

HB

447

9-LS1427G ✓
Luckhaupt
2/12/96

CS FOR HOUSE BILL NO. 447()
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES MASEK, Williams

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to traditional means of access for traditional recreational uses
2 and to the classification and the sale, lease, or other disposal of state land, water,
3 or land and water."

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

5 * Section 1. INTENT. It is the intent of the legislature that nothing in this Act affects the
6 current rights of private property owners.

7 * Sec. 2. AS 38.05.300(a) is amended to read:

8 (a) Subject to the limitations of this section, the [THE] commissioner shall
9 classify for surface use land in areas considered necessary and proper. This section
10 does not prevent reclassification of land where the public interest warrants
11 reclassification, nor does it preclude multiple purpose use of land whenever different
12 uses are compatible. If the area involved contains more than 640 contiguous acres,
13 state land, water, or land and water area may not, except by act of the state legislature,
14 (1) be closed to multiple purpose use, or (2) be otherwise classified by the

1 commissioner so that mining, mineral entry or location, mineral prospecting, or mineral
2 leasing is precluded or is designated an incompatible use, except when the
3 classification is necessary for a land disposal or exchange or is for the development
4 of utility or transportation corridors or projects or similar projects or infrastructure, or
5 except as allowed under (c) of this section.

6 * Sec. 3. AS 38.05.300 is amended by adding new subsections to read:

7 (d) The commissioner may not classify state land, water, or land and water so
8 that a traditional means of access for traditional recreational activities is restricted for
9 the purpose of protecting intrinsic values of the land or water or is prohibited unless
10 the restriction or prohibition is

11 (1) temporary in nature and effective cumulatively less than eight
12 months in a three-year period;

13 (2) for the development of natural resources and a reasonable
14 alternative for the traditional means of access across the land, water, or land and water
15 for traditional recreational activities on other land, water, or land and water is available
16 and approved by the commissioner under AS 38.05.116; or

17 (3) authorized by act of the legislature.

18 (e) In (d) of this section,

19 (1) "intrinsic values" means those values that inherently exist in nature
20 or in an object, without manipulation by humans;

21 (2) "traditional means of access" means those types of transportation
22 on, to, or in the state land, water, or land and water, for which a popular pattern of use
23 has developed; the term includes flying, ballooning, boating, using snow vehicles,
24 operation of all-terrain vehicles, horseback riding, mushing, skiing, snowshoeing, and
25 walking;

26 (3) "traditional recreational activities" means those types of activities
27 that people may utilize for sport, exercise, subsistence, including the harvest of natural
28 foodstuffs, or personal enjoyment, including hunting, fishing, trapping, gathering, or
29 recreational mining, and that have historically been conducted as part of an individual,
30 family, or community life pattern on or in the state land, water, or land and water.

31 * Sec. 4. AS 38.05 is amended by adding a new section to read:

32 Sec. 38.05.316. RECREATIONAL RESTRICTION ON SALE, LEASE, OR

1 OTHER DISPOSAL OF LAND AND WATER. Notwithstanding another provision of
2 this chapter, state land, water, or land and water may not be sold, leased, or otherwise
3 disposed of unless traditional means of access across the land, water, or land and water
4 for traditional recreational activities on other land, water, or land and water are preserved
5 by easement or other terms or the sale, lease, or other disposal is approved by the
6 legislature. If state land, water, or land and water is leased for the development of
7 natural resources, the terms of the lease may provide that the lessee may control and
8 direct access across the development parcels but may not preclude a traditional means
9 of access for a traditional recreational activity occurring at a place other than the
10 development parcel unless

11 (1) a reasonable alternative for the access is available and approved by
12 the department; or

13 (2) the lease is approved by the legislature under AS 38.05.300(d).

LEGISLATIVE REFERENCE LIBRARY

LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3808
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 400
Juneau, Alaska 99801-2105

Copies of minutes listed below were originally included in this file. The minutes are available on the legislative computer database. In order to save space copies of minutes have not been left in the files.

Mary Pagenkopf

House Resources
2-16-96 8:15am
HB 447



Alaska Environmental Lobby, Inc.

P.O. Box 22151 Juneau, Alaska 99802

Phone: 907-463-3366

Fax: 907-463-3312

AEL Opposes HB 447

HB 447 amends AS 38.05.300, which gives State agencies the authority to do ILMA (interagency land management agreements). Typically an ILMA transfers land between agencies to acquire campgrounds, trailheads, parking areas, or reserve open space around airport approaches.

The majority of ILMA transfers do not restrict access

Since 1970 the State Department of Natural Resources has been involved in 95 ILMA transfers, totaling 9258 acres with an average of 97.5 acres each. In 86 of these transfers no access restrictions nor closures resulted. In eight of the nine others, restrictions such as *"No off road motorized traffic in the Campground"* have resulted. In the last one, the ILMA that transferred Blair Lake, on the south side of the Alaska Range, adjacent to Denali State Park, into the control of State Parks, access was restricted.

Blair Lake

Not too far from Blair Lake, sits the future home of Princess Cruises' newest hotel. Princess is building what will become the largest commercial development within a State Park in Alaska.(160 room hotel) From the predictions and patterns of tourism in Alaska, we know the Mt. Denali (McKinley) is the number one attraction and that access within the National Park is approaching saturation. The State of Alaska, and it's commercial contractors will profit in cash from the new commercial access into Denali State Park.

Shortly after the current Denali State Park management plan was completed (an extensive process that lasted over 2 years, having 12 public meeting, involving 3 task forces, and 3 public comment periods) an ILMA resulted in the transfer of Blair Lake to the State Park, and closure to air plane traffic.



Restrictions on Motorized Uses on State Land

Whenever the State of Alaska restricts access there is outcry from someone. This does not mean "some bureaucrat" decided that they should assert their power over their domain.... **Closures, and restrictions come at the urging of the public, through a process that is extensive and inclusive.** Usually the restriction is a compromise. Some greenies and some motorheads scream - generally indicating a reasonable social - political - economic balance has been reached, and attempted to be carried out by public employees doing the best job they can to carry out the publics' concerns.

Restrictions on motor size on the Kenai River, closures to plane landings on the Deska River, closures to Curry and Kesugi Ridges to aircraft landings, while reserving commercial helicopters landings in the Tokositna area, are all decisions made by professional public land managers in an extensive process of hearings and plan development.

Land Management

HB 447 would take land classification responsibilities away from the professionals in the land management agencies and place it in the hands of the legislature.

Developing a land use management plan should be a long detailed process involving representatives from all interested user groups. Local and regional residents possess detailed knowledge of a particular area and desired use patterns. This knowledge can only be brought in through a detailed public process.

Tourism will continue to expand as an important commercial activity in Alaska, and user conflicts will continue to arise. Now, more then ever, it is important to have professional land managers available to respond to public concerns over land uses.

3/10/96



Alaska State Legislature

Please enter into the record my testimony to the House Resources
 committee name
 committee on HB 447, dated 3/11/96
 bill/subject

RE: HB 447

The members of the Trapper Creek Community Council voted unanimously to support House Bill No. 447 at the February Town Meeting.

Twenty-six members of this community were present at the February Town meeting and the vote to support this bill was strong and unanimous.

Signed: Joyce Nash Sec. Pres.
 Testifier
TRAPPER CREEK COMM. COUNCIL
 Representing (Optional)
P.O. Box 13009, TRAPPER CREEK, AK 99683-
 Address 0009
(907) 733-2585 / FAX: 907-733-1401
 Phone No.



ALASKA MINERS ASSOCIATION, INC.

501 W. Northern Lights Blvd., Suite 203, Anchorage, Alaska 99503 FAX: (907) 278-7997 Telephone: (907) 276-0347

February 15, 1996

Honorable William Williams
Honorable Joe Green
Co-Chairmen
House Resources Committee
Capitol Building
Juneau, AK 99801

RE: House Bill 447, Restrictions to Traditional Access

Dear Representatives Williams and Green,

Thank you for the opportunity to comment on House Bill 447 which addresses the need to protect traditional means of access for recreational uses. We have reviewed this bill and support it with a minor change.

The change is needed to allow the commissioner to restrict access to an area that is part of a mine or other industrial site where there is a concern for public safety.

The change we suggest is in Section 2 where a new sub-section (d)(3) should be added as follows:

(d) The commissioner may not....or prohibition is

(1) temporary in nature and effectively cumulatively less than eight months in a three-year period; or

(2) authorized by act of the legislature; or

(3) required for protection of public safety.

Without this change it may be impossible to restrict access into areas that could be dangerous to the general public. Water diversion ditches, surface mine pits, power cables for pumps or other equipment, fly rock from blasting, etc. are all potential dangers to the public. Also, federal law requires that the mine control access and keep the public from potentially dangerous situations.

We feel the above proposed addition would answer the question of public safety and still preserve the intent of the bill. Thank you for the opportunity to comment.

Sincerely,

Steven C. Borell, P.E.
Executive Director

cc: Representative Beverly Masck



Alaska State Legislature

HOUSE OF REPRESENTATIVES

Beverly Masek

MAR 11 1996

Official Business

State Capitol
Juneau, AK 99801-118

MEMORANDUM

TO: REPRESENTATIVE JOE GREEN *Joe*

FROM: REPRESENTATIVE BEVERLY MASEK *Beverly*

DATE: MARCH 8, 1996

RE: HB - 447 / RECREATIONAL ACCESS BILL

Thank you for assisting in moving HB-447 along in the process.

I believe you and I have been very accommodating in addressing legitimate concerns in HB-447 such as Rep. Long's points on subsistence. The Resources CS is a better Bill.

Both the Alaska Visitors Association, and the Resource Development Council support the legislation as well as numerous outdoor groups and businesses.

Unfortunately the environmentalists have put out a statewide alert on HB-447 and SB-230 which contains outright lies. Senator Pearce and I are in the process of responding to these untruthful alerts.

I bring this to your attention because there may be an attempt to burden HB-447 with dilatory amendments in your Committee.

I urge you to move HB-447 as it now reads and to entertain no further amendments in Resources.

Thank you.



ALASKA BOATING ASSOC.

Supporting HB-447

Asking for a few changes:

- #1. Include the commissioner of ADF&G
- #2. Include the Boards of Fish and Game
- #3. Write the law so the lack of action does not restrict us.

If a bureaucrat develops a land or water management plan that has access restrictions in it, the legislature would have to approve the access restriction within 100 days or the restriction will not stay in the plan. (Sunset Claws)

My name is George Piaskowski I have lived in Alaska for forty one years, my grandfather came to this state in 1932, He instilled in his family a love and respect for this land.

I am the president of the Alaska Boating Assoc. our membership of 600 plus Alaskan recreational boaters are solidly united against boating restriction.

The only reason boats should be restricted is, boat caused resource degradation, or there is a percent safety issue documented by competent authority.

I am here today to thank the author of this bill, and to pledge my support and the Alaska Boating Assoc..

Boat access to Alaska is of cores, a high priority for the Alaska boating assoc.. Our motto: Safety education and preservation, preservation of the natural resource has been easy, conspired to preservation of traditional recreational opportunities, this one issue takes most of my time and energy and has not been an easy promise to keep to my members.

Our constitutional rights to access state land by way of the navigable waters, is increasingly under attack by **The Big Green Machine**, The Alaska Center for the Environment, The Wilderness Society, The Wildlife Alliances, The Autobaun Society, and every anti everything group, has a office in Alaska and with the backing of there multi-million dollar head quarters they have manipulated and or dictated how we Alaskan residents will recreate. These groups with their letters to the editor of the Daily News, there paid lobbyist and attorneys have learned all to well how to manipulate the letter of the law and ignore the intent. If a management plan says a commissioner may restrict, they convince the bureaucrats it means will restrict.

I've seen this happen first hand in the Six Rivers Management Plan for the Mat-Su Valley. I was at the teleconference on February 12th 1996 and listened to the director of DNR brag about the Six River Plan and how the legislature had two years to take the access restriction out.

I was their, the restriction should not have been their in the first place, and in the second place Rep. Cliff Davidson sat on the plan and would not give it a hearing or let it out of his committee to be voted on..

Now it is all to common to see the Boards of Game and Fish being used to limit our ways and means of access. Because of this latest threat on equal access I would like to see the commissioner of fish and game and the boards of fish and game be included in this bill.

The boards of fish and game have started trying to solve social issues. Geographically different class of people are being restricted from an area for no other resin then they live down river and the up river people wanted exclusive rights to the land ,water, and game in their area. The Board of Game accommodated them by putting a horse power restriction on the river so as not to allow the down river people enough horse power to make the trip safely. This was done in an area where the moose population was healthy an growing.

The A.B.A. has always supported the multiple use designation for all the land and waters of Alaska with the expiation of the reasons I gave earlier. The natural ruggedness of this state has and will continue

to provide a wide range of recreational experience for all outdoors men
(and woman), and it doesn't need to be micro-managed by DNR or
ADF&G.

George Piaskowski Pres. Alaska Boating Assoc.

1836 Scenic Way #2

Anchorage, AK 99501

Hm. 276-0815

Wk. 229-6069



LEGISLATIVE INFORMATION OFFICE
119 N. CUSHMAN, SUITE 101
FAIRBANKS, AK 99701
452-4448

FEB 23 1996

DATE: 2/19/96

Please accept the enclosed original(s) of written testimony for the

House Revenue (HB 441) teleconference scheduled on

2/16/96. A copy of this testimony was transmitted to your committee via fax.

Thank you,

Frank Hill LO



ALASKA STATE LEGISLATURE

PLEASE ENTER INTO THE RECORD MY TESTIMONY TO THE Resource/jud
COMMITTEE NAME
COMMITTEE ON HB 447 DATED 2-19-96
BILL/SUBJECT

SIGNED Leverly Neiter
TESTIFIER
self — horseman
REPRESENTING (OPTIONAL)
5465 Chena Hot Spgs. Rd. Ft. Val 99712
ADDRESS/PHONE NUMBER

HB 447

I wish to support HB 447. For too long the question "Can we get there from here?" has been answered "NO".

Public access to and use of public lands, waterways, and ROW's have often been hindered by inter agency battles over authority and even the existence of ROW's.

While one agency may recognize ROW's such as section lines and R.O.W.'s, another may not. Thus, leaving the user trying to obtain access caught in a bureaucratic maze.

Many public lands are now landlocked by privately owned lands, Native lands, or reserved public lands such as State Parks, that do not allow access through their boundaries. Some valid existing trails have, through bureaucratic decree, become scenic use only. Thus depriving the general public of access. As a result public lands become the dominion of a select few.

The key that unlocks the door for public use of public lands is access. HB 447 appears to be a step in the right direction. Hopefully with the passage of this bill including my amendment, all state agencies with jurisdiction over public lands, waterways, and ROW's could establish a clear policy and procedure to provide for multiple use access to and within public lands. Another possibility is to form a Board of Authority to allocate the public burden of asserting their rights to access.

(or interdepartment liaison)

Access will always be in demand as long as public lands exist; and public lands without access are not public.

Beverly Hester
5465 Church Hot Spgs Rd
09712

HB447

Examples of state lack of access:

State Division of Parks:

In a 12-7-83 meeting discussing 11AAC 18-010 section 9, Park stated that unless there was a court order they would not recognize prior ROW's.

In State vs Dana Lynch and Eugene Hirt # 4FA-79-2154, Mr. Hirt spent thousands of dollars to research the RS 2477 Colorado Ck. Road that he was arrested for using when it was about to come to trial. The case was dropped by the Parks. Thus no judgement.

ADL/DNR

The state backed public access for RS 2477 along Kuylenburg trail in Birch Creek but at the same time refused to back public on RS 2477 Chena Hot Springs winter trail. Some "public" have more rights?!

DOT/PF

Refusal to assert section lines on roads which are Class B routes unless they are building a highway - Last "new road" was 10 years ago.

Bo Nester

CHANGES IN HB-447

1. NEW TITLE TO REFLECT CHANGES IN BILL

2. SECTION 1 - ADDS INTENT LANGUAGE TO ASSURE NOTHING IN BILL AFFECTS PRIVATE PROPERTY INTERESTS.

3. SECTION 3 - LINES 13 - 16 - PROVIDES FOR REASONABLE ALTERNATIVES FOR ACCESS WHEN CONFLICTS OCCUR.

LINES 23, 24, 27, ADD NEW MEANS OF ACCESS AND NEW ACTIVITIES COVERED IN BILL.

4. NEW SECTION 4 - ESTABLISHES AUTHORITY FOR DEVELOPMENT INTERESTS TO CONTROL ACCESS ACROSS LEASED AREAS WHEN A REASONABLE ALTERNATIVE IS NOT AVAILABLE TO GO AROUND IT.

376-6180

To: Dave Stancliff
From: Jim Stratton *JS*

It's taken a little longer than I thought to find the citations used by Division of Land for their Interagency Land Management Agreements. I spoke with Mary Kay Hession at 269-8511. I'd call her for more information.

ILMAs are administered by Division of Land and provide for land transfer to all agencies in state government for such purposes as DOT/PF for materials sites, Division of Communications for tele-communications repeater sites, Division of Forestry for fire bases, etc.. The citations Mary Kay gave me are 38.04.060(b), 38.05.295, 38.05.300, 38.05.030.

Hope this helps out.

*called
Legal
12.8.95
Jerry Rubka*



Alaska State Legislature

HOUSE OF REPRESENTATIVES

Beverly Masek

Official Business

State Capitol
Juneau, AK 99801-118
907-465-2679

SPONSOR STATEMENT HB-447

House Bill 447 was introduced to accomplish one main purpose. That purpose is to involve the Legislature whenever major issues concerning access to state land and waters are addressed.

At the present time members of the Administration may close off access to lands and waters whether or not the legislature agrees with their policies or philosophies. More and more people are feeling disenfranchised by such unbridled authority. As legislators, we often hear controversies caused by administrative decisions only after they have been regulated onto the people. By then it takes an extraordinary effort to rectify any of the problems created.

As different administrations come and go, so do philosophies, policies, and procedures. What the public has come to expect under one administration may not even apply under the next. While the same can be said of legislatures, having an additional check and balance in place for matters such as closing public access to lands and waters for long terms only makes sense.

The statutes are replete with examples of legal designations to protect lands, waters, and resources, but there is no language of protection or legislative safeguards specifically established for access. This imbalance in my mind has led to an unfair advantage for those groups or individuals who wish to restrict peoples' access. The system is literally designed to accommodate their concerns. Even more bothersome is the inability of the public through the normal hearing process to seriously affect those in any given administration's driver's seat. These policy makers have no fear of being unelected, removed from their position, or even reprimanded for not following the publics' wishes.

HB-447 would require a higher standard in weighing key public access questions with an arm of government whose job depends on accountability having to ratify recommendations which would close off traditional uses of lands and waters. When a major access decision must be made concerning traditional individual, family, or community activities the final decision would rest with their elected representatives.

HB-447 will bring the people closer to policy. They will no longer need to stand alone on the outside of a bureaucrat's office wondering who might be eliminating their access to state lands and waters on the inside.



Alaska State Legislature

HOUSE OF REPRESENTATIVES

Beverly Masek

Official Business

State Capitol
Juneau, AK 99801-118
907-465-2679

MEMORANDUM OF REQUEST

TO: HONORABLE REP. JOE GREEN / CO-CHAIR HOUSE RESOURCES

FROM: REP. BEVERLY MASEK *BM*

DATE: JANUARY 24, 1996

RE: HB-447

Please consider this memorandum a formal request to hear HB-447.

I look forward to sharing my reasons for introduction of this Bill with your Committee.

Thank you.

SECTIONAL ANALYSIS HB-447

SECTION 1.

Opens existing general Title 38 language to allow for provisions of bill to be inserted (on following page).

SECTION 2.

Body of bill presented as new subsections (d) and (e).

SUBSECTION (d)

Prohibits the Commissioner of Natural Resources from restricting access for traditional recreational activities for either real or intrinsic reasons unless:

- (1) the restrictions are temporary and do not exceed cumulatively 8 months in a three year period.
- (2) the restrictions are authorized by an act of the legislature.

SUBSECTION (e)

Defines:

- (1) *intrinsic values*
- (2) *traditional access*
- (3) *traditional recreational activities*



DICK GUNLOGSON

Master Guide and Outfitter

BOX 193

WILLOW, ALASKA 99688

TELEPHONE (907) 495-6434

FAX 495-4625



FEBRUARY 6, 1996

HOUSE RESOURCES COMMITTEE

TESTIMONY RE: HB 313

I STRONGLY SUPPORT THIS BILL. IT WILL ENCOURAGE AN ADDITIONAL HARVEST OPPORTUNITY FOR THIS READILY RENEWABLE RESOURCE. AS A PRACTICAL MATTER, BASED ON MY MANY YEARS IN THE FIELD CONDUCTING BIG GAME HUNTS, OPPORTUNITIES TO HARVEST A WOLF, WHEN IN THE FIELD HUNTING OTHER BIG GAME SPECIES, DO NOT OCCUR VERY OFTEN. THE PERCENTAGE OF A CHANCE IS LOW ENOUGH THAT I CANNOT IN GOOD CONCIENCE ENCOURAGE A CLIENT TO SPENT \$175.00 OR \$250.00 TO PURCHASE THE TAG. HOWEVER, WITHOUT A TAG, THE CLIENT CANNOT SHOOT EVEN IF AN OPPORTUNITY DOES ARISE.

THIS BILL WOULD MAKE IT PRACTICAL FOR ALL HUNTERS IN THE FIELD TO HAVE A TAG, AND CONSEQUENTLY MORE OPPORTUNITIES FOR HARVEST WOULD BE UTILIZED. CURRENT LEGAL METHOD AND MEANS MAKE IT VERY DIFFICULT TO ACHIEVE AN ADEQUATE ANNUAL HARVEST OF WOLVES, IN SPIE OF THE FACT THAT THEY ARE ONE OF OUR MOST READILY RENEWABLE RESOURCES. WHILE THIS BILL WOULD NOT RESULT IN A LARGE ADDITIONAL HARVEST, IT WOULD PROVIDE MORE OPPORTUNITIES THAN CURRENT LAW.

I BELIEVE THAT THE ADDITIONAL NUMBER OF TAGS PURCHASED WOULD FULLY OFFSET THE REDUCED VALUE OF EACH TAG. REVENUES MIGHT EVEN INCREASE.

THANK YOU,



DICK GUNLOGSON
MASTER GUIDE OUTFITTER

FEB-05-1996 08:31

LIO DELTA JCT

907 895 5017 P.01



Legislative Affairs Agency
Division of Administrative Services
Delta Junction Legislative Information Office
P.O. Box 1189
Delta Jct., AK 99737
Phone: (907) 895-4236 Fax: (907) 895-5017

To: House Resources

Fax: 415-6547 Phone: _____

Please accept this written testimony in
favor of HB447

Date Sent: 2/5/96

No. of Pages Including Cover Sheet: 2

Thank You,

Tammy R. Hall

Tammy R. Hall

Information Assistant



Alaska State Legislature

Please enter into the record my testimony to the HOUSE RESOURCES
 committee name
 committee on HR 447, dated 2-5-96
 bill/ subject

I ASK THAT YOU SUPPORT REPRESENTATIVE MASEK
 AND PASS HR. 447

Signed:

Ron Bowden
 Testifier

Representing (Optional)
P.O. Box 2 DELTA JUNCTION AK 99737-0002
 Address (907) 895-4448
 Phone No. FAX (907) 895-5220

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. HB447

Revision Date: original Dept Affected Natural Resources
 Title: State land and water may not be classified so as BRU: Parks & Recreation Management
to preclude or restrict traditional means of access for trad'l rec. use Component: Parks Management
 Sponsor: Rep. Masek
 Requestor: _____ Component Serial No. 452

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY97	FY98	FY99	FY00	FY01	FY02
PERSONAL SERVICES						
TRAVEL	1.0	1.5	1.5	1.0	1.0	1.0
CONTRACTUAL	1.0	2.0	2.0	1.0	1.0	1.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	2.0	3.5	3.5	2.0	2.0	2.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	2.0	3.5	3.5	2.0	2.0	2.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	2.0	3.5	3.5	2.0	2.0	2.0

Estimate of any current year (FY96) cost: \$ _____

POSITIONS

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

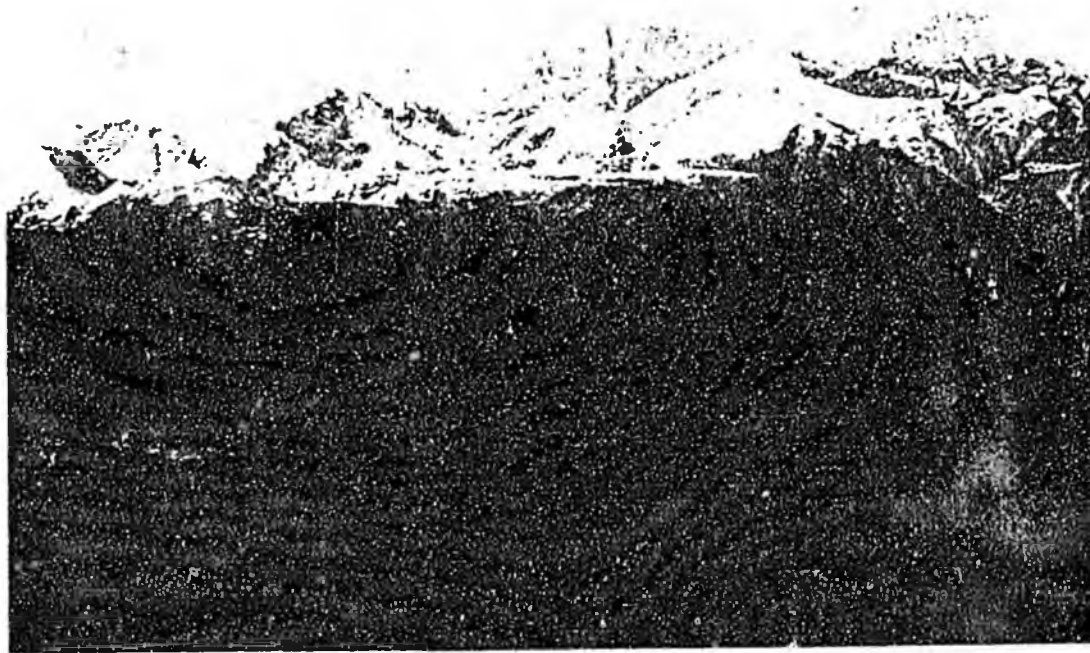
ANALYSIS: (Attach a separate page if necessary)

When parks receives an ILMA under the terms of this bill, it will either appear before the legislature to request restrictions on traditional access (travel expenses) or will promulgate regulations to open the area, under Title 41, for motorized recreational use (travel and contractual). It is anticipated that 1 to 2 ILMAs will occur in FY97, 3 to 4 in FY98 and FY99, back to 1 to 2 in FY00, FY01, and FY02.

Lands transferred to Parks come in under title 41, which restricts vehicular use. Allowing for motorized use requires parks to promulgate regulations opening a unit of the park system to motorized use.

Prepared by: Jim Stratton *Jim Stratton* Phone: 269-8800
 Division: Parks Date: 30-Jan-96
 Approved by Commissioner: *John M. Hardy* Date: 1-30-96
 Agency: Natural Resources

DENALI STATE PARK MASTER PLAN



1989

DIVISION OF PARKS AND OUTDOOR RECREATION
ALASKA DEPARTMENT OF NATURAL RESOURCES



Alaska Department of
**NATURAL
RESOURCES**



Park Boundary Modifications

Proposed boundary modifications are intended to protect small areas of a special nature, such as the Indian River area, and to protect the continuity of existing resources, such as the short stretch of the Tokositna River that is not in the park at this time. The proposed changes are illustrated in Figure 15 (page 73).

The proposed 100-foot buffer along the south shore of the Tokositna River is not intended to preclude the use of private property, but rather is to provide a small, vegetated, visual buffer along the river corridor and protect the river shore line from accelerated erosion related to development that could impact downstream areas inside the state park.

The proposed land exchange with the National Park Service is intended to shift boundaries to readily identifiable and enforceable natural features. This will avoid public confusion over the different regulations (state and federal) applicable to the two parks. It will also simplify the management responsibilities of the respective agencies.

Three separate areas of state-owned land are proposed for addition to the park, either through legislative designation or Interagency Land Management Assignment (ILMA).

Proposal	Management Objectives	Justification
<p>Southern boundary expansion to include Tokositna River. Approx. 330 acres.</p> <p>Legal description:</p> <p>T28N, R6W, S.M.,</p> <p>Sec. 6: state-owned land and water north of the right bank of the Tokositna River.</p> <p>T28N, R7W, S.M.,</p> <p>Sec. 1, 2: state-owned land and water north of the right bank of the Tokositna River.</p>	<p>Establish border along obvious natural feature. Conserve south shore of river with easement. Provide active management.</p>	<p>This small segment of the Tokositna River is the only part of the river not currently in state or national park. Inclusion of the land north of the river in park will preserve natural setting along river and permit active management and enforcement in this area.</p> <p>Designation of a 200' buffer easement effecting state-owned lands along south shore, managed by the Division of Land and Water Management, will create vegetative screen for river users. Land disposals and commercial timber harvest will be prohibited</p>
<p>Land exchange with National Park Service. Approx. 6,000 acres.</p>	<p>Make management jurisdiction easier for all parties, by defining park boundaries to follow rivers.</p>	<p>The National Park Service and Division have different regulations relative to hunting and other activities in the national and state parks. Will make use of physical boundaries that are easy to identify, thus clarifying jurisdiction and simplifying management.</p>

Proposal	Management Objectives	Justification
<p>East boundary expansion, adjacent to Indian River. Approx. 470 acres.</p> <p>Legal description:</p> <p>T31N, R2W, S.M.</p> <p>Sec. 4,8,9: state-owned land between the Indian River and the Alaska Railroad right-of-way.</p> <p>Sec. 16,17,20: state-owned land north and west of the Susitna River.</p>	<p>Create a more logical boundary. Provide active management and conserve natural resources in this area.</p>	<p>Provide active management to conserve important natural resources in the area, primarily spawning salmon. Inclusion of important buffer adjacent to the park.</p>
<p>South boundary expansion adjacent to Blair Lake. Approx. 360 acres.</p> <p>Legal description:</p> <p>F 2-N, R5W, S.M.</p> <p>Sec. 2: waters of Blair Lake.</p> <p>Sec. 3: N1/2, waters of Blair Lake.</p>	<p>Incorporate into the park the small parcel of state land between existing boundary and Blair Lake.</p>	<p>Provide park management for important uplands and Blair Lake. Protect public access between the park and the lake.</p>

Land Acquisition

Denali State Park has a variety of large and small privately held properties within its boundaries. Acquisition of some inholdings or purchase of development rights should be pursued to help consolidate land ownership patterns and to avoid potential incompatibilities due to differing interests and objectives of the Division and private parties.

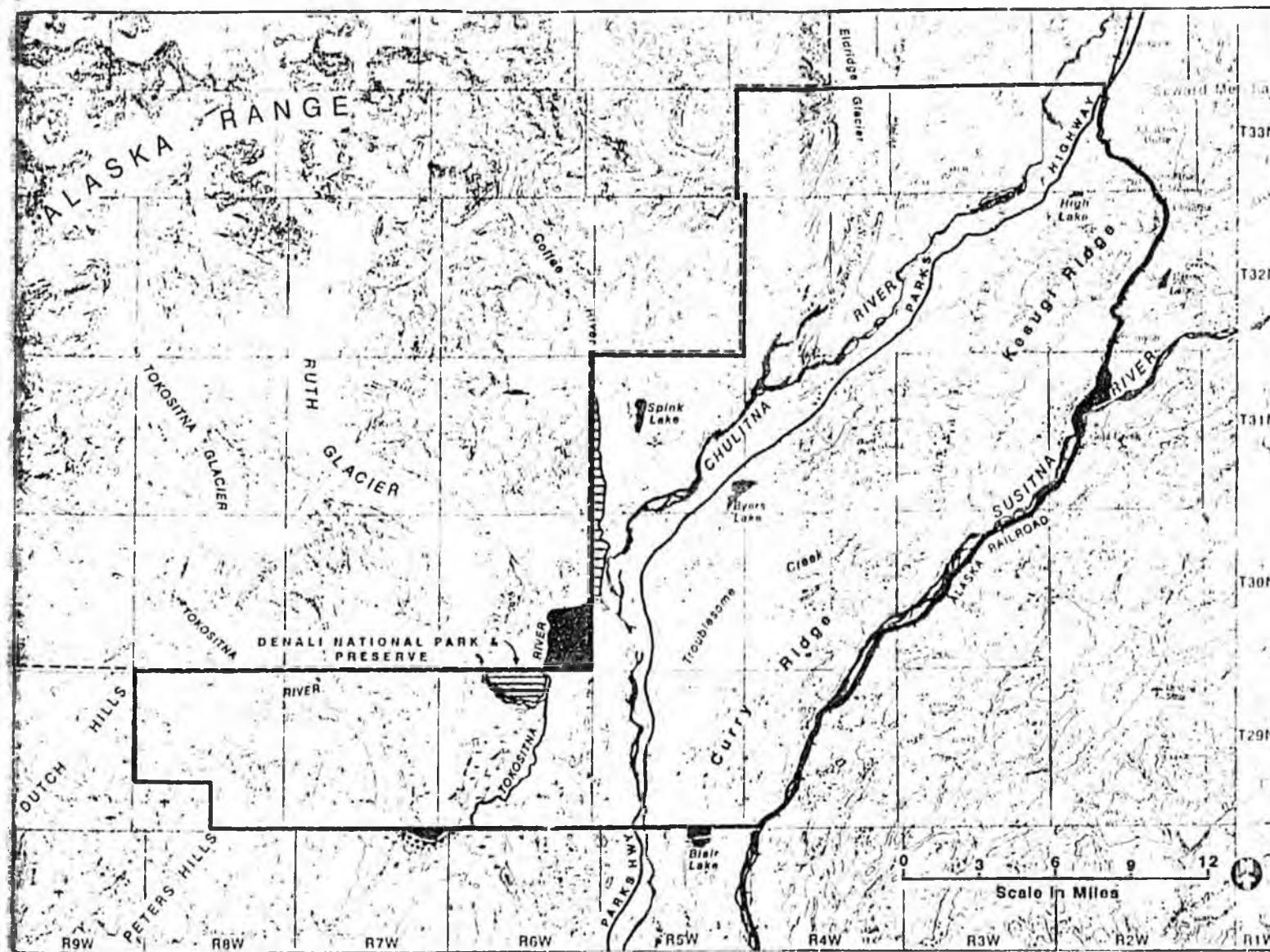
Proposal	Management Objectives	Justification
<p>Acquire inholdings at Byers Lake (10 acres).</p>	<p>Protect quiet, undeveloped nature of area. Provide active management.</p>	<p>Consolidate area as campground area. Inholdings are small, but development could have an adverse impact on the park and park experience currently enjoyed.</p>
<p>Acquire inholdings at Low Lake (7 acres).</p>	<p>Protect natural setting and viewshed integrity from High Lake area.</p>	<p>The north end of the park has a highly diverse environment. The viewshed integrity of the High Lake area is very important to the South Denali project.</p>

DENALI STATE PARK Master Plan

Figure 15
**BOUNDARY
MODIFICATIONS**

To become:

-  State Park
-  National Park
-  River Bank Buffer



HOME PHONE NUMBERS
HOUSE RECORDS

CORINNE CONLON	586-2137
JAMIE FOLEY	463-3595
NANCY VIDAL	586-4063
MELODY NIBECK	586-1806
SHARON MCCAULEY	364-3863
GLENIS DOVE	789-3497
CATHY WOOD	780-6532