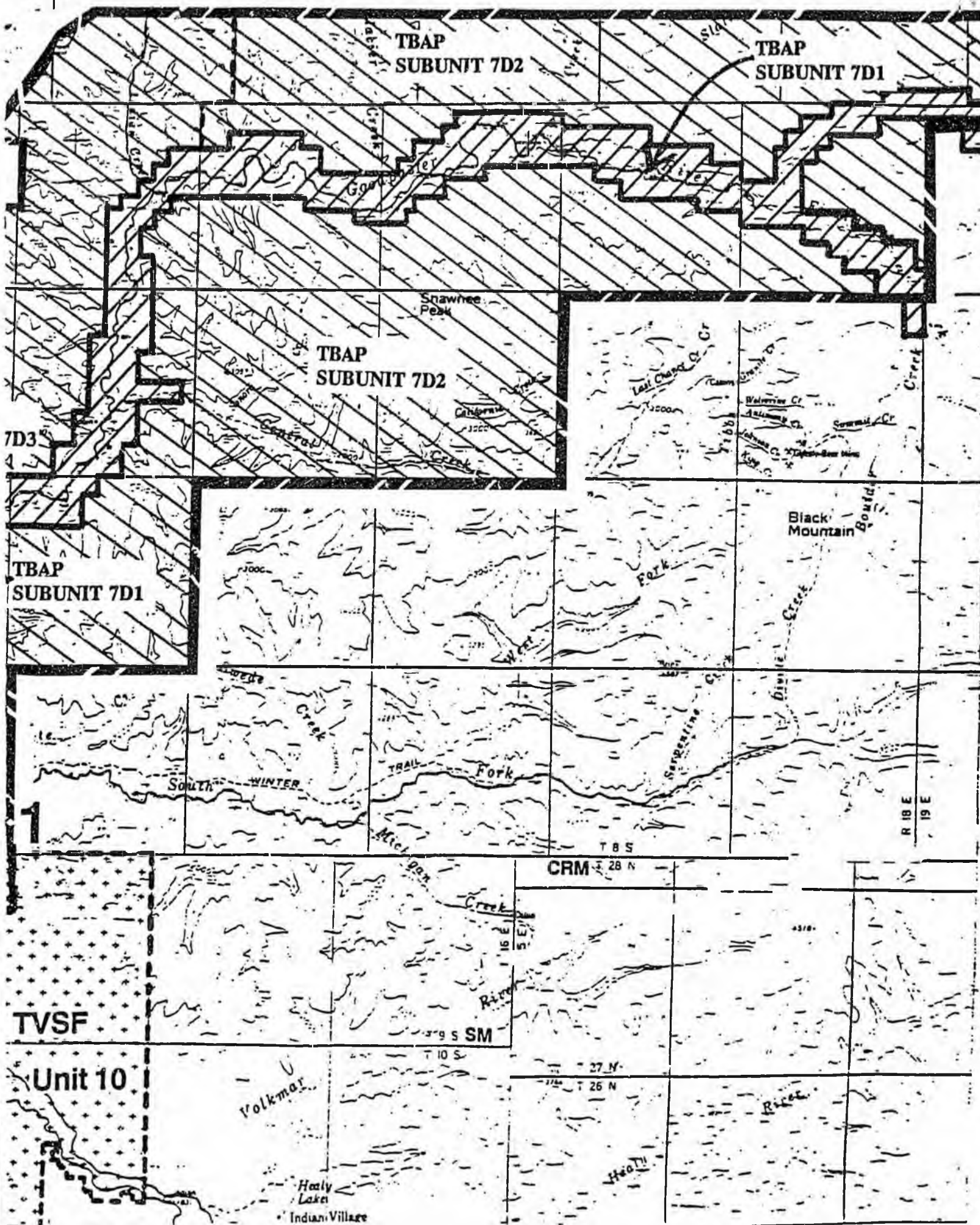
²Other uses such as material sales, land leases, or permits that are not specifically prohibited may be allowed. Such uses will be allowed if consistent with the management-intent statement, the management guidelines of this unit, and the relevant management guidelines listed in Chapter 2.

LEGEND

-  Tanana Valley State Forest
-  Goodpaster River Corridor
-  Limited Harvest & Access Areas
(3 numbered on map)
-  Proposed Goodpaster Public
Use Area (SB 167)
-  Winter Only Harvest & Access

Scale: 1:250,000





TANANA BASIN AREA PLAN



1990 UPDATE

Briefing Paper

December 7, 1990

Issue

Adoption of the Tanana Basin Area Plan 1990 Update

Background

The process has been:

- | | |
|---------------------|-------------------------------------|
| * Spring 1989 | Issues identified |
| * Summer, Fall 1989 | Collect data |
| * Winter 1989-90 | Propose plan revisions |
| * Spring 1990 | Conduct public review |
| * Summer 1990 | Review comments; prepare final plan |
| * Fall 1990 | Conduct final review |
| * November 30, 1990 | Plan update adopted |

Comments received October 20, 1990 - November 26, 1990

Few comments were received on most of the major issues addressed in the plan update. The management of the Goodpaster River area remains the most controversial issue, and it generated considerable public comment.

Goodpaster River comments

Supporting the revised proposal described in the 30-day final notice were

- Goodpaster River Property Holders Association
- Salcha River Property Owners Association
- Alaska Center for the Environment
- Susitna Valley Association
- three individuals
- a petition with 1426 signatures
- a form letter with 219 copies

Supporters say this proposal would protect the entire watershed ecosystem; manage for all forest values, not just logging; reduce conflicts between logging and existing traditional uses; and better balance habitat and recreation values with existing agriculture and forestry development in the Delta region.

Opposing the revised proposal described in the 30-day final notice were

- Deltana Community Corporation
- City of Delta Junction

(continued)

- Tok Chamber of Commerce
- Tanana Valley State Forest Citizen Advisory Committee
- three individuals
- a petition with 950 signatures
- two requests for additional public hearings
- resubmittal of an earlier petition of 227 signatures

Opponents of the proposal say that access is needed for other owners and resource uses; all season access is needed; more employment is needed; and the proposal wastes fire suppression investment, undermines the planning process and advisory committee work, and causes further friction without adequate review.

Final changes proposed by Planning Team

Except for the Goodpaster issue, the planning team agreed to a few final changes to the area plan update, and recommends its approval.

For the Goodpaster issue, the team agreed on three points:

- * the team recognized the commissioner's deadline for signing the plan, but said they need additional time to review the large volume of public comments received during the final period;
- * the public comments were strongly divided;
- * additional time is required for a more comprehensive public review of the final proposals (for example, City of Delta, Tok residents, and the Deltana Community Corporation requested additional public hearings).

The team did not reach a consensus on appropriate management and guidelines for the area. The departments of Fish & Game and Environmental Conservation were the only team members to officially oppose the revised proposal described in the 30-day final notice. However, the planning team as a whole did not recommend the Goodpaster issue for adoption at this time. The majority of team members expressed more support for the original planning team proposal as better reflecting the diversity of public opinion. They expressed concern about the process and the changes made by the commissioner late in the process. This did not allow enough time for adequate public involvement and planning team review.

TANANA BASIN AREA PLAN



BRIEFING PAPER: TANANA BASIN AREA PLAN UPDATE

December 5, 1990

Purpose To update the area plan for 14 million acres of state-owned and state-selected land in the Tanana Basin. The update

- Incorporates new resource information;
- Clarifies plan decisions for confusing or unclear policies; and
- Resolves specific issues in known problem areas.

Major Issues Over 15 major issues were addressed, including:

- New state selections review
- Nenana River corridor management
- Goodpaster River watershed management
- Recommended legislative and administrative designations
- Delta-Salcha Area Plan update
- Consistency with the Fairbanks North Star Borough Comprehensive Plan and Recreational Trails Plan

Process	Spring 1989	Issues identified
	Summer, Fall 1989	Data collected
	Winter 1989-90	Plan revisions proposed
	Spring 1990	Public review conducted
	Summer 1990	Comments reviewed; draft plan prepared
	Fall 1990	Final review conducted; changes adopted

Participants The Planning Team consists of representatives from the divisions of the Department of Natural Resources, the Department of Community and Regional Affairs, the Department of Environmental Conservation, the Department of Fish and Game, the Department of Transportation and Public Facilities, and the Fairbanks North Star Borough.

Throughout the process, planning staff met with representatives from local governments, Native corporations and organizations, interest groups, and individuals. The general public reviewed proposed changes at public meetings in the spring of 1990, and were welcome at all planning meetings. Special community meetings were held in the Nenana and Goodpaster river areas to address specific issues.

Current Step Following the public meetings in Spring 1990 and the public comment period, the plan was revised. The final 30-day public notice was held in Fall 1990, final changes were made and the plan was signed by the commissioners of DNR and DF&G on November 30, 1990. The updated plan will guide management of state land within the planning area. The plan can be modified and amended as needed in response to new information or changing demands.

Trustees for ALASKA

A Non-Profit, Public Interest, Environmental Law Firm

VIA TELEFAX

29 January 1991

Harold C. Heinze
Commissioner
Alaska Department of Natural Resources
400 Willoughby Ave
Juneau, Alaska 99801

Re: Lack of Authority - Goodpaster River Reconsideration

Dear Mr. Heinze:

Trustees for Alaska ("Trustees") recently received a copy of your January 3, 1991, memorandum to Gary Gustafson, Director Division of Land & Water and Bob Dick, State Forester, Division of Forestry, ordering reconsideration of the Tanana Basin Area Management Plan's Goodpaster River Management Unit 7D ("Goodpaster River Portion"). You cite 11 AAC 02.030 as authority for ordering this reconsideration. This provision (11 AAC 02.030) does not provide you with the authority to grant or decide "appeals" from or to reconsider Commissioner Swope's November 30, 1990 decision regarding any portion of the Tanana Basin Area Plan. Trustees urges you to read this letter carefully and suggests you promptly correct your erroneous application of the law in this area.

YOU HAVE NO AUTHORITY TO GRANT OR DECIDE AN APPEAL FROM COMMISSIONER SWOPE'S NOVEMBER 30, 1990 DECISION

You have no authority to grant an "appeal" from a previous commissioner's decision. The applicable regulation states:

A person adversely affected by a decision made by or with the written concurrence of the commissioner, which is the final administrative decision, may either (1) seek reconsideration in accordance with 11 AAC 02.020, or (2) appeal to superior court in accordance with the rules of court and to the extent permitted by applicable law. Any right to a judicial appeal is not affected by the failure to seek reconsideration.

11 AAC 02.010(d) (emphasis supplied). From this language, it is clear that there is no administrative "appeal" from a decision of a commissioner. Rather, any person claiming to be adversely

1

affected must either (1) seek administrative reconsideration from the commissioner based on new or additional information;¹ or (2) seek judicial review of a commissioner's decision in Superior Court. Id. Except for reconsideration pursuant to 11 AAC 02.020, all administrative remedies (including administrative appeals) are by law not available for decisions made by the commissioner. As applied to Commissioner Swope's decision, an aggrieved person would have had to request reconsideration or file an appeal in Superior Court.

The finality of Commissioner Swope's decision is echoed in the definitions section of the regulations. Specifically, "appeal" is defined to be "a request to a director or the commissioner to review a subordinate's decision." 11 AAC 02.080(1) (emphasis supplied). In signing the November 30, 1990 decisions adopting the Tanana Basin Area Plan, including the Goodpaster River Portion, Mr. Swope acted in his capacity as commissioner of the Alaska Department of Natural Resources, the position you now hold. In this capacity, Commissioner Swope's decision is not a "subordinate's decision" within the meaning of 11 AAC 02.080(1). In short, you have no authority to grant or decide an "appeal" from Commissioner Swope's decision pursuant to 11 AAC 02.030. Thus, any person claiming that he or she was adversely affected by Commissioner Swope's decision must either seek reconsideration from you or judicial review from a Superior Court.

YOU HAVE NO AUTHORITY TO ORDER RECONSIDERATION OF COMMISSIONER SWOPE'S NOVEMBER 30, 1990 DECISION

Your authority to order reconsideration is highly limited and in this case, you have no authority to order reconsideration of Commissioner Swope's November 30, 1990 decision.

The applicable regulation states that "[a] person adversely affected by a decision made by . . . the commissioner may request the commissioner to reconsider the decision if the person has new or additional information relevant to the decision."² 11 AAC

¹ 11 AAC 02.020(a). See discussion of this section in the text below.

² As a fundamental matter, there is no indication in your memorandum that any "new or additional information" was brought to your attention which indicated that reconsideration was necessary. Your memorandum merely recognized the fact that the Goodpaster River Portion of the Tanana River Plan has been the subject of considerable and diverse public comment. This is an obvious fact which was certainly known to Commissioner Swope and the department at the time the November 30, 1990 decision was rendered. Absent legal justification, there is no authority for a new administration

02.020(a). Moreover, the regulations instruct that a "request for reconsideration must be received by the commissioner within 20 calendar days after the date of delivery of the decision as determined under 11 AAC 02.040(c) and (d)." Id. at 02.020(b).

To avoid confusion, the regulations explicitly define the term "date of delivery of a decision" in the following manner:

(d) If the appellant is a person to whom the department did not deliver a decision by personal service or registered or certified mail, the date of delivery is considered to be the . . . date the decision was signed.

Id. at 02.040(d).

The regulations dictate:

The commissioner will . . . order or deny reconsideration within 30 calendar days after the date of delivery of the decision as determined by . . . 11 AAC 02.040(d). If the commissioner takes no action during the 30-day period, the request for reconsideration is considered denied. Denial of a request for reconsideration is the final administrative decision of the department for purposes of appeal to superior court.

Id. at 02.020(c) (emphasis supplied).

In the present case, Commissioner Swope signed his decision on November 30, 1990. The Department of Natural Resources did not personally serve any person requesting reconsideration in this case. Nor did the Department of Natural Resources provide any person requesting reconsideration with a copy of Commissioner Swope's decision by registered or certified mail. Thus, the controlling date of delivery of Commissioner Swope's decision is November 30, 1990, the date the decision was signed. 11 AAC 02.040(d). Therefore, you had thirty calendar days from November 30, 1990, or until December 30, 1990, in which to order reconsideration of Commissioner Swope's decision. In light of the fact that December 30, 1990, fell on a Sunday, however, you would have had until the following Monday, December 31, 1990, to order reconsideration of Commissioner Swope's decision. You failed to order reconsideration by that date and your failure to order reconsideration by December 31, 1990 renders a request for

to order reconsideration of a previous commissioner's decision.

reconsideration denied by operation of law.³ Thus, after December 31, 1990, a person claiming that they were "aggrieved" by the decision would have only one option -- to file an appeal in the Superior Court seeking judicial review of Commissioner Swope's decision.

We hope this letter has provided some guidance on the law in this area and urge you to contact Trustees if you have any questions concerning this letter or any other matter. Trustees assumes your action was an oversight and expects you to address your misapplication of the law in the immediate future.

Truly,


Sharon A. Sturges
Staff Attorney

cc: Gary Gustafson, Director Division of Land & Water
Bob Dick, State Forester Division of Forestry
Anna Plager, Project Manager
Ed Fogels, Asst. Project Manager

³ Even assuming December 31, 1990, and January 1, 1991, were state recognized holidays, your authority to order reconsideration expired on January 2, 1991, and since you did not order reconsideration by that time, any request for reconsideration would be deemed denied by operation of law.

4/11/1991

GOODPASTER RIVER PROPERTY HOLDERS ASSOCIATION

991 Vail View Drive, Fairbanks, Alaska 99712

February 9, 1991

The Honorable Mark Boyer
House of Representatives
P. O. Box V
Juneau, Alaska 99811

Dear Representative Boyer:

We appreciate your introduction of HB 94 protecting the traditional use of the Goodpaster River.

As you and Senator Fahrenkamp had advised us some time ago, it was critical to future legislation that the Tanana Basin Plan emerge with acceptable language. With great effort (on our part) that has been accomplished. It is important to note that while the plan is acceptable, it is barely acceptable.

It is fortunate that you are chairing the subcommittee reviewing the Department of Natural Resources (DNR) budget. We wish to be involved and kept informed in that process, particularly where it involves the Division of Forestry. Please let us know of budget meetings and hearings where we may be involved. We would appreciate receiving a copy of the forestry budget for review.


There is a perception that the public wishes the state budget be drastically cut. The Hickel administration has stated it will reduce the size of government and the legislative research agency has revealed that forest management is a drain on the state operating budget. We feel these are justifications for major cuts in the Division of Forestry's budget.

As you are aware, we are unhappy with the whole planning process, much less last minute actions required to make the planning team respond to public sentiment, and the Cowper administration to keep its promises. These include last minute concessions we were forced to make to Commissioner Swope. We believe a review and investigation of how DNR conducts area plans is needed. The investigation needs to be broad, but we are particularly interested in how public input is accounted for, and how it is actually used in plans which are already bureaucratically predetermined. Possible misrepresentation of scientific and other data by state agencies involved in the process demands investigation. The House Resources Committee may be an appropriate group to accomplish this and we will work with Representative Moyer, but we would like your support.

Representative Mark Boyer
Page 2
February 9, 1991

Once again, we are grateful for your introduction of HB 94 and will appreciate your vigorous efforts for its passage. We recognize that the bill may not become law this session, but passage through the House seems likely. Please let us know how we may help.

Sincerely,



John Huber, Jr.
Acting Secretary, GRPHA

cc: Senator Fahrenkamp
Representative Koponen
Representative Moyer

Alex / HRL / Good

FRIENDS OF THE GOODPASTER
P.O. Box 60312, Fairbanks, Alaska 99706

December 19, 1990

Senator Bettye Fahrenkamp
P.O. Box V
Juneau, Alaska 99811

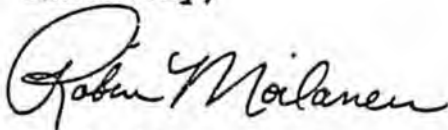
Dear Senator Fahrenkamp,

The purpose of this letter is to acquaint you with the existence of our recently formalized 'Friends of the Goodpaster' organization. The Friends of the Goodpaster is an ad hoc committee consisting of interior residents who primarily do not own property on or near the Goodpaster River but are users of the river and are interested in maintaining the existing character of the area. Over the past several years, many of us have been signers of petitions protesting roads and timber cutting, and supporting current usage.

Our purpose for organization is to support legislation and management plans which will manage the river for wildlife habitat and recreation purposes. While we are a distinctly separate group, we do share common interests and goals with the Goodpaster River Property Holders Association. Barry Haight will represent us in Juneau.

Our steering committee consists of Steve Moilanen, Todd Davis, Tom Helmers, Bill Bembry and myself. We plan to add a couple more interested individuals. I look forward to working with you and hope you will keep us informed on any developments regarding the Goodpaster. If I can be of any assistance please let me know.

Sincerely,



Robin Moilanen
Chairperson

cc: Governor Walter Hickel
Senator Steve Frank
Representative Niilo Koponen
-Representative Mark Boyer
Representative Mike Miller
Representative Tom Moyer
Representative Bert Sharp
Commissioner Heinze
Department of Natural Resources

AM

2/16/91

Mr. Cliff Davidson
Chairman, House Resources Committee
17th Alaska Legislature, First Session

Dear Mr. Davidson,

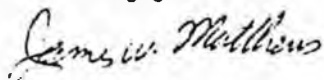
We are writing to you in support of H.B. 94 and its purpose to protect and enhance renewable wildlife and recreation resources of the Goodpaster River system in Interior Alaska. Our family has used this area for more than three decades. During this time we have seen hundreds of thousands of state land set aside for agricultural development in the Delta area adjacent to the Goodpaster. We have also seen the establishment of the Tanana Valley State Forest abutting the Goodpaster River system including several million acres. In addition we have seen state lands increased in "Forest" designations to enhance allowable annual harvest quotas.

Compared to all these designations, it appears that the stated intent of H.B. 94 is very modest: to establish a protection and enhancement system aimed at preserving, fostering, and utilizing outdoor recreational resources and affecting slightly more than 100,000 acres in the core of the Goodpaster River system. Passing this bill would provide a balance in state land designations for the area, which is in the interest of all Alaskans.

We ask your careful consideration of this bill and urge you to steer it along lines that provide a balanced land use for the region. We are very concerned that this river system continue to be used and managed as one of Alaska's finest outdoor recreation areas in Interior Alaska. Once such an area is drastically changed, it is lost forever to future generations to enjoy.

Thank you very much for considering our point of view as you address our concerns and other challenges during your legislative leadership for Alaskans in this very important era of Alaskan history.

Sincerely yours,



James W. Matthews
1072 McGrath Rd.
Fairbanks, Alaska 99712

cc: Rep. Mark Boyer, Niilo Koponen, Tom Moyer

THE HONORABLE CLIFF DAVIDSON
Chairman, House Resources Committee
P. O. Box V
Juneau, Alaska 99811

DEAR REPRESENTATIVE DAVIDSON

I'm writing to you because I am very concerned about the fate of the Goodpaster River. I support House Bill 94 strongly.

I have been going up the Goodpaster River for five years - both summer and winter - by canoe, river boat, cross county skis and by snowmobile. I believe that access by road into this river will put too many people and too heavy of a load on this area. The increase in traffic and the resulting litter ect. will ruin this peaceful clearwater river. We have enough of these over populated polluted rivers in Alaska already. In my opinion the Goodpaster River is a river well worth saving for public use for Alaskans.

Please read this letter into the
Committee Record

Sincerely,

Steve Moilanen

Friends of Goodpaster

Committee

FEBRUARY 16, 1991

THE HONORABLE CLIFF DAVIDSON
CHAIRMAN, HOUSE RESOURCES COMMITTEE
PO BOX 1
JUNEAU, ALASKA 99811

DEAR REPRESENTATIVE DAVIDSON:

I AM WRITING IN SUPPORT OF HOUSE BILL #94.
LAST SUMMER MY HUSBAND AND I ENJOYED
TRAVELING THE GOODPASTER RIVER. THE GOODPASTER
RIVER AREA IS PRISTINE AND UNIQUE, OFFERING
AN ENJOYABLE CHALLENGE TO CANOEERS AND
RECREATIONAL - TYPES. ONLY IN ALASKA - IN
AN AREA UNCOMMERCIALIZED AND UNINDUSTRIALIZED
CAN YOU FIND CLOSE TO A MOOSE FEEDING
ON THE RIVER BOTTOM.

I SUPPORT H.B. 94 IN THAT IT CLASSIFIES THE
GOODPASTER RIVER AS A PUBLIC USE AREA.
I WOULD LIKE TO SEE THE GOODPASTER STAY
AS A RECREATIONAL AND WILDLIFE HABITAT.
OPENING THE AREA TO USES SUCH AS
LOGGING WILL BE DETRIMENTAL TO THE
ENVIRONMENT AND HABITAT OF THE GOODPASTER AS
WELL AS EASY ACCESS BY ROAD. ALASKA - "THE LAST
FRONTIER" - LET THERE BE AN ENJOYABLE AND
BEAUTIFUL FRONTIER LEFT TO CHALLENGE. PLEASE
READ THE LETTER INTO THE COMMITTEE RECORD.

KATHI FEN EDIC

The Honorable Cliff Davison
Chairman, House Resources Committee
POB V
Juneau, Alaska 99811

February 18, 1991

Dear Representative Davison,

I am writing in support of HB 94. I will appreciate your reading this letter into the Committee Record.

The Goodpaster is a very fine recreational outlet for people from the Fairbanks / Delta Area. It is easily accessible and a peaceful respite from city life.

I strongly feel that recreation and wildlife habitat is the best use of that area. I feel that other uses such as logging would be detrimental to its existing characteristics.

The uses of the Goodpaster at present keep the area beautiful, pristine and unique.

These qualities make the Fairbanks area so attractive to residents and visitors alike.

Let's keep this clear stream without the silt of glacial runoff, in its present state.

Sincerely,
MARY LOUISE WEBKE
M. L. Tuelke

PO Box 81775

Fairbanks AK 99708

Dear Mr. Davidson,

I'm writing in favor of House Bill 94. I've paddled up the river on several occasions and feel if the river was accessed by a road it would deteriorate at a rapid rate. The Goodpaster River represents one of the last clear water streams that hasn't been exploited.

Please read this letter into the Committee record. I strongly support house Bill 94.

Sincerely,

Tom Schmid
for Schmid

The Honorable Cliff Davidson
Chairman, Resources Committee
PO Box V
Juneau, Alaska 99811

Dear Representative Davidson,

I am writing you in regards
to house bill 94. I strongly support
this bill.

I use the river recreationally. It
a very beautiful and untouched area. I
feel it should stay that way. It's one
of the few places left in Alaska untouched
why spoil it. People can never leave a
good thing alone.

Please read this letter into
the Committee record. I strongly
support house bill 94.

Sincerely,

Merridee Schmid

Feb, 17, 1991

The Honorable Cliff Davidson
Chairman, House Resource Committee
P.O. Box V
Juneau, AK 99811

Dear Representative Davidson,

I'm writing in support of House Bill 94.
I enjoy spending time on the Goodpastor
River and would like to see it designated as
a public use area.

Please read this letter into the committee
record.

Sincerely,
Julie K. Moilanen

Julie K. MOILANEN
P.O. Box 60596
Fairbanks, AK 99706

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: PEIR FAIRBANKS
TITLE:
ADDRESS: 1001 JOYCE DRIVE
CITY: FAIRBANKS
PHONE: 452-3862

ZIP: 99701

BILL NO: HB 94
SUBJECT: GOODPASTER PUBLIC USE AREA
MESSAGE: I AM IN SUPPORT OF GOODPASTER AS LISTED UNDER HB 94. I URGE YOUR
SUPPORT OF THIS LEGISLATION. THANK YOU. EOM/CLS

POPID: 07110432
DATE: 91/02/19
TIME: 11:04:32
LIONAME: FAIRBANKS LIO

COPIES: REPRESENTATIVES

MOYER
BOYER
KOPONEN

CD —
SL — HB
JN X — ✓

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: SANORA GAEDBURY
TITLE:
ADDRESS: PO BOX 55680
CITY: NORTH POLE
PHONE: 488-2360

ZIP: 99705

BILL NO: HB 94
SUBJECT: GOODPASTER PUBLIC USE AREA
MESSAGE: I SUPPORT THE PASSAGE OF THIS BILL IN REFERENCE TO THE GOOD PASTER
RIVER AREA, AND ASK YOUR SUPPORT AS WELL. PLEASE CONSIDER THIS REQUEST WITH
GREAT IMPORTANCE. THANK YOU. EOM/CLS

POPID: 07112529
DATE: 91/02/19
TIME: 11:25:29
LIONAME: FAIRBANKS LIO

COPIES: REPRESENTATIVES

MOYER
BOYER
KOPONEN
LINCOLN
IVAN
FINKELSTEIN
CARNEY
HUDSON
LEMAN
ZAWACKI

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: GEORGE GROSS
TITLE:
ADDRESS: 1491 DOLLY VARDEN
CITY: FAIRBANKS ZIP: 99709
PHONE: 479-3691
BILL NO: HB 94
SUBJECT: GOODPASTER PUBLIC USE AREA
MESSAGE: PLEASE PUT ME ON THE RECORD AS EXPRESSING MY SUPPORT FOR THIS PIECE
LEGISLATION. THANK YOU. EOM/CLS

POMID: 07131822
DATE: 91/02/19
TIME: 13:18:22
LIONAME: FAIRBANKS LIO

COPIES: REPRESENTATIVES

MOYER
BOYER
KOPONEN

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: JANICE AND DUANE EYTH
TITLE:
ADDRESS: 1625 OLD PIONEER WAY
CITY: FAIRBANKS ZIP: 99709
PHONE: 479-2542
BILL NO: HB 94
SUBJECT: GOODPASTER PUBLIC USE AREA
MESSAGE: I SUPPORT HB 94. PLEASE ENTER THIS INTO THE RECORD.

POMID: 07140829
DATE: 91/02/19
TIME: 14:08:29
LIONAME: FAIRBANKS LIO

COPIES: REPRESENTATIVES

MOYER
BOYER
KOPONEN
LINCOLN
IVAN
FINKELSTEIN
CARNEY
HUDSON
LEMAN
ZANACKI

EOM-FZ

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: RICHARD GADBURY
TITLE:
ADDRESS: PO BOX 55680
CITY: NORTH POLE ZIP: 99705
PHONE: 488-2360
BILL NO: HB 94
SUBJECT: GOODPASTER PUBLIC USE AREA
MESSAGE: I SUPPORT THE PASSAGE OF HB 94 AND URGE YOUR SUPPORT ALSO.
EOM/MJO

POHID: 07104749
DATE: 91/02/19
TIME: 10:47:49
LIONAME: FAIRBANKS LIO

COPIES: REPRESENTATIVES

GOYER
MOYER
KOPONEN

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: STEVEN HAAGENSON

TITLE:

ADDRESS: 1826 HILTON

CITY: FAIRBANKS

ZIP: 99701

PHONE: 456-1178

BILL NO: HB 94

SUBJECT: GOODPASTER PUBLIC USE AREA

MESSAGE: I SUPPORT HB 94 TO PROTECT THE PUBLIC'S RECREATIONAL USAGE OF THE GOOD PASTER RIVER DRAINAGE. I AM NOT A LAND OWNER IN THIS AREA, BUT HAVE BEEN USING S PRIME PUBLIC LAND FOR RECREATION AND HUNTING FOR THE PAST FIFTEEN YEARS. PLEASE SUPPORT HB 94. THANK YOU. EOM/CLS

POMID: 07142530

DATE: 91/02/20

TIME: 14:25:30

LOCATION: FAIRBANKS LIO

COPIES: REPRESENTATIVES

MOYER
KOPONEN
BOYER

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: TOM ROBERTS

TITLE:

ADDRESS: 916 SENATE LOOP

CITY: FAIRBANKS

ZIP: 99712

PHONE: 457-1234

BILL NO: HB 94

SUBJECT: GOODPASTER PUBLIC USE AREA

MESSAGE: I HAVE LIVED IN FAIRBANKS FOR 45 YEARS. I ENJOY USING THE NEARBY RIVERS FOR RECREATION, ESPECIALLY THE SALCHA & GOOD PASTER. I BELIEVE THE RECREATIONAL ACCESS TO THESE AREAS ARE WHY MANY PEOPLE LIVE IN ALASKA. PLEASE SUPPORT AND WORK FOR PASSAGE OF HB 94. THANK YOU. EOM/CLS

POMID: 07143227

DATE: 91/02/20

TIME: 14:32:27

LOCATION: FAIRBANKS LIO

COPIES: REPRESENTATIVES

MOYER
BOYER
KOPONEN

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: MIKE WEBER
TITLE:
ADDRESS: 2458 GREEN ACRES DR
CITY: FAIRBANKS ZIP: 99712
PHONE: 480-9659
BILL NO: HB 94

SUBJECT: GOODPASTER PUBLIC USE AREA
MESSAGE: I WOULD LIKE THIS ENETERED INTO THE RECORD. I WOULD LIKE YOU TO
UPPORT THIS BILL. I AM IN FAVOR OF THIS BILL.

POMID: 07105631
DATE: 91/02/20
TIME: 10:56:31
LIONAME: FAIRBANKS LIO

COPIES: REPRESENTATIVES

BOYER
HOYER
KOPONEN

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: JOHN HUBER JR.
TITLE:
ADDRESS: P.O. BOX 71112
CITY: FAIRBANKS ZIP: 99707
PHONE: 456-8494
BILL NO: HB 94

SUBJECT: GOODPASTER PUBLIC USE AREA
MESSAGE: AS A 40 YEAR RECREATIONAL USER OF THE GOODPASTER RIVER, I URGE YOU TO
SUPPORT AND WORK TOWARD THE PASSAGE OF HB 94 DURING THE CURRENT LEGISLATIVE
SESSION. LETTER FOLLOWS. EOM-FZ

POMID: 07110548
DATE: 91/02/20
TIME: 11:05:48
LIONAME: FAIRBANKS LIO

COPIES: REPRESENTATIVES

HOYER
BOYER
KOPONEN

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: MARLIES HAIGHT

TITLE:

ADDRESS: 991 VAIL VIEW DRIVE

CITY: FAIRBANKS

PHONE: 474-7498

ZIP: 99712

BILL NO: HB 94

SUBJECT: GOODPASTER PUBLIC USE AREA

MESSAGE: I SUPPORT HB 94. THIS LEGISLATION IS IMPORTANT FOR THE PROTECTION OF ALASKA'S WILDLIFE HABITAT. IT ALSO REPRESENTS QUITE A COMPROMISE BY THOSE OF US WHO BELIEVE THE STATE SHOULD TAKE MORE RESPONSIBILITY TO ENHANCE AND PROTECT OUR NATURAL RESOURCES. THANK YOU. EOM/CLS

POMID: 07092100

DATE: 91/02/20

TIME: 09:21:00

LIONAME: FAIRBANKS LIO

COPIES: REPRESENTATIVES

LINCOLN

IVAN

MOYER

FINKELSTEIN

CARNEY

HUDSON

LEMAN

ZAWACKI



MEDIA RELEASE

Alaska Department of Natural Resources

Harold Heinze, Commissioner
400 Willoughby Ave., 5th Floor
Juneau, Alaska 99801
(907) 465-2400

Public Affairs Office
P.O. Box 107005
Anchorage, Alaska 99510
(907) 762-2451

DIVISION OF: Land and Water Management CONTACT: Anna Plager

RELEASE DATE: June 7, 1991

SUBJECT: Proposed Changes to the PHONE: 451-2700
Tanana Basin Area Plan and
Tanana Valley State Forest Management Plan

GOODPASTER RIVER: CHANGES PROPOSED

The Department of Natural Resources is revising two land-use plans that affect state land in the Goodpaster River area. Proposed changes to the Tanana Basin Area Plan and the Tanana Valley State Forest Management Plan will affect management of approximately 870,000 acres in the Goodpaster River watershed and the Quartz Lake area.

The new guidelines are intended to ensure that state lands in the Goodpaster area continue to provide remote recreation opportunities along the river, while allowing new access and timber harvest opportunities in upland areas. These changes were developed by an interagency planning team, using recommendations from a working group of representing users of the area. Following are some of the major changes proposed.

- A river corridor roughly 1/2 to 1-1/2 miles either side of the river will be designated for special management. The lower corridor (downstream from the South Fork) is the area most used for recreation.

MORE

In this area new road access will be limited to a winter road crossing near the mouth of the river. Timber harvest is allowed to control fire, disease, or insects, or to harvest wood for personal or commercial use in small sales (sales less than 10,000 board feet). In the upper corridor, timber harvest will be prohibited within the 100-year floodplain.

- The Quartz Lake area will be managed primarily for recreation. New recreational facilities, such as campsites, public trails, and boat launches, are recommended. Timber harvesting will be managed to be consistent with recreation development by reducing fire hazard, clearing campsites, or thinning to improve forest health and views.
- A new all-season road to the Quartz Lake area and the forested ridges northeast of Quartz Lake is allowed. This route would cross the Goodpaster winter trail. New all-season access can continue east of the trail crossing, and provide a route to Tanana Valley State Forest Unit 9, but this route must stay north of the Goodpaster winter trail. The winter trail will be managed for winter use, not year-round access.
- Organizations on the working group will be notified each year of plans for logging and building roads in the Goodpaster and Quartz Lake areas.

Two public hearings will be held to discuss the proposed changes: at the Delta Junction Community Center, at 7:30 pm on June 11; and at the Noel Wien Library in Fairbanks, at 7:00 pm, June 12. The changes will be formally adopted by the commissioner of the Department of Natural Resources on or after July 15, 1991.

MORE

Comments are welcomed on the proposed changes. They must be received by the Department of Natural Resources by 5:00 p.m., July 1, 1991. Please send comments to: Anna Plager or Ed Fogels, Land and Resources Section, 3700 Airport Way, Fairbanks, AK 99709-4613. For more information call Plager or Fogels at 451-2700.

END



Alaska Environmental Lobby, Inc.

P.O. Box 22151 Juneau, Alaska 99802

907-463-3366

ISSUE PAPER

HB 94: Establishing Goodpaster Public Use Area

The Goodpaster river is a tributary to the Tanana River and an integral part of the Yukon-Tanana Basin ecology. It is;

- * **rich in natural resources** including: fish, wildlife, forests and minerals
- * **a favorite recreational spot** for locals and visitors providing fishing, boating hunting, dogmushing, snowmachining and skiing opportunities
- * **accessible only by trail, boat or airplane**

The Goodpaster drainage has become the center of controversy because of conflicting interests and inconsistent land use plans. Local user groups and environmental organizations support the designation of this area as separate from the state forest because they;

- * recognize its intrinsic value as a **high quality recreational area**
- * have become increasingly concerned as nearby rivers have been roaded and developed for interests not compatible with recreation
- * **want to maintain the historic, traditional and environmental integrity** of the Goodpaster river drainage
- * **want to restrict those uses which would displace existing ones**

This bill is a **compromise position** carefully worked out to account for a wide variety of user group interests and strives to minimize potential conflicts by;

- * **reducing the boundries** of the original proposed area by 57%
- * **allowing mineral entiy and restricted timber harvest**
- * **excluding native lands, mining claims and valuable timber stands**
- * **being consistent with goals** outlined by Yukon fisherman to protect and enhance king salmon habitat on the Yukon's tributaries
- * **limiting road development** to those necessary to access timber and for winter use only

The Alaska Environmental Lobby strongly supports HB 94 creating the Goodpaster Public Use Area because this bill would protect important fish and wildlife habitat and provide a high quality recreational area for present and future generations of Alaskans.

CLEAN AIR COALITION • PRINCE WILLIAM SOUND CONSERVATION ALLIANCE • ALASKA CENTER FOR THE ENVIRONMENT
 ALASKA CHAPTER SIERRA CLUB • JUNEAU GROUP SIERRA CLUB • KNIK GROUP SIERRA CLUB • DENALI GROUP SIERRA CLUB
 ANCHORAGE AUDUBON SOCIETY • ARCTIC AUDUBON SOCIETY • DENALI CITIZENS COUNCIL • ALASKA FRIENDS OF THE EARTH
 JUNEAU AUDUBON SOCIETY • KACHEMAK BAY CONSERVATION SOCIETY • KENAI PENINSULA AUDUBON SOCIETY • KODIAK AUDUBON SOCIETY
 LYNN CANAL CONSERVATION • SITKA CONSERVATION SOCIETY • NORTHERN ALASKA ENVIRONMENTAL CENTER
 SOUTHEAST ALASKA CONSERVATION COUNCIL • KNIK CANOERS AND KAYAKERS



GOODPASTER REVIEW - NEWSLETTER

April 1991

PROPOSED CHANGES TO THE TANANA BASIN AREA PLAN AND TANANA VALLEY STATE FOREST MANAGEMENT PLAN

Purpose of this newsletter. The Department of Natural Resources (DNR) proposes to amend the Tanana Basin Area Plan and the Tanana Valley State Forest Management Plan as they apply to the Goodpaster River area. This newsletter explains why the plans need to be changed, and summarizes the proposed changes.

We would like your input on these changes. You can return the enclosed comment sheet, attend the upcoming public meetings, or call or write to us. All comments must be received by **5 pm, July 1, 1991**.

For more information, or for copies of the proposed changes, please contact:

Anna Plager or Ed Fogels

Department of Natural Resources
Land and Resources Section
3700 Airport Way
Fairbanks, AK 99709-4613
PHONE: (907) 451-2700

THE GOODPASTER RIVER

The Goodpaster River is a clearwater river draining close to one million acres of mostly state-owned land northeast of Delta Junction. Much of the watershed is forested, of which approximately one-third has commercial timber. The river is used for boating, canoeing, camping, hunting, fishing, trapping, and for access to over 80 parcels of private land along the river. The watershed has current mining activity, and has had historical timber harvesting. Approximately 89,000 acres of the watershed are within the Tanana Valley State Forest.

ISSUES

The issue of how to manage the Goodpaster River and its watershed has been a very divisive one. Many people want the recreation resource protected by a large, roadless, no-timber-harvest zone around the river, but many other people want the timber resource available for harvest, with access options open. Consequently, two conflicting bills were introduced by the legislature in the 1991 session: House Bill 94 would prohibit timber harvest and new access to much of the watershed; Senate Bill 49 would add most of the watershed to the State Forest.

Most people agree on the importance of the recreation use of the Goodpaster River, but differ on how to manage the land to best maintain or enhance the recreation value of the river. They also disagree on the timber value of adjacent lands, and on how new access will affect the river corridor.

Management of the Goodpaster River watershed has been a controversial issue for many years. Most recently, the management of the watershed was addressed by the five-year update of the Tanana Basin Area Plan (TBAP). An interagency planning team worked with the public for over a year to develop a management proposal. The planning team recommended more time to review and address the many diverse comments received. However, the TBAP Update was adopted amidst great controversy (several petitions and form letters with over 2500 signers supporting or opposing the proposed watershed management were received) at the end of the last administration.

WHY DO THE PLANS NEED TO BE CHANGED?

The TBAP Update limits access and timber harvest in a one-to-eight mile zone east of Quartz Lake and along the river, and restricts access for timber harvest in the entire watershed, including about 89,000 acres in the State Forest. The 1988 State Forest Management Plan allows timber harvest in these areas. The two DNR plans are at odds. Management guidance must be clarified for state lands in both areas.

DNR is mandated by the State Constitution to manage state lands and waters for the use, development, and conservation of the state's natural resources for the maximum benefit of all Alaskan residents. In accordance with this mandate, DNR has reviewed the management of the Goodpaster River, at all times keeping in mind the economic and environmental well-being of the residents of the local communities and of the state.

HOW WERE THE CHANGES DEVELOPED?

Resource information and management options were reviewed by a joint citizen-agency working group representing all affected interests. The working group consisted of representatives of the following interests:

- local government (City of Delta Junction)
- property owners (Doyon, Goodpaster River Property Holders, Deltana Community Corporation)
- timber (Delta Forest Resources Assn.)
- mining (Alaska Miners Assn.)
- fish and wildlife (local Fish and Game Advisory Committee)
- hunting and fishing (Delta Sportsmen's Assn.)
- local businesses (Delta Chamber of Commerce)
- agriculture (Salcha/Big Delta Soil & Water Conservation District)
- general recreation (Friends of the Goodpaster)

- key state agencies (DNR: Divisions of Land and Water, Forestry, Parks and Outdoor Recreation; and the Department of Fish and Game)

The working group agreed on some points--a river corridor to protect the river itself, and managing the Quartz Lake area for recreation and timber. However, disagreement on access and corridor size prevented them from reaching consensus on a management proposal. Two proposals were developed, with the following differences.

River corridor boundary: One proposal would establish a corridor similar to the one in the Delta Salcha Area Plan and the 1985 Tanana Basin Area Plan (1/2 to 1 mile either side of the river); The other proposal would keep the boundary of the corridor in the 1990 TBAP (1 to 8 miles wide on either side, including Quartz Lake and the land between the State Forest units).

Quartz Lake access: One proposal would allow new all-season road access to areas beyond the lake; the other proposal would allow all-season access south of the Goodpaster winter trail, but would not allow an all-season crossing of the trail.

Goodpaster River access: One proposal would allow all-season access to the mouth of the river and upstream of the South Fork junction; the other proposal would allow winter-only access in lands outside the corridor, with no all-season road crossing of the river.

The two proposals from the working group were used by an interagency planning team to develop the draft proposal in this newsletter. The planning team consists of the following state agencies: DNR divisions of Agriculture, Forestry, Land and Water, Mining, Oil and Gas, Parks and Outdoor Recreation; Department of Community and Regional Affairs; Department of Environmental Conservation; Department of Fish and Game; Department of Transportation and Public Facilities.

THE PLANNING TEAM PROPOSAL

Working group members raised concerns about the economic health of the Delta area and the importance of the Goodpaster River for public recreation and habitat for people from Fairbanks to Delta. The planning team proposal strives to ensure that state lands in the Goodpaster area continue to provide scenery and remote recreation opportunities along the river while allowing new access and development in upland areas. This balance is difficult to achieve, but it is clearly important to the citizens who use this area. Key points in the proposal follow.

Access: The issue of whether or not to allow an all-season road to cross the winter trail at Quartz Lake was one of the most controversial issues in the planning process. Many people are concerned that a crossing will make access to the Goodpaster River easier, and will greatly increase use of the corridor. They are concerned that increased use will degrade the quality of the recreation along the river. Other people believe that prohibiting a crossing blocks access to an extensive area of public land, makes timber harvesting unfeasible, and limits opportunities for economic development and recreation.

The team considered these points. They decided that it would not be reasonable to prevent efficient all-season access to the state lands north of the river corridor. However, they support managing access to the river to recognize the existing recreational values of the river. Therefore, the proposal recommends the following:

- A new, all-season road from Quartz Lake may cross the Goodpaster winter trail and continue into the State Forest, but will remain north of the winter trail.
- The Goodpaster winter trail will be managed for winter use.
- Road access to the lower river corridor will be limited to a winter crossing near the river mouth to access timber in the State Forest Unit 10.
- The upper corridor will continue to be

accessible from the winter trail, and new all-season access will be allowed north of the winter trail.

- New access will be designed and managed to minimize impacts on recreation; for example, activity may be timed to minimize conflicts between logging trucks and recreational vehicles near Quartz Lake.
- Public notice requirements will be expanded to involve concerned groups in future logging and roading plans.

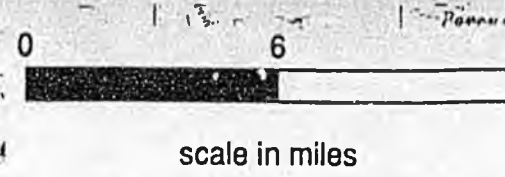
River corridor boundary: The planning team listened carefully to the two working group proposals--both sides had merit. The team decided on corridor boundaries similar to those in the original Delta Salcha Area Plan (roughly 1/2 to 1-1/2 miles wide), generally following the area of greatest recreation use. Special guidelines for adjacent lands will address many of the concerns of those wanting wider boundaries.

Lower river corridor: The lower corridor (subunit 7D1 on map) is the most intensively used section of the river. It will be managed to protect the scenery, recreation opportunities, and fish and wildlife habitat that attract people to the river. The proposal recommends that DNR provide primitive campsites along the river. Commercial facilities on state lands must be temporary and screened from view from the river. New road access to the river will be limited to a winter road crossing near the mouth of the river. Timber harvesting is restricted to personal use or small sales (sales less than 10,000 board feet), or for special needs to control fire, disease, or insects.

Upper river corridor: The upper corridor (subunit 7D2) will be managed primarily for fish and wildlife habitat and recreation. Management will emphasize protection of the important grayling spawning areas in this segment of the river. To protect the fish habitat, timber harvest is prohibited in the 100-year floodplain of the river. Winter access to the river is provided by the Goodpaster winter trail. All-season access may be eventually provided by a new route to the north of the winter trail.

GOODPASTER REVIEW PLANNING AREA

May 31, 1991




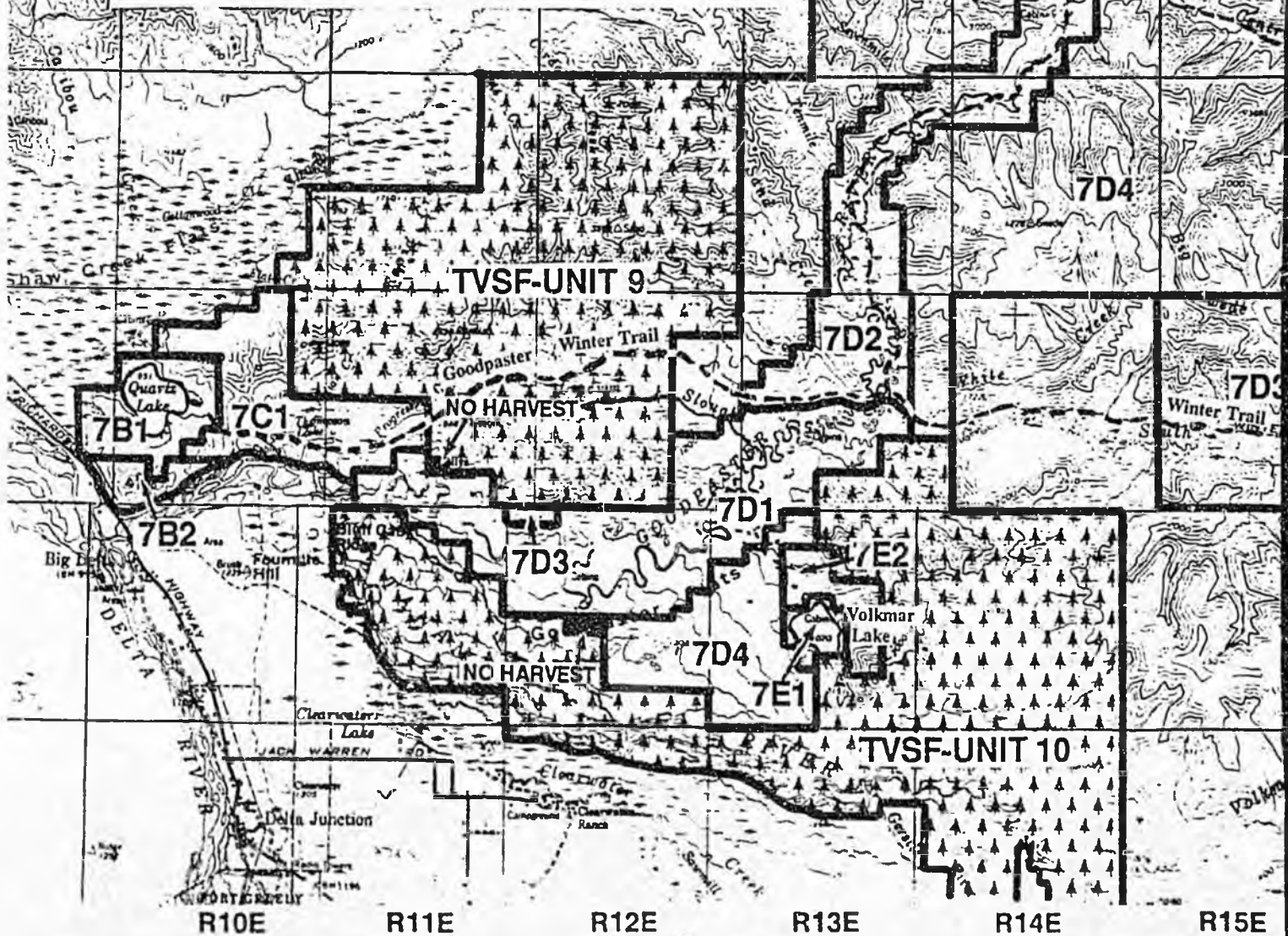
Based on USGS 1:250,000 maps
Big Delta and Eagle

LEGEND

- 7B1 Public Recreation
- 7B2 Forestry
- 7C1 Forestry /Public Recreation
- 7D1 Public Recreation/Wildlife Habitat
- 7D2 Public Recreation/Wildlife Habitat
- 7D3 Forestry/Public Recreation/Wildlife Habitat
- 7D4 Public Recreation/Wildlife Habitat
- 7E1 Public Recreation
- 7E2 Settlement

 Tanana Valley State Forest

 No harvest areas within Tanana Valley State Forest



Quartz Lake area: Quartz Lake (7B1) will be managed primarily for recreation. The proposal recommends that DNR develop new recreational facilities near the lake, such as campsites, public trails, or a boat launch. Timber harvesting will be managed to support recreation development by reducing fire hazard, clearing campsites, or thinning to improve views and forest health. Forestry is the primary use south of Quartz Lake (7B2). Timber will be managed to support recreation and improve forest and habitat productivity.

Uplands: The uplands (subunits 7C1, 7D3, and 7D4) will be managed for forestry, wildlife habitat, and recreation. The Goodpaster winter trail will be managed for winter access. New all-season or winter access may be provided in these areas.

Volkmar Lake: State land around Volkmar Lake (subunit 7E1) will be managed for public recreation. Well-drained areas along the northwest shore will be reserved for public camping and picnicking. Access to the lake is by floatplane. The proposal recommends that DNR establish a boat and plane landing site here. Some land has been sold for private use around the lake. Additional land may be offered for sale north and east of the lake (subunit 7E2).

Tanana Valley State Forest: Timber management is one of the primary uses in units 9 and 10 of the State Forest. Two parcels (about 640 acres) near the Goodpaster River will be managed the same as lands in the lower river corridor, with limits to timber harvesting and access. Winter access to Unit 9 will be along the Goodpaster winter trail; all-season access may eventually be provided by a new route north of the winter trail. Access to Unit 10 will be by a new winter trail parallel to the Tanana River, and crossing the mouth of the Goodpaster River. The planned timber harvests for State Forest units 9 and 10 have not changed.

Public notice: Public notice requirements will be expanded to involve concerned groups in future roading and logging plans. In addition to standard notice procedures, the Division of Forestry will directly notify the organizations on the Goodpaster working group each year when

the draft Delta Five-Year Schedule of Timber Sales is available for review. The Division of Parks and Outdoor Recreation will notify the Delta and Fairbanks Parks Advisory Boards of activities proposed in the Quartz Lake area, the river corridor, and other areas designated for recreation.

WHAT HAPPENS NEXT?

These proposed changes will be reviewed by the public and interested agencies from May 31 to July 1, 1991. Public meetings will be held in Delta Junction and Fairbanks to discuss the proposed changes. Following the public meetings and the public comment period, the working group and planning team will review the public comments and make their final recommendation to the commissioner. After careful consideration the commissioner will amend the two plans as necessary. The amendments will be adopted on or after July 15, 1991. It is our hope that this planning process can craft a liveable and lasting solution for management of this river.

HOW CAN YOU BE INVOLVED?

Public involvement is one of the most important parts of planning. If you are concerned about the management of state lands within the Goodpaster River watershed, you are encouraged to be part of the planning process.

Review the proposed changes listed in this brochure. Tell us what you like and dislike about the proposed changes to the plans. Fill out the enclosed comment sheet and return it to our office.

Come to public meetings. We will be conducting public meetings in Delta Junction on June 11, 1991 and Fairbanks on June 12 to review the proposed amendments. Notice of meeting times and places are on the outside of this newsletter.

Write, telephone, or visit the planning staff. Our address and phone number are shown on the first page of this newsletter. We welcome comments and questions about the project.

Comments: Please write your comments in the space below. Just fold this page so that our address is on the outside, and close with a staple or some tape. Attach a 29 cent stamp before mailing.

PLACE
STAMP
HERE

**Tanana Basin Area Plan Update
State of Alaska
Department of Natural Resources
Land and Resources Section
3700 Airport Way
Fairbanks, AK 99709-4613**



GOODPASTER REVIEW 1991 PUBLIC HEARING SCHEDULE

Where:	When:
Delta Junction Community Center	Tuesday, June 11 7:30 pm
Fairbanks Noel Wien Library	Wednesday, June 12 7:00 pm

Alaska Department of Natural Resources
Land and Resources Section
3700 Airport Way
Fairbanks, AK 99709-4613

TANANA BASIN AREA PLAN
TANANA VALLEY STATE FOREST
NEWSLETTER

April 1991