





# Alaska State Legislature

Please enter into the record my testimony to the House Resource  
Committee name

Committee on HB 307 Bill/Subject, dated 5-27-06

*I drive to Twin Creek to fish  
Don't shut me out*

Signed: *[Signature]*  
Testifier

Representing (Optional)

1026 K Bellwood St. H / Wasilla AK 99654

Address

(907) 353-0856

Phone number



# Alaska State Legislature

Please enter into the record my testimony to the House Resource  
Committee name

Committee on HB 307, dated 3-27-06  
Bill/Subject

Stop closing places we can ride with our friends  
We need Jim Creek and Knik River areas  
to ride our dirt bikes.

Signed: Andrew Behr  
Testifier

Representing (Optional)

1807 N. meadow LKS Dr. Wasilla, AK 99654  
Address

(907) 376-9117  
Phone number



# Alaska State Legislature

Please enter into the record my testimony to the House Resource Committee

Committee on HB 307 Knik River/Jim Creek Committee name  
Bill/Subject Jim Creek dated 3-27-06

Not all Alaskans and our Visitors  
can walk in to experience the  
beauty of Jim Creek.

Let us ride in  
putting the boat in at the  
Knik River Access  
Don't shut down access because of  
a few delinquents. Enforce current laws  
don't punish us all I support HB 307

Signed: Beverly J. Dwyer  
Testifier

Representing (Optional)  
2200 Wasilla Fishhook Rd  
Address  
376-3958  
Phone number



# Alaska State Legislature

Please enter into the record my testimony to the House Resource Committee name

Committee on HB 307, dated 3-27-06  
Bill/Subject

I am in favor of HB 307 for the following reasons  
First of all, when you look at a map of this state you see nothing more than extremely vast areas of land already designated as either state or national parks. Due to these designations on these large areas they have been set aside as a means of keeping them as pristine environments. If people do not want to see 4 wheelers and swamp buggies while out hiking they should visit these pristine lands that are going to stay that way. Second of all as a frequent visitor of the Knik River and its surrounding, I feel that motorized vehicles are not causing any more harm to the environment than the river does on its own course of erosion, as most trails and places that citizens of Alaska play on are in the river bed. If we were to simply enforce the current laws & codes already in existence the area would naturally be a cleaner place. And on a last note, ATVs, Hunting, fishing, Swamp buggies, Air boats, River Boats, and air planes are all part of living the Alaska dream. We have these technologies we just need a place to be ALASKA.

Signed: Joe Bel  
Testifier

Representing (Optional)

mi. 45.5 Par to Hwy Wasilla  
Address

(907) 376-9117  
Phone number



# Alaska State Legislature

Please enter into the record my testimony to the

*House Resource Committee*

Committee name

Committee on

*HB 307*

Bill/Subject

, dated

*3-27-06*

With the price of gas we can't afford to haul  
our 4 wheelers up the highway.

Let us ride in our own valley.

Signed:

*Amy Segada*

Testifier

Representing (Optional)

*1024 E Delwood St #1 Wasilla, AK 99654*

Address

*(907) 357-0856*

Phone number



# Alaska State Legislature

Please enter into the record my testimony to the House Resource  
Committee name

Committee on HB 307 - Jim Creek, dated 3/27/08  
Bill/Subject

My family has been using the area since the 1940's, the Sexton Trail-head in the area is named after my grandfather

I am in support of HB307

Signed: Michael H. Sexton  
Testifier

Representing (Optional)  
1574 Melanie Wasilla, AK. 99654  
Address  
357-1732  
Phone number



# Alaska State Legislature

Please enter into the record my testimony to the

*House Resource*

Committee name

Committee on

*HB 307*

dated

*3-27-06*

Bill/Subject

*We put the boat in at the Knik River access, I cant imagine why shutting this access down is even considered. Where is the regular guy supposed to put in?*

*We cant afford a fly out trip, dont make our valley into a no-use area.*

Signed

*Shonda Dargatzis*

Testifier

Representing (Optional)

*2201 Wasilla Fishhook Rd, Wasilla, AK 99654*

Address

*907-376-0603*

Phone number



# Alaska State Legislature

Please enter into the record my testimony to the House Resources  
Committee name  
Committee on HB 307 dated 3/29/06  
Bill/Subject

*Please see attached.*

Signed: MICHAEL OWENS  
Testifier

Representing (Optional)

Address

Phone number

To The House of Representatives,

I would like to take this opportunity to tell you that I approve of the house Bill #307 concerning the Knik River Public use Area as it is written.

I have been a resident of the area for 35 plus years and have spent a lot of time on the river bar with family and friends, It is an awesome place for people to go and have fun. I know that there are some problems with laws being broke out there but if we can get Law enforcement out there that would make these issues go away.

I am a Leader over about 100 youth in the palmer area and we go out there quite a few times every year and just have cook outs and go swimming and a lot of different activities and I would sure hate to see this place shut down to these types of activities

I personally know that there is a group of Individuals that are trying to shut down this area to off road Vehicles because they own Horses and they like to ski and things. I would like to mention that they have already shut down an area that I use to ride my 4-wheeler in so that they could ride there horses and ski on there trails without the presence of these other machines. So I feel that if they have there areas to go and play in, then we should have areas where we can go and ride also. The horse and ski area that I am referring to is the Morgan Horse trail area Off of Huntley road about 3 miles out of Palmer.

It is also a beautiful area that they have already made there own.

Thanks for your time and please support House Bill #307

Michael R Owens



# Alaska State Legislature

Please enter into the record my testimony to the House Resources  
Committee name

Committee on HB 307, dated 3/28/06  
Bill/Subject

Signed: See attached AGNES Quaas  
Testifier

Representing (Optional)

Address

Phone number

Please enter into the record my testimony to the **Resources Committee** on House Bill 307,  
March 28, 2006.

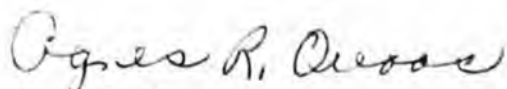
I am opposed to **HB 307** the way it is written.

I was not happy that on March 27, 2006 that your committee had no time to listen to the testimony of the local residents, but you had time to listen to the President of the Alaska Outdoor Access Alliance which in my understanding Representative Stoltze is a board member of. The AOAA guy does not even live in the area and all he wants is a place for him and his macho buddies to have a place to play. I am a resident of the surrounding area.

A misrepresentation is being given that this is a complete rural area, which it is not. Much of it is bordered by private residents and this activity spills over into the private property and affects the residence immensely. In order to access this area they are crossing private property. When told that they are on private property they either threaten to shoot the property owner or tell them to move if they don't like it.

This Bill and the revision the way it is written provides only minimal enforcement. Without enough enforcement any words about protecting wildlife and people is nothing but lip service. When we call the troopers about burning cars, irresponsible shooting or other things we are told that they don't have a vehicle to get in there. Nothing is really being done to address the illegal hunting, poaching and people on their ATVs or Trucks riding up and down the creeks and streams and lakes. Nesting and migrating swans have been and are being driven off their nesting area. When the salmon are spawning ATV riders are trying to run them over to see how many they can get. Bodenbug Creek is a salmon protected creek and signs have been put up to show where the designated crossings are and they are destroyed and taken away in less than a week. The bank is so eroded that the water now reaches the Old Glen Highway. The no shooting signs the state put up along the side of the Old Glen and posters presenting safe shooting have been painted over and shot full of holes. If there is no problem as these people claim, why is the National Guard hauling out over a hundred trashed cars every year and why is tons of trash being taken out by clean up groups? Excessive shooting is lead poisoning the land and water. Reckless shooting is endangering residents and visitors. How long before an innocent bystander is shot and killed?

As this is a popular, easy to access location, the increased use has and is seriously overloading the area. The damage being done with the willy-nilly use will take Mother Nature centuries to repair. Mr. Arno stated there is no problem with the salmon runs, but by the time the problem can be seen it will be too late. With what is going on and the habitat being destroyed, there will probably be no hunting or fishing within 20 years. It's not in Rep. Stoltze's backyard as he is from the Municipality of Anchorage where all this has been banned because of the mayhem and destruction that was taking place there. All we are is a playground for the Anchorage area. People from Anchorage often boast that they can go out to the Knik River area and they can do anything and everything they want as there are no rules or regulations or law enforcement. Thank you for reading my testimony.



Agnes R. Quaas  
(South Knik River Resident)  
21550 E. Arnold Cir  
Palmer, Alaska 99645  
746-6414



# Alaska State Legislature

Please enter into the record my testimony to the House Resources  
Committee name

Committee on HB 307 dated 3/28/06  
Bill/Subject

Signature: see attached ARTHUR Guas  
Testifier

Representing (Optional)

Address

Phone number

Please enter into the record my testimony to the Resources Committee on House Bill 307, March 28, 2006.

I am **opposed** to **HB 307** the way it is written.

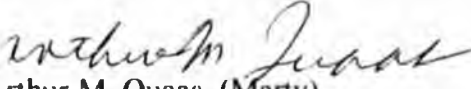
I was greatly disappointed on March 27, 2006 that your committee had no time to listen to the testimony of any of the local residents. I did however have the opportunity to listen to the hearing where you allowed the Alaska Access Alliance President to testify as he was in Juneau.

While there is little private land within the proposed public use area, there is a lot of private land bordering the area, mostly in the Bordenburgh Butte area and along the Knik River Road. At a rough estimate, I would say that 18 miles of residents border this area. Where private land is between roads and public lands, trespassing is rampant. These easy to reach access points is where most of the activities such as camping, ATV riding, partying and shooting take place at all hours of the day or **night**. Unfortunately these activities do not remain on the public lands, but carry over back onto the private lands. The sounds of shooting can be heard and it carries for several miles not to say anything of the bullets. Tax paying residents are woken out bed often in the wee hours by the sounds of shooting, at times by automatic weapons. Residents who have lived there for 20, 30, 40 years and longer can not get a good nights sleep and when they ask the shooters to please keep it quite are told "If you don't like it, move". ATV riders do not remain off the public roads, often with little respect for residents or highway vehicles. Trespassers on private land will challenge the property owner to prove they own the land with "show me your deed".

The outdoor people while they say they are willing to compromise, they have not made any compromises or have they made any serious efforts to create any rules to limit their activities. Some simple gestures such as quiet hours, limiting shooting near residential areas, not riding ATV's on roads or private lands would be a start.

The residents simply want this curse to simply go away and their simple solution is to close the area down. Some local residents also feel that this area is in their back yard and that they should have access to it with no compromises, the heck with their neighbors. Residents should also be entitled to the safety, peace and quite that they enjoyed just a few years in the past, as any resident living anywhere in Alaska is entitled to enjoy.

In it's present form, HB 307 sacrifices the rights of the local residents to favor the out door activities. The rewrite only moved the wording around and in no way changed any meaning. One the first and without a doubt most important items that must be addressed is serious enforcement. Unfortunately, the promoters of this bill are also intimately involved with the Alaska Outdoor Access Alliance and I do not feel that they are really listening to the entire story. Please listen to the residents who are finding themselves crying in the dark while their neighborhood is being over run by jerks.

  
Arthur M. Quaas (Marty)  
(South Knik River Resident)  
21550 E. Arnold Cir  
Palmer, Alaska 99645  
746-6414



# Alaska State Legislature

Please enter into the record my testimony to the

House Resources

Committee name

Committee on

HB 307 Knik River Public Use, dated 3-27-06

Bill/Subject

Area

HB 307 is a good thing because it keeps public lands open to public use. The public enjoys the land and the wildlife.

Signed:

GENE YATES

Testifier

Myself as my family

Representing (Optional)

General Delivery Willow AK 99688

Address

907 355 4467

Phone number



# Alaska State Legislature

Please enter into the record my testimony to the HOUSE RESOURCES  
Committee name

Committee on HB 307 KIVIK RIVER PUBLIC USE AREA dated 03-27-06  
Bill/Subject

I Support HB 307 because we have enough parks and restrictions on public land use. I have used this area for many years in different aspects of Recreation and have abused or harmed nothing. There are some that ruin it for all, but because there are a few irresponsible people we the rest should not have to pay or suffer for this. Examples there is garbage and burned vehicles along the highway from Palmer to Seward Lake this means we should shut down the highway. People say airplanes (jets) are too loud. There are many animals and birds, there are many many many planes that leave the anchorage and out area 24-7 yet geese and swans and other birds and animals do not flee from this or sting area. I agree there is a problem because of a few people with this area but making it a state park is very bad. The state is already closing state parks because of lack of funds which leaves this public land non usable for public use. I do believe that law enforcement of some sort should be used for people that cause this problem.  
Public use area

Signed:

Jim Pettie  
Testifier

James S. Pettie

Myself and my family  
Representing (Optional)

5750 C WINDY LEAM RD PALMER AK 99645  
Address

907-749-4120  
Phone number



# Alaska State Legislature

Please enter into the record my testimony to the House Resources  
Committee name

Committee on HB 307 "An Act Creating the Knik River Public Use Area" dated 3/28/2006  
Bill/Subject

The Knik River Area is a great recreational Area currently open to all. Creating this as a Public Use area, using Bill 307 sponsored by representative Bill Stoltze will keep this area an equal access to all Alaskans and Matanuska Valley Residence while still maintaining its fish and wildlife.

I have seen this area used for years by everyone, hikers, campers, fishermen, hunters, trippers, four wheelers, motorcycles, 4x4 vehicles and auboters. As a fellow female Alaskan I have done almost everyone of these activities. Giving me the opportunity to create stronger bonds with my family. Now that I have kids of my own this area has given us the ability to do more than just sit at home.

In opposition to creating the Knik River Area as a State Park or Controlled Use area it seems like a frivolous and wasteful spending of the Alaska State Parks monies and already limited resources. Our state park have closed and threatened to close Alaskas lands to access due to lack of funds. If Knik River Area is created as a State Park or Controlled Use area, there is no guarantee that this great family destination will <sup>not</sup> be targeted for closure.

Signed: Due to lack of state funding. Buffy Meyer (Buffy Meyer)  
Testifier

Myself and my family  
Representing (Optional)

5750 N. Cunningham Rd Palmer AK 99645  
Address

907 745-6252  
Phone number



# Alaska State Legislature

Please enter into the record my testimony to the House Resource Comm.  
Committee name

Committee on 307, dated 3-27-06  
Bill/Subject

I came here in 1935 w/ the colonists and since that time this Knik area has been used for recreation that is mentioned in this 307 bill. I am in favor of this bill. We are rapidly being restricted and I don't believe that making more restrictive is not for the best interest of our community. Yes there has been abuse but please don't restrict the majority because of the abuse of a few.

Thank you  
Kent Sandvik

Signed: Kent L. Sandvik  
Testifier

Self  
Representing (Optional)

6006 S. Bodenborg, Palmer, AK.  
Address

907-745-3054  
Phone number



# Alaska State Legislature

Please enter into the record my testimony to the Brian Winnestaffer Mat-Su  
Committee name

Committee on HB 307 , dated 3-27-06  
Bill/Subject

The Knik watershed is a beautiful place that can ~~not~~ allow for multiuses by people. We must make sure we are representing all user groups. Some user groups cannot co-exist with other user groups in and on some trails. These sensitive areas must be addressed. A "Plan" must be made on how we all can use and enjoy our recreational areas. Motorized and non-motorized uses must be considered fairly!

Signed: [Signature]  
Testifier

Representing (Optional)

Box 1105 Chickaloon AK  
Address

745-7452  
Phone number

→ I do not support HB 307 until it is written to represent all user groups. However, this bill is a good start.



# Alaska State Legislature

Please enter into the record my testimony to the Jessica Dryden, Mat-Su Borough  
Committee name

Committee on HB 307, dated 3-27-06  
Bill/Subject

① I support more Comprehensive Planning with all affected user groups, citizens, agencies, & concerned individuals including facilitated work sessions more than public hearings.

② I support enhancing/improving ORV trails AND non-motorized trails.

③ I support Immediate Enforcement of rules/regulations.

④ I support Strong Inclusion of area residents and their 'quality of life' concerns into the Planning Process.

⑤ I support the restrictions on weapons in this area.

Signer:

Jessica Dryden  
Testifier

Self

Representing (Optional)

P.O. Box 1105, Chickaloon, AK 99674

Address

745-0737

Phone number



# Alaska State Legislature

Please enter into the record my testimony to the

House Resources

Committee name

Committee on

SB 307

, dated

3-27-06

Bill/Subject

*See attached letter*

Signed

*Blaine Blaine*

Testifier

Representing (Optional)

18590 E. Homer River Rd Palmer, AK

Address

907-745-2407

Phone number

99645

Page 1  
Blaine

March 27, 2006

Senator Huggins and Representative Stoltz

I am opposed to HB307/SB197. I live in the Knik River area and the bill does not do anything to address the issues we deal with on a daily basis. During the summer months, I hear gunshots at all hours of the night. Some nights I do not fall asleep until 2 AM, and they are still shooting. They shoot across the river toward the residential side, on the south of the river.

There are no restroom facilities and this presents a huge problem. Trash and debris are left everywhere, cans and broken bottles used for target practice, McDonalds sacks and other food containers, not to mention the burned cars. Many of the users of this beautiful area show no respect for the area or the residents. ATVer's make trails anywhere and everywhere, through Salmon streams and vegetation areas that should be protected. The bill does not give us adequate enforcement in this area.

I want the area designated a State Recreation Area. That is the only way we can have the maintenance and control needed, as well as, restroom facilities, trash containers and the protection of Salmon and wetland areas and other wildlife, such as, migrating swans. It would allow for responsible motorized recreation users, with designated trails and designated places for firearms use, with enforcement of the No Shooting areas. Grandfathering of the current trails will not work.

This is a beautiful state and this is one of the most beautiful areas in the state. please don't trash it any further.

Respectfully,



Virginia Blaine  
18590 E Knik River Rd  
Palmer, Alaska 99645

Page 2  
Blaine



# Alaska State Legislature

Please enter into the record my testimony to the \_\_\_\_\_

Committee name \_\_\_\_\_

Committee on \_\_\_\_\_

307 King River

dated 3 27 06

Bill/Subject \_\_\_\_\_

I support this bill and do not  
wish to see this put into a park. I  
have used this for 35 years for recreation  
and hunting. I haven't seen any damage  
to birds for bird watchers.

There isn't very much of an area for  
people to ride their machines so I support  
this bill.

Signed: \_\_\_\_\_

William F. Baker

Testifier

Representing (Optional) \_\_\_\_\_

1351 S Pioneer Dr Palmer AK 99645

Address

907 745 3051

Phone number



# Alaska State Legislature

Please enter into the record my testimony to the House Resource Committee.  
Committee name

Committee on H.B. 307, dated 03/27/06  
Bill/Subject

This is to state my strongest support for H.B. 307 as drafted. This is a very good Bill that will bring some very important order to an area most important to many Alaskans. This legislation will permit continued use ~~and~~ now and in the future. It is most important that we do not allow more land to be "locked up". I compliment Rep. Stoltze for his good leadership on this Bill.

Signed: Peter M. Probasco Adam Robson  
Testifier

Self  
Representing (Optional)

P.O. Box 361 Palmer Alaska 99645  
Address

907-745-3182  
Phone number



# Alaska State Legislature

Please enter into the record my testimony to the House Resources  
Committee name

Committee on HB 307 dated 27 MAR 06  
Bill/Subject

I've used this area since 1952. The differences between then and now is the lack of vegetation. The ground cover is disappearing under the indiscriminate use of motorized vehicles. The ensuing dust clouds are getting bigger and more frequent. Ask the people in Anchorage about their air quality. Safety is another concern, who likes to be shot at. This bill only ensures more of the same. Don't call it a public use area if all the public can't use it. Listen to the people that live there and have to put up with the mis use of a public resource.

Signed: Jay Cook  
Testifier

self  
Representing (Optional)

PO Box 520845 Big Lake AK 99652  
Address

892-7579  
Phone number



# Alaska State Legislature

Please enter into the record my testimony to the \_\_\_\_\_

Committee name

Committed on Bill 809 KUPAR, dated 3/27/86  
Bill/Subject

I like the AREA of KINK RIVER on the REENTIN  
and I don't think it needs to be a PARK  
I have used this AREA since 1976, I have  
help clean it up several times  
I would like see it stay as a public use AREA.  
There is alot of people using it,

Signed:

Stanley M Carter  
Testifier

SELF

Representing (Optional)

3600 Butte Rd.  
Address

745-4994  
Phone number



# Alaska State Legislature

Please enter into the record my testimony to the AK House Resource Committee  
Committee name

Committee on HB 307 / CS HB307A / Knik River, dated 3/27/06  
Bill/Subject

Name: Carrie A. Gray Wolfe

I am disappointed in the way this public hearing is proceeding. We need the time to express our opinions. Attached is my 3-minute statement. Please read.

Signed: Carrie A. Gray Wolfe, Carrie A. Gray Wolfe  
Testifier

Self  
Representing (Optional)

20340 E. Birch Hill Drive, Palmer, AK 99645  
Address

(907) 746-8008  
Phone number

Page 1  
WOLFE

**To: Representative Jay Ramras, Co-Chairman**  
**Re: Public Hearing on the Knik River Public Use Area**  
**Date: March 27, 2006**

**Summary: Statement of Opposition to HB307 and the redraft, CS HB307A. Due to time restraints at the hearing, I may be unable to voice my concerns. Below is my statement of record regarding the Knik River Public Use Area legislation.**

My name is Carrie Gray Wolfe and I am a south Knik River resident.

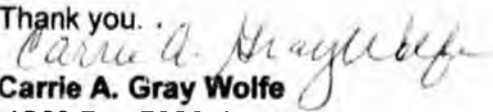
I oppose HB307 and the redraft, CS HB307A. I cannot fully address my opposition in 3-minutes; therefore I will concentrate on the biases, inadequate restrictions, and the inability to protect our fish and wildlife as the legislation is currently written.

The legislation is heavily biased towards off-road vehicle use. This bias is at the expense of most other user groups. For example, Page 1, Lines 13-14, states: to "Provide an area for the public to enjoy the full spectrum of public uses including maintenance and enhancement of off-road vehicle opportunities." And Page 3, Lines 11-16, is dedicated solely to the protection and rights of off road users. Where is the language that specifically includes the "recognition" of existing areas of non-motorized users, the "accommodations" of areas for non-motorized use, and the "maintenance and enhancement" of non-motorized trails and waterways? Page 2, Lines 7-11, state that "the commissioner may designate incompatible uses" but Page 3, Lines 5-10, state, "The commissioner shall allow the...area to be used for activities that include all-terrain vehicles, etc..." As written, there are no "incompatible uses." What if one or more of the stated activities is determined harmful to the perpetuation and enhancement of general public recreation, the public enjoyment of fish and wildlife, or the protection and maintenance of wildlife habitat? (Page 1, Lines 4-12)

Page 2, Line 29, and Page 3, Lines 2-4, fails to adequately address target shooting. It states, "The commissioner may not restrict the use of weapons...except in locations...that the use of weapons constitutes a threat to public safety." Where is it not a threat? Weapons are being fired into hillsides and across waterways with homes, residents, and recreational users on the opposite sides. Reckless shooting is destroying wildlife and vegetation. The fish and birds may be at greater risk to lead poisoning from excessive, non-hunting shooting practices. Local residents have to listen to weapons being discharged up to 24 hours a day, 7 days a week. We have no relief from the noise pollution. Many residents and outdoor enthusiasts avoid using the area in fear for their safety.

I ask you to reject this legislation. There are alternative solutions such as writing a new, non-biased bill or creating a Knik River Valley State Recreation Area. A State Recreation Area (SRA) under AS 41.21 will accommodate all user groups, support effective law enforcement, provide for a public planning process, and abide by the Susitna Area Plan. Two groups in the Matanuska-Susitna Valley already exist to help assist with the development of a SRA. This includes a state park Citizen's Advisory Board comprised of multi-users and The Friends of States Parks that provides supplemental park funding.

Thank you.

  
**Carrie A. Gray Wolfe**  
HC02 Box 7686-J  
Palmer, Alaska 99645  
Telephone: (907) 746-8008  
Email: graywolfe@gci.net

Page 2  
Wolfe



# Alaska State Legislature

Please enter into the record my testimony to the AK House Resource Committee  
Committee name

Committee on HB307 and CS HB307A dated 3/27/05  
Bill/Subject

The way in which this public hearing is proceeding is entirely unprofessional, disorganized, irresponsible, and unacceptable. Many of us local residents, who strongly oppose this bill, have given considerable effort in preparing for this last chance at making our voices and concerns heard. After 2 public hearings, our representatives should have realized the split, opposing sides and concerns over this specific issue. It is disheartening to realize that these same representatives did not set aside enough time to fully address all people through this public process. Attached is my short-version for my "speech".

Signed: Scott A. Wolfe  
Testifier

Representing (Optional)

20390 E. Birch Hill Dr., Palmer AK 99645  
Address

746-8008  
Phone number

Page 1  
Wolfe

My name is Scott Wolfe and I am a south Knik River resident.

I wish to thank the legislatures and the public for their significant efforts for attempting to develop legislation for addressing concerns and conflicts that have developed because of repeated, irresponsible use of the Knik River area by recreational users. However, HB307 and the redraft, CS HB307A sounds as if it were written to perpetuate and enhance the problems instead of develop solutions.

For over 20 years, residents have expressed concerns to government personnel and enforcement officials about the following problems caused by overuse and abuse:

1. Burned and abandoned vehicles
2. Uncontrolled gunfire
3. Uncontrolled motorized use
4. Erosion, dust, and damage caused by ORVs
5. Pollution (Ground, air, water, noise)
6. Abandoned campfires
7. Poaching
8. Wildlife and fish harassment and disturbance
9. Trespassing
10. Alcohol and drug use
11. Incompatible uses (e.g.; airboats on Jim Creek adjacent to Jim Lake while canoes are present, lead shot in waterways)

So, obviously to everyone involved, something needs to be done to curtail the destructive activities that have existed for far, far too long. Nevertheless, this legislation does not provide mechanisms for perpetuating and enhancing non-motorized use. After the 2 public hearings, it should be very clear that much opposition still exists over what is our "best" alternative for managing the incredible wildlife habitat and recreational opportunities in this area. All testimonies are available on public record.

Due to time constraints, I will not reiterate a step-by-step walk through the shortcomings of the proposed legislation but strongly recommend for the legislators to review everyone's recommendations, make a much better attempt at improving the legislation, and allow a more extensive public review process before approving any legislation for this critical area.

The Knik River area and its residents deserve much, much better than a Public Use Area. I've heard ATVs say, "hey, this is Alaska, where we can do whatever we want when we want" - "If you don't like it, just move!" This legislation paves the way for this illogical thinking. Because no legislation has been previously developed specifically for the area, this is now the opportunity to pave the way for wise- and sustainable- use, instead of the "take what you can, give nothing back" attitude so prevalent with many current users and in HB307.

Yes, the State must act on this ever-growing problem. However, HB307 and the redraft are not the answer.

Page 2  
Wolfe



# Alaska State Legislature

Please enter into the record my testimony to the Resources  
Committee name

Committee on H.B. 307 Knik River, dated 3-27-06  
Bill/Subject

I wish to complement the author of this Bill that allows multiple users to continue enjoying their personal method of useage. I personally first used the Knik valley with the Scout Troop that Mr. Hawalters loaded on his 1 1/2 ton truck and drove us to the glacier at the head of the Knik river 1946. Since then I have enjoyed the valley every year, hunting, fishing, picnics, with boats and off road vehicles. I support this bill as it does not discriminate against any type of recreation and supports management oversight.

Signed:

Noel Woods

Testifier

Representing (Optional)

P.O. Box 827 Palmer, ALASKA 99645

Address

745-3027

Phone number



# Alaska State Legislature

Please enter into the record my testimony to the Alaska House Resources  
Committee name

Committee on HB 307, dated 3/27/06  
Bill/Subject

I ask that the committee reject HB 307 and its revisions. The Knik River area needs and deserves a better measure, one that makes this a safe area for residents and recreational use and that will make it truly accessible. As it is presently, I cannot take my grandchildren into the area without concern for their safety.

I am in favor of designating the area a State Recreation area in which regulations and law enforcement will better address the needs of the area. I do not believe that a Public Use Area designation meets those needs. A Public Use Designation only serves the interests of those who are currently using the area inappropriately - most of whom do not live in the affected area!

Signed: Katherine Cross  
Testifier

self  
Representing (Optional)

14725 W. Ryans Creek Dr, Wasilla  
Address

892-7579  
Phone number



# Alaska State Legislature

Please enter into the record my testimony to the House Resources  
Committee name  
Committee on HB 307, dated 3/27/06  
Bill/Subject

Please see attached  
3 pages

Signed: Dick Loutts  
Testifier

Representing (Optional)

Address

Phone number

Hello, My name is Dick Coutts, I am a 42 year resident of the Knik River Valley. I am speaking today for myself, as a present Board Member of the **Butte Community Council**, as the Secretary of the Butte Community Council **Trails Committee**, and as a representative of the **thousands of people** who signed our petition. I am in favor of creating a Knik River Public Use Area as described in House Bill 307 and Senate Bill 197. The land described in the bills is presently open to off-road motorized transportation as well as other multiple uses as described in the State of Alaska statutes under "generally allowed uses" 11AAC 96.020.

I have been using this area for off-road motorized travel to the Knik Glacier area for recreation, hunting, mineral exploration, mining and trapping for 42 years, This area has been used relatively unrestricted for motorized access for over 50 years without any significant damage to the environment or habitat.

Proof of this in the hunting, fishing, and waterfowl regulations currently in place and by statements of the Alaska Fish and game department that show healthy populations of moose, sheep, bears and other animals. A chart from the Fish and game shows that the salmon populations for the Knik River area are at an all time high, and after 50 or more years of unrestricted crossings of salmon streams in our area, there is no significant damage to the salmon habitat and no resulting drop in salmon populations due to the stream crossings.

We think that a designated area for Off Road vehicle use is entirely appropriate located here close to the most populated area of Alaska. We need a designated Off-Road Vehicle, Public Use Area here in close proximity to Anchorage and the Matanuska valley for the thousands of hunters, all-terrain vehicles enthusiasts and others with valid reasons for motorized travel in the Knik River Valley, such as miners for access to their mining claims and private property owners for their access to their property. There are several parcels of private property in the Off-Road areas of the Knik River valley and several mining claims located near the Knik Glacier.

We wish to retain our **traditional methods of transportation and our traditional lifestyles** here in the Knik River valley!

The State of Alaska Statutes define "**traditional uses and traditional** methods of transportation. **Sec 38.04.200 (2)** traditional means of access means those types of transportation for which a popular pattern of use has developed.

There are several non-motorized **National Parks** here in Alaska constituting millions of acres. There are also millions of acres of **designated "wilderness"** areas, and **additional millions of acres** of State Parks, Wildlife Refuges and

various other land areas already set aside for people who desire a "Quiet wilderness experience"

Located right here between Anchorage and the Knik River Valley is the **Chugach State Park**, ½ million acre's (one of the largest state parks in the United States) with several access points from the Old Glen Highway and the Seward highway. The eastern part of the Chugach State park is a designated "wilderness" area.

The proposed Knik River Public Use Area is **relatively small** in comparison to the huge areas already set aside to satisfy the requirements of non-motorized users. The area presently used for Off-Road recreation is approximately 1 mile wide by 18 miles long in the main valley of the Knik River. The sand and gravel bar area along the north edge of the Knik River is the main corridor used by motorized vehicles, along with some trails in the foothills and highlands along the mountains.

#### **Regulation that apply to these lands**

There are approx. 20 "agency's" that have plans and / or regulations that apply to all or part of the Borough, State, and federal lands in the vicinity of the proposed Knik River Public Use Area.

**Wetlands** are adequately protected by provisions in this bill that state: With the assistance of the United States Army Corps of Engineers, the commissioner shall identify wetland areas within the Knik River Public Use Area and provide for the protection of the wetland areas in the **management plan**.

#### **Support for a public use area**

There is a lot of **support** for this bill by local residents. Two **petitions** with over 3,000 names has been collected over the past 2 years. 5 **resolutions** by the Butte Community Council over the last 13 years support the House and Senate Bills and support keeping traditional trails open in our valley.

The Mat-Su Trails Council has voted to support the Knik River Public Use Area as amended and has also voted to retain the existing trails provision that is *included in the draft of House Bill 307*.

The Matanuska-Susitna Borough Assembly has voted to support state designation of land in the Knik River Watershed as a Public Use Area. Matanuska-Susitna Borough **Resolution Serial No. 05-068 (AM)**

**Trails in the area.** There are Mat-Su Borough easements, Federal section 17b easements, a certified State of Alaska (DNR) RS 2477 Right-of-Way corridor, many other trails constructed under the DNR "generally allowed uses" with a

long history of public use that constitute a basic infrastructure for a public use area.

The main trail corridor in the Knik River valley is the **RS2477 trail** that has been certified by the state of Alaska (DNR) as a public trail. This trail corridor extends from near the Old Glen Highway to the Knik Glacier area and 4 miles up Metal Creek canyon.

There is an **easement** from the BLM through the native land grant that coincides with the RS 2477 trail corridor. This easement from the BLM allows access to public lands beyond the native lands.

**Easements** by the Mat-Su Borough designate public access corridors in the Jim Creek trailhead area.



# Alaska State Legislature

Please enter into the record my testimony to the AK House Resources Committee  
Committee name

Committee on HB 307, dated 3/27/06  
Bill/Subject

I am appalled that time is apparently not allotted for testimony for the many people who prepared to do so & took time out of their schedules to come

I oppose HB 307 as originally written. Support the recent changes with further changes to make this a good compromise bill. Without the recommended changes the bill should not be passed

Page 1 - line 14 Add wording to read "~~Provide for the public to enjoy the full spec~~ and non-motorized recreation determined to be compatible with (1) & (2) of this section

Incompatible Uses Section has big problem Contradictory & ineffective  
By allowing commissioner to regulate except as provided in the section, then listing all uses & existing trails - the result is the commissioner cannot regulate any use or any trail even if it is detrimental to the purpose

line 5 - Add the phrase AS COMPATIBLE WITH PURPOSES

line 11 - Delete - This circumvents good trail planning

Importance of Enforcement cannot be overstated Correct wording is necessary to ensure enforcement of existing laws

Complete Prepared testimony attached

Agree completely with Stolte the behavior & access are two different things

Signed: Charlotte Sartor  
Testifier

30 year Butte resident, User of area Also on Board of KRWG  
Representing (Optional) but testifying for self

5900 S. OVR RD  
Address

907-745-4565 bobchar@mtaonline.net  
Phone number

Page 1 Sartor

Monday 3/27/06

As a Butte area resident and user of the Knik River, Swan/Jim/Mud Lake area for more than 30 years I think we need to work for the best possible bill to address problems, and to allow all users to continue to use this area in the years to come. HB307/SB197 as originally written does not do this. Proposed changes to HB307 introduced 3/15/06 have some improvements - calling for a management plan that includes provisions for enforcement & is established after public hearings; managing shooting on the basis of safety; and introducing important enforcement authority. But further changes are needed.

Purposes Section, (41.23.180) Page 1.

The wording needs to include non-motorized use and compatibility with purposes.

Line 14 should be changed to read "Provide for the public to enjoy the full spectrum of public uses including off-road and non-motorized recreation determined to be compatible with (1) and (2) of this section"

Management section, (41.23.190) Page 2.

I would like to see this expanded to include workshops and/or establishing a citizen's advisory board to address residents concerns about quality of life & safety

Incompatible Uses section (41.23.200) Page 2 & 3.

This is a big problem area. It is still contradictory and it is ineffective as written

Page 2 lines 21 & 22 states "except as provided in this section, the commissioner may prohibit or restrict uses..."

Page 3 of this section, Lines 5 -16 (d) (1) & (2) list a variety of uses and recognition of all existing off road trails. The result of this wording would seem to be that the commissioner cannot regulate any use or any existing trail even if it is detrimental to the purposes.

Page 3 Line 6, needs to be reworded to read: allow the Knik River Public Use Area to be used for activities, as compatible with purposes in AS 41.23.180. It is not necessary to try to list every activity. All of the uses and trails do need to be compatible with the purposes section to have an effective bill, and this needs to be clearly stated in the bill

Page 3 Lines 11-16 try to circumvent good public process trail planning and should be deleted.

Page 3 & 4 Enforcement authority 41.23.210 & 41.23.220 Importance of Enforcement cannot be overstated. The majority of users agree enforcement is badly needed. It is important that the wording is such to ensure timely and adequate enforcement of existing laws. Correct wording is necessary to ensure enforcement of existing laws

Thank you for proposing some changes to this bill as written and for allowing testimony today. I have heard that special recreation areas allow for more enforcement power than public use areas. But I hope, further changes will allow for good enforcement, and this bill can be a good compromise, rather than starting all over. However, if these further changes cannot be made, the bill should not be passed.

Charlotte Sartor  
5900 S Our Rd  
Palmer, AK 99645

Page 2 Sartor

Good Day!

I am Robert Howard, Alaskan resident since 1961 – past member of the MSB Trails Committee, Mat Su Trails Council, and Knik River Watershed Group.

Among many activities, my family uses the Knik R. area for motorized recreation. We have recognized the need and advocated two decades for stewardship.

Our primary concern is that HB 307 fails to recognize forgone, costly, public processes aimed at solutions for the area – all of which go well beyond a Public Use Area.

The Susitna Plan mandates a State Recreation Area for the Jim/Swan Wetlands. Among the many documents available to you is this January's draft of the MSB Butte Asset Management Plan, which states "The Butte has several areas that warrant consideration as regional parks including the Knik R. Jim Cr. Area as well as the Mt. and Jim Lk. Area currently owned by the State and should be managed by DNR to be consistent with the above".

HB307 limits management options and specifically excludes that possibility.

The bill mentions 'enhancing off- road opportunities' twice. Knowledge of the area and aerial photos reveal thorough saturation of motor trails. (Please refer to my graphic and photos provided).

ORV use is devastating the dunes channeling the outlet of Jim Cr. and potential course of the river. Ruts are 9 feet deep with full growth cottonwoods tumbling into them.

ORV trails extend into wetland areas holding thousands of waterfowl spring and fall.

ATV's have extended far beyond and claim as 'traditional' logging trails past Jim Lk. churning up springs open all year around, turning out onto wetlands, and imperiling anadromous streams – some of which I have personally made DNR aware.

HB307 attempts to 'recognize' trails that are not viable.

Wetlands are assaulted from all sides in an area already utilizing National Guard cleanups.

6 fuel barrels I reported along with a now removed illegal camp and helped DNR post, remain in the wetlands 1 ½ yrs. later.

The enforcement proposal in HB307 is too cumbersome compared to solutions available under AS41.21 A State Recreation Area is a better choice.

Gov. Murkowski was recently in the news advocating improving Alaska's image. . Truly a jewel accessible to over 300K people, home to prolific wildlife, deserving of all options, Knik River Watershed is a fine place to start.

Please do not disregard the legitimate processes preceding HB307!  
Toss out the petition signatures from the Huggins/Stoltze soldiers – they were observed fraudulently using KRWG's cover letter at the State Fair – and give special attention to the residents concerns.

Thank You!



# Alaska State Legislature

Please enter into the record my testimony to the Resources

Committee name

Committee on HB 307, Knik River, dated 3-27-07

Bill/Subject

The work draft dated 3-15-06 does have some improvements and comes closer to what most people spoke up for during public testimony. Most people seemed to want sustainable use for several groups, and enforcement I speak as a member of 2 hiking groups and the Valley Walkers and Hikers Association. I did not notice any mention in the work draft about restoration of areas that have been eroded or trampled or were bogged, and that is one detail I'd urge you to consider.

The second consideration is in Section 1, Item 4-B - a phrase about "additional uses that are compatible with motorized use" - it implies that non-compatible uses would be not so welcome. Sometimes, in order to let non and motorized groups be compatible, some extra effort needs to be made - maybe some specified trails, or schedules for certain uses on certain days - but I'd like that section to be revised to be more inclusive. Hiking is mentioned only once I think, and I'd like more consideration for more uses.

My third consideration is regarding sustainability - there is a phrase about "minimizes damage" but that seems weak when the idea of keeping an area usable and healthy for future generations is concerned. I suggest a stronger mention of protecting the area for the future.

Enforcement is my last big issue and I just urge you to pass a law that allows people to use the area safely and comfortably. Good luck with this process, and I appreciate the opportunity to testify:

Signed:

Testifier

Happy Hikers, Valley Wanderers, Valley Mountain Bikers and Hikers Assoc.  
Representing (Optional)

PO Box 876395, Van Nuys, CA 91418  
Address

(901) 376-9576  
Phone number



# Alaska State Legislature

Please enter into the record my testimony to the House Resources Committee name

Committee on HB 307 Bill/Subject, dated 3/27/06

Thank you for the work that has already been done. I still feel that the best management tool for the Knik River Area is to become a Special Recreation Area.

See testimony attached

I will be out of town on Weds

I do not believe Parks should be mentioned in this bill. Management by State Parks should be an option at another time.

Signed: Page Moore  
Testifier

Self  
Representing (Optional)

PO Box 399  
Address

907 745-1540  
Phone number

Page Moore

Testimony for HB 307  
March 27, 2006

Thank you for the opportunity to speak today. Also thank you for the work that has already been done amending this legislation.

I still feel that the best management tool for the Knik River Area is creating a Special Recreation Area which was recommended in the 1985 Susitna Area Plan. Division of Parks manages SRAs and already has the organizational structure to provide enforcement, interpretive signs and facilities such as outhouses, pavilions and the like.

However today we are addressing HB 307 creating the Knik River Public Use Area. I have commented on this legislation in the past, am pleased to see the changes that have been made thus far and would like to provide additional comments.

*Handwritten mark*  
\*Please ensure adequate funding is attached to this bill so that more than one enforcement personnel can provide round the clock presence during peak periods of activity. (In 1995 I was involved in a project that repaired the portage between Jim Lake and Jim Creek. The Troopers at that time were conducting evening patrols. We would see them about 11:00 pm as we were wrapping up our work. Shortly after they cruised through, people would start showing up. Sometimes the next morning there would be litter, broken glass, empty shotgun shells and fire pits full of nails.) In addition I have found 3 campfires left smoldering and or burning.

Safety of the residents of the area and lawful users of the area cannot be overemphasized.

Funding also needs to be able to address human and solid waste management by establishing and maintaining outhouses and garbage cans/dumpsters.

*To refer specifically to the legislation*

\*On page 1 line 14 - please add "and non motorized recreation, compatible with section (1) and (2) of this section" to the end of this line.

\*On page 2 line 7 - include workshops with the public hearings.

Also recommend that a citizen's advisory board be established with a balanced representation. This would help ensure that quality of life and safety issues for the local residents would be addressed.

\*page 3 line 6 please insert 'compatible with purposes' after activities. *new word*

\*page 3 lines 11-16 This section should be deleted. ORV use has already been established and the points addressed in this section can be resolved in the public hearing/workshop process.

Please consider these comments and adequately fund this legislation so that the Knik River Area can be lawfully managed for the benefit and safety of local residents, diverse user groups and the rich natural resources found in this valley.

Thank you for your time and effort on this legislation

Nancy Moore  
PO Box 399  
Palmer, Alaska 99645

*Nancy Moore*

907-745-1540



# Alaska State Legislature

Please enter into the record my testimony to the House Resources  
Committee name

Committee on HB 307A dated 3/15/06 to 3/27/06  
Bill/Subject

As attached - Brit Lively

Opposed to HB307A - reasons previously faxed.

Additional information as attached.

Signed

Brit (Brigitte) Lively  
Testifier

Butte Area Residents Civic Organization eslf  
Representing (Optional)

Res: 5505 South Old Glenn, Palmer  
Mail: 259 S. Alaska St, Palmer AK 99645  
Address

907 - 45-7126

Phone number

Brit Lively

Mr. Chairman and members of the Alaska State House Resources Committee

I am Brit Lively, long-time Butte resident I support responsible multiple use. I also represent Butte Area Residents Civic Organization

Because none of you can imagine life in Butte unless you spend a weekend with us to see the beauty and the beast, we have done the next best thing and taken a packet of documentation including 2 videos showing the sunny side and the dark side of Butte to most of Juneau offices. Before deciding the fate of this community, please, assure us that you spend a couple of hours studying the material and the faxed testimony from those who could not come today. you in Juneau

You are the governing stewards of our lands and our waters which we are so richly blessed with in the Knik River Valley. We understand that you are under much pressure to do right by everyone and fortunately you have statutes and a mission statement to guide you, to: "Develop, conserve and enhance natural resources for present and future Alaskans."

With this in mind I emphasized the major deficiencies of HB 307 re-write with suggested changes in my faxed material. The major change is based on DNR's mission where the "Purpose of HB307" should have the paragraphs reversed. If you put recreation ahead of protection of habitat and wildlife along with the limited enforcement in this legislation, you may well end up with a gravel pit and a dust bowl extending beyond the boundaries of this proposed Public Use Area. You may not realize that anywhere from 1,000 to 3,000 people are using this area on most weekends.

Therefore change  
Page 1, line 7-12: change to read:

**1) Perpetuate, mitigate, protect and maintain migratory waterfowl nesting areas and fish and wildlife habitat for sustaining and enhancing**

- a) traditional public use of fish and wildlife populations and
- b) general public enjoyment and recreation

still  
But I primarily advocate for a Knik River Valley State Recreation Area under AS 41.21 to provide strong and immediate law enforcement, a management plan with multi-user advisory, infrastructure including sanitary facilities, allowing users to share the cost for their services and giving Butte residents economic opportunities based on our high-value recreational area.

Our small community should not have to suffer the entire burden of every conceivable kind of motorized recreation for south-central Alaska, where we already endure the race track noise most every day of every weekend and mid-week events all summer long even while the owners are still trying to mitigate the noise. But, add to that all the detrimental issues activities described by others during this hearing, it is just too much.

Please, help our community discard the prevalent perception of, "who cares, it's the Butte," and provide a strong framework of a legislative designation which will give us the respect we deserve and the wings we need to soar to new heights. in a structured multi-use environment.



# Alaska State Legislature

Please enter into the record my testimony to the 4RES Committee name  
Committee on HB 307, dated 3-27-06  
Bill/Subject

I object to the Jim Creek and Jim Lake Area becoming a STATE PARK. I and many others use this area a lot for hunting, hiking, and fishing. I believe it would depress the use of this area and I personally would probably look for another area for recreational purposes. I believe fewer people would use the area if it were turned into a state park.

Signed: Clayton J. Martin  
Testifier

Representing (Optional)

P.O. Box 4636, Palmer, Ak. 99645 sitka 5651A N. Mavorick Dr.  
Address

(907) 745-6447  
Phone number

# ALASKA STATE LEGISLATURE

*Vice Chair:*  
House Finance Committee

*Chair:*  
House Finance Subcommittees for,  
Department of Public Safety  
Department of Law



*Session:*  
Alaska State Capitol  
Juneau, AK 99801-1182  
Phone (907) 465-4958  
Fax (907) 465-4928

*Interim:*  
P.O. Box 104  
Chitina, AK 99567

## BILL STOLTZE STATE REPRESENTATIVE

Representative\_Bill\_Stoltze@legis.state.ak.us

### House Bill 307

#### Knik River Public Use Area

*"An act creating the Knik River Public Use Area."*

The Knik River Valley is a destination for many Alaskans looking for outdoor recreational opportunities. The area is utilized by a wide variety of Alaskans for a wide variety of recreational activities.

With the increasing population in South Central Alaska, more and more people are traveling to the Knik River Valley to recreate. This increase has created the need to establish specific management for the area. House Bill 307 will establish a Knik River Public Use Area. The framework set down by this legislation will protect the area's habitat and provide the recreational activities now available for future generations to enjoy.

I ask for your consideration and support of HB 307 so that this area will have the management it needs to continue to be a source of recreational opportunities for all Alaskans.

DISTRICT 16

BIRCHWOOD • BUTTE • CHUGIAK • EKLUTNA • FAIRVIEW LOOP  
KNIK RIVER ROAD • LAZY MOUNTAIN • PALMER • PETERS CREEK

# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

### *DIVISION OF MINING, LAND AND WATER*

FRANK MURKOWSKI, GOVERNOR

550 West 7<sup>th</sup> Ave., Suite 1070  
Anchorage, AK 99501  
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FAX: (907) 269-8904  
EMAIL: bobl@dnr.state.ak.us

April 21, 2005

Ben Mulligan  
Legislative Assistant to Representative Stoltze  
Juneau, AK

Dear Ben:

Thank you for the opportunity to review draft legislation for the Knik River Watershed. We do have a couple of comments. Specifically, we have three more substantial comments and then a few technical comments.

### **Substantial Comments**

**Emphasis on off-road vehicles.** I understand that Representative Stoltze wishes to ensure that state management maintains and enhances off-road vehicle opportunities. However, I think that the emphasis is stated in a manner that will be perceived as overly weighted toward ATV use and even may create some legal problems. I think the perception of unbalance is created by having off-road vehicle recreation named particularly in the Purpose section without mentioning most of the other uses. It can be solved by putting a general mention of other uses.

The potential legal problem may be created similarly. By providing off-road vehicles in the primary intent in subsection (1) and (3) of the intent "Purpose" Section, and then not mentioning most other uses shall be allowed until subsection (d) of the "Incompatible Use" Section, it creates the impression that those other uses are allowed only if they are compatible with the off-road motorized vehicles. I think that this impression will be controversial, and will constrain the public discussions that occur. While I understand the emphasis on off-road vehicles, I do not think that this intent is what is required.

**Subsection §180(1).** Some suggested language that would replace §180(1) is below. I hope this language makes clear an emphasis on maintaining (and enhancing) off-road vehicles use, but avoids some of the problems of intent in the current language. Either one of these might replace subsection (1):

- (1) Provide an area for the public to enjoy the full spectrum of public uses including maintenance or enhancement of off-road vehicles opportunities
- (1) Provide an area for the public to enjoy motorized and non-motorized uses of fish, wildlife and the land.

**DNR Comments**

Alternatively, you could have one subsection that talks about all the uses, and one subsection that indicates, "provide for the maintenance or enhancement of opportunities for motorized and non-motorized use of the area."

**Subsection §180(3).** I would eliminate the words "through off-road vehicles recreation" and go back to the Nelchina Public Use Area language of "including." Note that off-road vehicles haven't been restricted in Nelchina. The lack of this language in Nelchina hasn't created problems.

**Mention Planning Process.** It would help the Department if the legislation mentioned a planning process, as does the Nelchina. I recommend that language be added to the Management Section as follows:

§190(a). The commissioner is responsible for the management of the surface and subsurface estate within the Knik River Public Use Area consistent with the purposes of AS 41.23.180. After adequate public hearings the commissioner may designate incompatible uses consistent with 41.21.200 and shall adopt and may revise a management plan for the Knik River Public Use Area.

**Mention Education/Compliance.** The Knik River area, more than most places in the state, suffers from lack of field presence, education, and enforcement. All the junk cars around Jim Lake are the prime example. It's such a big deal in this area, that one of the major issues surrounding management of this area is how DNR will ensure compliance. I think it will help DNR greatly in the ultimate management if the legislation mentions this. I do not advocate new powers making DNR into police. We do, however, recommend that the following be added to the end of §190(a) above:

The management plan shall address mechanisms to encourage and enforce compliance with required provisions.

## Technical Comments

We have a number of technical comments. Comments that we do not believe change the intent of the legislation.

Page 2, line 19. §190(d). We recommend taking out the requirement to adopt regulations. There are lots of regulations about wetlands now. It's unclear that we need more. The management plan may provide education, move trails, etc. etc. It's unclear that specific wetland regulations are needed. Thus, we recommend that "shall adopt regulation providing for" be replaced with "the management plan for the Knik Public Use Area shall provide mechanism for"... That way, if we need regs, we can do them. If we don't, we don't have to.

Page 3, Lines 5-8. §200(e). This section requires that existing off-road trails be maintained. Some are probably not appropriate. Some may be in areas that encourage damage and should be re-routed. This section would not allow DNR to reroute the trails. Also, sometimes it is appropriate to disperse off-road use. In some locations it is typically appropriate to

accommodate it. The legislation should be silent about this level of detailed land management decisions.

We recommend that the emphasis be on maintaining existing off-road *opportunities*, rather than the exact trails. Specifically, we recommend the subsection be written to say:

The commissioner shall maintenance or enhance off road motor vehicle opportunities in the Knik Public Use Area, and shall endeavor to accommodate increased use of the public use area.

Page 3, lines 9-12. §200(f). The legislation should not restrict the DNR's regulation of firearms to these specific areas. Rather, it should restrict the regulation only to threats to public safety. Currently, the subsection reads that the firearm use must be a threat to public safety *and* in areas of high public use. DNR, especially this Division has a history of very rarely regulating guns. We just don't do it. But there are some areas, especially in the Knik Area where people are shooting across the river into residential areas. This isn't a high public use area, so it wouldn't quality. Therefore, we recommend that the subsection be changed as follows:

The commissioner may not restrict the use of weapons, including firearms, within the Knik River Public Use Area except ~~in sites of high public use such as picnic areas, boat ramps, camping grounds, and parking areas which~~ for locations where the commissioner determines that the use of weapons constitutes a threat to public safety.

If you really need to specify these areas, add "such as sites of frequent public use, picnic areas"....at the end of the sentence. But we don't think its necessary.

Page 1, lines 9-11. §180(2). The specification of fish and wildlife should be broader. We recommend the following minor change:

Protect and maintain fish and wildlife habitat including habitat for trumpeter swan nesting areas, habitats for moose, Dall sheep, and brown bear ~~and other fish and wildlife habitat~~ so that traditional public use of fish and wildlife populations may continue;

Page 3, lines 13-14. §210. "Subject to valid existing rights" is the same concept in this situation as "vacant and unappropriated. And until the state receives title, it isn't state-owned land or water. Therefore, we recommend the following minor change:

Subject to valid existing rights, ~~and the receipt of state title, the vacant and unappropriated~~ state-owned lan and water and the state land and water acquired....

Page 3, line 1-4. §200(d). I don't think you mean this to be an all-inclusive list. There is probably something left out. So, I would either change the word "involving" to "including" (which means "including but not limited to") or I would have some general, "and other recreational uses" at the end of the list.

Thanks. I hope this is helpful.

-- Bob Loeffler

Conceptual  
AMENDMENT #1

OFFERED IN HOUSE RESOURCES BY Seaton

To: CSHB 307(RES) 24-LS0737\I.1

Page 1, line 14  
Following "vehicle"  
Insert "and non-motorized recreation"

Renumber accordingly. *Uman*

Conceptual  
AMENDMENT #2

OFFERED IN HOUSE RESOURCES

BY

Seaton

To: CSHB 307(RES) 24-LS0737I.2

Page 2, lines 18

Following "(d)"

Delete "With the assistance of the United States Army Corps of  
Engineers,"

Renumber accordingly.

UNAN

Conceptual  
AMENDMENT #3

OFFERED IN HOUSE RESOURCES BY

Seaton

To: CSHB 307(RES) 24-LS0737\I.3

Page 3, line 6

Following "activities"

Insert "as compatible with purposes specified in AS 41.23.180"

Renumber accordingly.

UNAN

# FISCAL NOTE

**STATE OF ALASKA**  
**2006 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HB307CS(RES)-DNR-MLW-03-24-06  
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Natural Resources  
 Title: Knik River Public Use Area RDU: Resource Development  
 Component: Claims, Permits and Leases  
 Sponsor: Rep. Stoltze  
 Requester: (H) RES Component No.: 2460

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services	92.1	127.2	70.8	70.8	70.8	70.8
Travel	2.0	2.0	2.0	2.0	2.0	2.0
Contractual	75.2	16.2	14.0	14.0	14.0	14.0
Supplies	7.5	4.0	2.0	2.0	2.0	2.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>176.8</b>	<b>149.4</b>	<b>88.8</b>	<b>88.8</b>	<b>88.8</b>	<b>88.8</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	176.8	149.4	88.8	88.8	88.8	88.8
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type—Do not abbreviate)						
<b>TOTAL</b>	<b>176.8</b>	<b>149.4</b>	<b>88.8</b>	<b>88.8</b>	<b>88.8</b>	<b>88.8</b>

Estimate of any current year (FY2006) cost: 0.0  
 Check this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

**POSITIONS**

Full-time	2	2	1	1	1	1
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

The bill establishes the Knik River Public Use Area. The legislation would require DNR to prepare and adopt a land management plan, and manage the area consistent with the purposes established in the legislation and the plan. The costs to DMLW would include expenses related to preparation of the land management plan, public notice and review, adoption and printing of the plan, as well as ongoing management of the public use area.

Prepared by: Dick Mylius, Acting Director Phone: (907)269-8600  
 Division: Mining, Land and Water Date/Time: 3/24/2006  
 Approved by: Mike Menge, Commissioner Date: 3/24/2006  
 Agency: Natural Resources

**FISCAL NOTE**

**STATE OF ALASKA  
2006 LEGISLATIVE SESSION**

**BILL NO.** HB307CS(RES)-DNR-MLW-03-24-06

**ANALYSIS CONTINUATION**

**Plan Preparation and Adoption**

(We have assumed that this process will take two years to complete.)

**PERSONAL SERVICES COST - \$113.4 total (for 18 months)**

One Natural Resource Specialist (NRS) III (range 18) - 9 Mo. FY07, 9 Mo. FY08 - total 18 months at \$6.3/month = \$113.4 - for plan preparation, review and adoption.

**TRAVEL, CONTRACTUAL, SUPPLIES**

Travel would be minimal at \$1.0 in FY07 and \$1.0 in FY08 as most of the public meetings would be in the Mat-Su Borough.

Contractual costs in FY07 would be for a User Survey (\$36.0), scoping and draft plan ads, public notice printing, room rentals, and the preparation and distribution of news letters and a draft management plan (\$9.5).

Contractual costs in FY08 would be for follow up public meetings room rental, printing and distribution of the final adopted plan (\$2.0).

Other contractual costs include \$7.0 for office space, telephones, core service charges and related expenses for the new position in FY07, and \$2.5 in FY08.

Supplies are budgeted at \$2.0 per year. FY07 includes one-time start-up costs for new computers and office equipment of \$9.5.

**Management of Public Use Area**

(We have assumed that the permitting and management begin in FY07 and will be ongoing.)

**PERSONAL SERVICES COST - \$70.8/year**

One Natural Resource Specialist (NRS) II (range 16) @5.9/month - 6 months in FY07 and 12 months/year in FY08 and beyond.

**TRAVEL, CONTRACTUAL, SUPPLIES**

Travel would be minimal (assumed at \$1.0/year) as the management activities would be in the Mat-Su Borough.

Annual contractual includes \$7.0/year for office space, telephones, core service charges and related expenses for the new position. Other annual contractual costs would be for professional services as needed (\$2.0). FY09 and beyond includes contractual costs of \$5.0/year for a dedicated vehicle for use by the NRS I for field presence.

Supplies are budgeted at \$2.0 per year. FY07 includes one-time start-up costs for new computers and office equipment of \$9.5.

24-LS07371  
Ballock  
3/15/06

CS FOR HOUSE BILL NO. 307( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FOURTH LEGISLATURE - SECOND SESSION

BY

Offered:  
Referred:

Sponsor(s): REPRESENTATIVE STOLTZE

A BILL  
FOR AN ACT ENTITLED

1 "An Act creating the Knik River Public Use Area."

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

3 \* Section 1. AS 41.23 is amended by adding new sections to article 1 to read:

4 Sec. 41.23.180. Purpose of AS 41.23.180 - 41.23.230. The purpose of  
5 AS 41.23.180 - 41.23.230 is to establish the area described in AS 41.23.230 as the  
6 Knik River Public Use Area. The Knik River Public Use Area is established to

7 (1) perpetuate and enhance

8 (A) general public recreation;

9 (B) public enjoyment of fish and wildlife;

10 (2) protect and maintain migratory waterfowl nesting areas; habitats  
11 for moose, Dall sheep, and brown bear; and other fish and wildlife habitat so that  
12 traditional public use of fish and wildlife populations may continue;

13 (3) provide an area for the public to enjoy the full spectrum of public  
14 uses, including maintenance and enhancement of off-road vehicle opportunities;

15 (4) allow

1 (A) continued motorized access for miners and owners of  
2 private property in the Knik River Public Use Area; and

3 (B) additional public uses of the area determined by the  
4 commissioner to be compatible with this section.

5 **Sec. 41.23.190. Management.** (a) The commissioner is responsible for the  
6 management of the land and mineral estate within the Knik River Public Use Area  
7 consistent with the purposes of AS 41.23.180. After adequate public hearings, the  
8 commissioner may designate incompatible uses and shall adopt and may revise a  
9 management plan for the Knik River Public Use Area. The management plan must  
10 include provisions for the enforcement of the plan and compliance with the  
11 requirements of the plan.

12 (b) The commissioner of fish and game, the Board of Fisheries, and the Board  
13 of Game are responsible for the management of fish and game resources and public  
14 use of fish and wildlife in the Knik River Public Use Area consistent with the purposes  
15 of AS 41.23.180.

16 (c) The Knik River Public Use Area may not be managed as a unit of the state  
17 park system.

18 (d) With the assistance of the United States Army Corps of Engineers, the  
19 commissioner shall identify wetland areas within the Knik River Public Use Area and  
20 provide for the protection and use of the wetland areas in the management plan.

21 **Sec. 41.23.200. Incompatible uses.** (a) Except as provided in this section, the  
22 commissioner may prohibit or restrict uses determined to be incompatible with the  
23 purposes of the Knik River Public Use Area under AS 41.23.180 within the state-  
24 owned land and water described in AS 41.23.230.

25 (b) Nothing in AS 41.23.180 - 41.23.230 prohibits the Department of Fish and  
26 Game from engaging in rehabilitation, enhancement, and development of fish and  
27 wildlife habitat within an area described in AS 41.23.230 that is consistent with the  
28 purposes stated in AS 41.23.180.

29 (c) The commissioner may not restrict

30 (1) lawful fishing, hunting, or trapping ~~as provided in~~  
31 regulation of the Board of Fisheries or the Board of Game in the Knik River Public

1 Use Area; or

2 (2) the use of weapons, including firearms, in the Knik River Public  
3 Use Area except in locations where the commissioner determines that the use of  
4 weapons constitutes a threat to public safety;

5 (d) The commissioner shall

6 (1) allow the Knik River Public Use Area to be used for activities that  
7 include all-terrain vehicles, aircraft, watercraft, airboats, snowmobiling, horseback  
8 riding, hiking, bicycling, dog sledding, cross-country skiing, skijoring, camping,  
9 hunting, fishing, wildlife viewing, photography, and, where permitted, mineral  
10 exploration and mining; and

11 (2) recognize the existing off-road motor vehicle trails and the access  
12 those trails provide to areas in the Knik River Public Use Area, make accommodations  
13 that will provide the shortest possible route to avoid critical habitat, conduct trail  
14 rehabilitation in a way that minimizes damage, maintain and enhance off-road motor  
15 vehicle options and opportunities in the Knik River Public Use Area, and provide for  
16 increased use of the public use area.

17 (e) The commissioner of public safety and the commissioner of fish and game  
18 shall have necessary access for fish and game management, research, and enforcement  
19 purposes.

20 **Sec. 41.23.210. Enforcement authority.** (a) In the Knik River Public Use  
21 Area described in AS 41.23.250, the following persons are peace officers of the state  
22 for the purpose of enforcing the provisions of AS 41.23.180 - 41.23.230 and  
23 regulations adopted under AS 41.23.180 - 41.23.230:

24 (1) an employee of the department or other person authorized by the  
25 commissioner;

26 (2) a peace officer, as that term is defined in AS 01.10.060.

27 (b) A person designated in (a) of this section may, when enforcing the  
28 provisions of AS 41.23.180 - 41.23.230 or a regulation adopted under AS 41.23.180 -  
29 41.23.230,

30 (1) execute a warrant or other process issued by an officer or court of  
31 competent jurisdiction;

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(2) administer or take an oath, affirmation, or affidavit; and

(3) arrest a person who violates a provision of AS 41.23.180 - 41.23.230 or a regulation adopted under AS 41.23.180 - 41.23.230.

**Sec. 41.23.220. Penalty.** (a) A person who violates a provision of AS 41.23.180 - 41.23.230 or a regulation adopted under AS 41.23.180 - 41.23.230 is guilty of a violation as defined in AS 11.81.900.

(b) The supreme court shall establish by order or rule a schedule of bail amounts for violations under (a) of this section that allow the disposition of a citation without a court appearance.

**Sec. 41.23.230. Knik River Public Use Area.** Subject to valid existing rights, state-owned land and water and the state land and water acquired in the future that lie within the boundaries described in this section are designated as the Knik River Public Use Area, are reserved for all uses compatible with their primary function as public use land, and are assigned to the department for control and management:

(1) Township 15 North, Range 4 East, Seward Meridian;

(2) Township 15 North, Range 5 East, Seward Meridian;

(3) Township 15 North, Range 6 East, Seward Meridian;

(4) Township 15 North, Range 7 East, Seward Meridian

Section 3: NW1/4NW1/4

Section 4: N1/2NE1/4, N1/2NW1/4

Section 5: N1/2NE1/4, NW1/4

Section 6: SW1/4SE1/4, N1/2SE1/4, SW1/4, N1/2

Section 7: SW1/4NW1/4, N1/2NW1/4;

(5) Township 16 North, Range 2 East, Seward Meridian

Section 1: Portions located below the ordinary high water of Knik River

Section 2: Portions located below the ordinary high water of Knik River

Section 3: Portions located below the ordinary high water of Knik River.

(6) Township 16 North, Range 3 East, Seward Meridian

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Sections 1 - 3

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Section 4: Portions located below the ordinary high water of  
Knik River

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Section 5: Portions located below the ordinary high water of  
Knik River

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Section 6: Portions located below the ordinary high water of  
Knik River

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Section 9: Portions located below the ordinary high water of  
Knik River

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Section 10: Portions located below the ordinary high water of  
Knik River

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Sections 11 - 13

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Section 14: Portions located below the ordinary high water of  
Knik River

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Section 23: Portions located below the ordinary high water of  
Knik River

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Section 24: Portions located below the ordinary high water of  
Knik River;

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(7) Township 16 North, Range 4 East, Seward Meridian;

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(8) Township 16 North, Range 5 East, Seward Meridian;

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(9) Township 16 North, Range 6 East, Seward Meridian;

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(10) Township 16 North, Range 7 East, Seward Meridian

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Section 6: NW1/4SE1/4, S1/2SE1/4, W1/2

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Section 7

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Sections 17 - 20

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Section 28: NW1/4SW1/4, S1/2SW1/4

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Sections 29 - 32

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Section 33: S1/2NE1/4, SE1/4, W1/2

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Section 34: SE1/4SW1/4, W1/2SW1/4;

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(11) Township 17 North, Range 2 East, Seward Meridian

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Section 36: Portions located below the ordinary high water of

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Knik River:

(12) Township 17 North, Range 3 East, Seward Meridian

Sections 1 - 5

Sections 9 - 16

Section 17: S1/2

Sections 20 - 29

Section 31: NE1/4NE1/4, S1/2NE1/4, SE1/4, SW1/4 located  
below the ordinary high water of Knik River

Sections 32 - 36;

(13) Township 17 North, Range 4 East, Seward Meridian;

(14) Township 17 North, Range 5 East, Seward Meridian;

(15) Township 17 North, Range 6 East, Seward Meridian;

(16) Township 18 North, Range 6 East, Seward Meridian.

MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION 05-22 (AM)

A RESOLUTION OF THE MATANUSKA-SUSITNA PLANNING COMMISSION REQUESTING THE ASSEMBLY TO SUPPORT ALASKA LEGISLATIVE EFFORTS TO ESTABLISH A KNIK RIVER PUBLIC USE AREA FOR PUBLIC LAND IN THE KNIK RIVER WATERSHED AND TO PROVIDE FUNDING TO THE ALASKA DEPARTMENT OF NATURAL RESOURCES FOR DEVELOPMENT OF A MANAGEMENT PLAN FOR PUBLIC LAND IN THE AREA.

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WHEREAS, the Alaska Department of Natural Resources (DNR) and the Matanuska-Susitna Borough are the primary landholders of public land in the Knik River Watershed (KRW) and recognize the need to address management issues in the Jim Creek-Swan Lake-Knik River area; and

WHEREAS, the area includes over 7,600 acres of public land, the majority of which is owned and managed by the state DNR, and

WHEREAS, this area consists of uplands, wetlands, anadromous streams and other water bodies, unique geologic features, waterfowl staging and nesting areas, and wildlife to include resident moose, black and grizzly bear; and

WHEREAS, citizens and users have expressed repeated concern about significant increases in unmanaged uses, vandalism and other unlawful violations, safety, pollution, littering, impacts to fish and wildlife resources, impacts on nearby residents and users, and have committed significant volunteer resources in attempts to educate local residents and visitors in order to improve the situation; and

**Resolutions**

WHEREAS, the draft Asset Management Plan for Borough Owned Land in the Butte Area (2004) recognizes that "use impacts [on state land] are so significant to warrant a special study area that should be established under cooperative management; the Knik Arm Wetlands Study (1981) and the Susitna Area Plan (1985) recognized important wildlife value, current and potential future impacts of unmanaged use, and recommended special designation for areas within the KRW; and the South Central Recreation Action Plan (1984) recommended a master plan for the Jim-Swan Lakes area of the KRW to more effectively serve diverse recreational interests; and

WHEREAS, DNR has statewide experience in developing sustainable multiple-use plans for state land; and

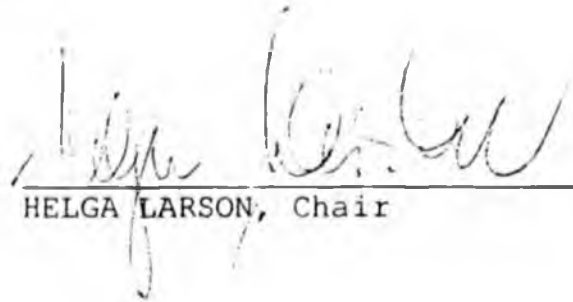
WHEREAS, a planning team led by DNR would include public and private land owners and managers, scientists, user groups, citizens, and adjoining private landholder representation, and would be developed using an open public process; and

WHEREAS, legislative designation and a management planning effort would enhance opportunity for multiple-use management that would include partnering, collaboration and volunteerism for agencies, landholders, diverse users, residents and citizen groups.

NOW, THEREFORE, BE IT RESOLVED that the Matanuska-Susitna Borough Planning Commission recommends the Assembly support

state legislative efforts to create a Public Use Area for the public land in the Knik River watershed and to provide funding to the Alaska Department of Natural Resources to develop and implement a management planning process for the public land in the area.

ADOPTED by the Matanuska-Susitna Planning Commission this 4 day of April, 2005.

  
\_\_\_\_\_  
HELGA LARSON, Chair

ATTEST:

  
\_\_\_\_\_  
PRISCILLA M. GOFF, Planning Clerk

(SEAL)

By: L. Woods  
Amended: 05/17/05  
Adopted: 05/17/05

**MATANUSKA-SUSITNA BOROUGH  
RESOLUTION SERIAL NO. 05-068(AM)**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH SUPPORTING STATE DESIGNATION OF LAND IN THE KNIK RIVER WATERSHED AS A PUBLIC USE AREA AND FOR THE STATE TO PROVIDE FUNDING TO THE ALASKA DEPARTMENT OF NATURAL RESOURCES TO DEVELOP A MULTIPLE-USE MANAGEMENT PLAN FOR THE AREA.

---

WHEREAS, the Alaska State Department of Natural Resources (DNR) and the Matanuska-Susitna Borough are the primary landholders of public land in the Knik River Watershed (KRW) and recognize the need to address management issues within portions of the watershed, particularly in the Jim Creek - Swan Lake - Knik River areas; and

WHEREAS, the area includes over 250,000 acres of public land, the majority of which is owned and managed by the Alaska State Department of Natural Resources; and

WHEREAS, the Borough recognizes that use impacts on State land are so significant as to warrant a special study area that should be established under cooperative management; and

WHEREAS, the Knik Arm Wetlands Study (1981) and the Susitna Area Plan (1985) recognized important wildlife value, current and potential future impacts of unmanaged

use, and recommended special designation for areas within the Knik River Watershed; and the South Central Recreation Action Plan (1984) recommended a master plan for the Jim Creek - Swan Lakes area of the Knik River Watershed to more effectively serve diverse recreational interests; and

WHEREAS, this area consists of uplands, wetlands, anadromous streams and other water bodies, unique geologic features, waterfowl staging and nesting areas, and wildlife to include resident moose, black and grizzly bear; and

WHEREAS, citizens and users have expressed repeated concern about significant increases in unmanaged uses, vandalism and other unlawful violations, safety, pollution, littering, impacts to fish and wildlife resources, impacts on nearby residents and users, and have committed significant volunteer resources in attempts to educate local residents and visitors in order to improve the situation; and

WHEREAS, DNR has statewide experience in developing sustainable multiple-use plans that recognize and provide for a wide variety of users of State land, yet in a way that protects important areas; and

WHEREAS, a planning team led by DNR would include public and private land owners and managers, scientists, a wide variety of user groups that currently use the area,

citizens, and adjoining private landholder representation, and would be developed using an open public process; and

WHEREAS, a management planning effort would enhance the opportunity for multiple-use management that would include partnering, collaboration and volunteerism for agencies, landholders, diverse users, residents and citizen groups.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Assembly supports the State creating a public use area for public land in the Knik River watershed and urges the appropriation of funds to the Alaska State Department of Natural Resources to initiate a management planning process which includes all user groups and appropriate agencies for the public land in the area. The State funding should include sufficient resources to implement the management plan and provide enforcement of land-use regulations as provided to them under State Statute for their stewardship of public lands.

ADOPTED by the Matanuska-Susitna Borough Assembly this  
17 day of May, 2005.

TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

MICHELLE M. MCGEHEE, CMC, Borough Clerk

(SEAL)

PASSED UNANIMOUSLY: Woods, Allen, Colberg, Kvalheim,  
Simpson, Colver, and Vehrs

**SUBJECT:** A resolution supporting state designation of land in the Knik River Watershed as a state special management area and to provide funding to the Department of Natural Resources to develop a multiple-use management plan for the area.

**AGENDA OF:** May 17, 2005

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY JOHN DUFFY, BOROUGH MANAGER:** \_\_\_\_\_

Route To:	Department/Individual	Initials	Remarks
	Originator		
	Community Development Director		
	Planning and Land Use Director		
	Finance Director		
	Borough Attorney		
	Borough Clerk		

**ATTACHMENT(S):** Fiscal Note: Yes \_\_\_ No X  
 Parks, Recreation and Trails Advisory Board  
 Resolution No. 05-05 (2pp)  
 Planning Commission Resolution No. 05-22 (AM)  
 Resolution Serial No. 05-\_\_\_

**SUMMARY STATEMENT:** The Susitna Area Plan, when it was adopted in 1985, recognized that a variety of special habitat, scenic and recreational values existed in the Knik River Watershed. That plan specifically recommended that the area surrounding Jim and Swan Lake be designated as a State Recreation site.

The plan specifically found that legislative designation of the area was important for the area because of the heavy public use of the areas lakes and streams for salmon and trout fishing, waterfowl hunting, canoeing, hiking and winter recreation activities. The plan further stated that use of the area was likely to increase as

the population of the surrounding area grew, and that the area should be managed to provide recreation while protecting and enhancing wildlife habitat and protecting visual quality.

In recent years we all have been hearing more and more frequently about conflicts between users of the area, concerns about personal safety and the need for active management of the area to help resolve these conflicts, protect important habitat areas from complete destruction while at the same time allowing the multitude of recreational activities that have occurred in the area over the years to continue.

With the recent process we have gone through as part of developing an asset management plan for borough owned land in the Butte area, the subject of management of the adjacent state land again became a major issue. While the public did not totally agree on how the area should be managed, they did point out that any action on Borough owned land is meaningless if not followed through by the adjacent public land owners and vice-versa.

Fortunately, the state Department of Natural Resources, Division of Mining, Land and Water (DMLW) had participants at all our public meetings and were involved in the review of our planning documents. Following the last round of public review (summer and fall of 2004) they took the message back that a plan for the entire watershed was the only sensible way to proceed to deal with the real and perceived conflicts that exist in the area.

The DMLW is now supportive of a legislative designation of the area (either a public use area or a public recreation area) neither of which prohibit any uses of the area, but allows the department to utilize a planning process to arrive at an enforceable management plan.

Legislation was proposed by DMLW and the Knik River Watershed Group to accomplish the above and a fiscal note was drafted to complete a management plan for the area within two years. Although no legislation was introduced a draft was prepared that could be used as a good vehicle for the public to review and discuss in preparation for the next legislative session.

**RECOMMENDATION OF ADMINISTRATION:** Because of the large amount of public, mainly state land in the Knik River Watershed and the amount of conflicts and safety concerns that we have all heard and read about, it is recommended that the Borough recommend to the state that a management plan for the area be adopted and the area be protected for its multiple-use recreational and habitat values. The administration supports the resolution and recommends adoption.

**MATANUSKA-SUSITNA BOROUGH  
PARKS, RECREATION AND TRAILS ADVISORY BOARD  
RESOLUTION SERIAL NO. 05-05**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PARKS RECREATION AND TRAILS ADVISORY BOARD REQUESTING THE ASSEMBLY TO SUPPORT THE STATE DESIGNATING LAND IN THE KNIK RIVER WATERSHED AS A STATE RECREATION AREA AND TO PROVIDE FUNDING TO THE DEPARTMENT OF NATURAL RESOURCES TO DEVELOP A MULTIPLE-USE MANAGEMENT PLAN FOR THE AREA.

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WHEREAS, the Alaska Department of Natural Resources (DNR) and the Matanuska-Susitna Borough are the primary landholders of public land in the Knik River Watershed (KRW) and recognize the need to address management issues in the Jim Creek-Swan Lake-Knik River area; and

WHEREAS, the area includes over 250,000 acres of public land, the majority of which is owned and managed by the state DNR, and

WHEREAS, the draft Asset Management Plan for Borough Owned Land in the Butte Area (2004) recognizes that "use impacts [on state land] are so significant to warrant a special study area that should be established under cooperative management; the Knik Arm Wetlands Study (1981) and the Susitna Area Plan (1985) recognized important wildlife value, current and potential future impacts of unmanaged use, and recommended special designation for areas within the KRW; and the South Central Recreation Action Plan (1984) recommended a master plan for the Jim-Swan Lakes area of the KRW to more effectively serve diverse recreational interests; and

WHEREAS, this area consists of uplands, wetlands, anadromous streams and other water bodies, unique geologic features, waterfowl staging and nesting areas, and wildlife to include resident moose, black and grizzly bear; and

WHEREAS, citizens and users have expressed repeated concern about significant increases in unmanaged uses, vandalism and other unlawful violations, safety, pollution, littering, impacts to fish and wildlife resources, impacts on nearby residents and users, and have committed significant volunteer resources in attempts to educate local residents and visitors in order to improve the situation; and

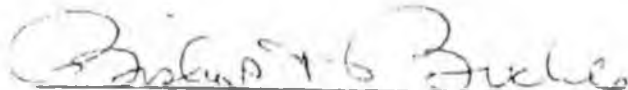
WHEREAS, DNR has statewide experience in developing sustainable multiple-use plans that recognize and provide for a wide variety of users of state land, yet in a way that protects important areas; and

WHEREAS, a planning team led by DNR would include public and private land owners and managers, scientists, a wide variety of user groups that currently use the area, citizens, and adjoining private landholder representation, and would be developed using an open public process; and

WHEREAS, a management planning effort would enhance the opportunity for multiple-use management that would include partnering, collaboration and volunteerism for agencies, landholders, diverse users, residents and citizen groups.

NOW, THEREFORE, BE IT RESOLVED that the Matanuska-Susitna Borough Parks, Recreation and Trails Advisory Board urges the Assembly to support the State designating a portion of the Knik River Watershed as a multiple-use State Recreation Area and to provide state funding to the Alaska Department of Natural Resources to develop and implement a management plan for public land in the area.

ADOPTED by the Matanuska-Susitna Borough Parks Recreation and Trails Advisory Board this 25th day of April, 2005.

  
BISHOP T. BUCKLE, Chairman

**A RESOLUTION SUPPORTING THE KNIK RIVER WATERSHED  
GROUP MANAGEMENT EFFORTS**

*Mat-Su CVB Resolution FY05-06*

WHEREAS, majority of public lands in the Knik River Watershed (KRW) are owned and managed by the Alaska Department of Natural Resources, Division of Mining, Land and Water (DNR).

WHEREAS, this area is popular for a wide variety of motorized and nonmotorized activity and offers exceptional hunting, fishing, wildlife viewing, birdwatching and photography; and

WHEREAS, the KRW consists of uplands, wetlands, anadromous streams and other water bodies, unique geologic features, glaciers, swan and other waterfowl staging and nesting areas, and wildlife to include moose, black and grizzly bear; and

WHEREAS, recreation in the area has significantly increased and is expected to continue to increase, and the area is located in the most populated region in Alaska.

WHEREAS, the Knik Arm Wetlands Study (1981) and the Susitna Area Plan (1985) recognized important wildlife value, current and potential future impacts of unmanaged use, and recommended special designation for areas within the watershed; the SouthCentral Recreation Action Plan (1984) recommended a master plan for the Jim-Swan Lakes area of the watershed to more effectively serve diverse recreational interests; and a portion of the Jim-Swan area is located within the Lake George National Natural Landmark; and

WHEREAS, citizens and users have expressed repeated concerns about personal safety, vandalism, game and nongame violations, pollution and lack of sanitation, littering, impacts to fish and wildlife resources, impacts on resident's quality of life, impacts on responsible users, and impacts on hydrology and area aquifers; and

WHEREAS, a sustainable management plan is needed to protect fish and wildlife resources and that will accommodate motorized, nonmotorized, consumptive and nonconsumptive uses; and

WHEREAS, the planning effort shall include a full public process, scientific expertise and trail design expertise, and

WHEREAS, planning, sustainable management, and enforcement on public lands in the KRW will enhance opportunity to develop tourism destinations by offering safe, exceptional recreational opportunity for a multitude of user groups and visitors.

NOW, THEREFORE BE IT RESOLVED that the Mat-Su Convention & Visitors Bureau Board of Directors fully supports efforts to develop a management plan, in a full public process, for the Knik River Watershed that will protect natural resources and accommodate motorized and nonmotorized recreation.

Adopted by the Mat-Su CVB Board of Directors on May 19, 2005.

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Sandra White  
President

Steve Mahay  
Secretary



MINUTES  
Thursday, May 12, 2005  
Lazy Mountain Community Council  
General Meeting

Meeting started with President Will Peabody calling meeting to order at 7:35pm.  
Attended by Board Members; Will, Doug, Dan, Michael, Ken & Helen,  
In addition, 8 general members.

Pledge

Minutes from the March 10, 2005 meeting read by Dan Linden. Motion to approve by Lucy, second by Helen.

Ken Klunder gave an update on the Comprehensive Plan. Eileen Probasco is getting a survey together to be mailed to every land owner. The survey asks owners what is important to them. This information will be used for the 1<sup>st</sup> workshop, called "Vision Building". Ken stressed the importance of getting as many people as possible involved with the comprehensive plan by attending the 1<sup>st</sup> workshop and the meetings that are the last Thursday of every month.

Road Report by the RSA's Lucy Klebesadel, Ken Klunder, and Pat Larrabee. Lucy reports that there is \$20,000 left in the road budget. Mike Garner says that \$14,000 will be spent within the next 2 weeks. Most roads in Rancho subdivision will be worked on. Robin Lane will have a new chip seal product applied but the resurfacing will only cost the community \$10,000. Koperund requests residents to clean out culverts so that they may assess which ones need replaced. Koperunds will be brush cutting and request that residents mark trees and/or shrubs that they do not want destroyed. Lucy reported that our CIP list had been changed without approval or notification to the Lazy Mountain Community Council. It appears that Lynn Woods and Jim Culver are paving Robin Lane, at a cost of \$110,000 to the list. Lucy concluded by reminding the council that the new fiscal year for road funds starts June 30.

Cecily Fritz and Robert Howard gave a presentation on the Knik watershed area. They are spearheading a group called The Knik Watershed Group in which their mission is to sustain the Knik River Watershed to insure use and enjoyment for current and future generation. After the presentation, Will Peabody made a motion to approve a resolution for support of a state DNR management plan. The full resolution is as follows:

*This resolution was prepared by the Knik River Watershed Group for consideration by the Lazy Mountain Community Council and was presented at the council general meeting on May 12, 2005.*

Whereas, the majority of public lands in the Knik River Watershed (KRW) are owned and managed by the Alaska Department of Natural Resources, Division of Mining, Land and Water (DNR).

Whereas, this area is popular for a wide variety of motorized and nonmotorized activity and offers exceptional hunting, fishing, trapping and nonconsumptive uses; and

Whereas, the KRW consists of uplands, wetlands, anadromous streams and other water bodies, unique geologic features, glaciers, waterfowl staging and nesting areas, and wildlife to include moose, black and grizzly bear; and

Whereas, recreation in the area has significantly increased and is expected to continue to increase, and the area is located in the most populated region in Alaska.

Whereas, citizens and users have expressed concerns about personal safety, vandalism, game and nongame violations, pollution and lack of sanitation, littering, impacts to fish and wildlife resources, impacts on resident's quality of life, impacts on responsible users, and impacts on hydrology and area aquifers; and

Whereas, the Knik Arm Wetlands Study (1981) and the Susitna Area Plan (1985) recognized important wildlife value, current and potential future impacts of unmanaged use, and recommended special designation for areas within the watershed; and the SouthCentral Recreation Action Plan (1984) recommended a master plan for the Jim-Swan Lakes area of the watershed to more effectively serve diverse recreational interests; and

Whereas, DNR has the experience and expertise to develop a management plan that shall involve a full public process, include scientific expertise, trail design expertise and invite the participation of all user groups, citizens and adjoining landholders; and

Whereas, DNR has statewide experience in developing sustainable multiple-use plans that protect important fish and wildlife resources; and

Whereas, a management planning effort would enhance opportunity for partnering, collaboration and volunteerism for agencies, landholders, diverse user groups, residents, and citizen groups.

Now, therefore be it resolved that the Lazy Mountain Community Council supports state DNR efforts to develop a sustainable management plan, in a full public process, for the Knik River Watershed that will protect natural resources and accommodate motorized and nonmotorized recreation.

Adopted by Resolution of the Lazy Mountain Community Council on May 12, 2005.

The motion was 2<sup>nd</sup> by Micheal Miller.

Vote taken. Vote was unanimous for acceptance of the resolution.

9:15 meeting adjourned by the president.

## Mat-Su State Parks Citizens Advisory Board

Resolution #05-03

A resolution supporting state funding to the Alaska Department of Natural Resources for development of a management plan for Public Lands in the Knik River Watershed.

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Whereas, the Alaska Department of Natural Resources (DNR) is the primary landholder of public lands in the Knik River Watershed (KRW) and the land is classified as generally managed state land;

Whereas, the draft Asset Management Plan for Borough Owned Land in the Butte Area (2004) recognizes that "use impacts [on state land] are so significant to warrant a special study area that should be established under cooperative management;

Whereas, the Knik Arm Wetlands Study (1981) and the Susitna Area Plan (1985) recognized important wildlife value, current and potential future impacts of unmanaged use, and recommended special designation for areas within the KRW;

Whereas, the SouthCentral Recreation Action Plan (1984) recommended a master plan for the Jim-Swan Lakes area of the KRW to address severe erosion from four-wheel drive vehicles and fire hazards from unmanaged camping, and to more effectively serve diverse recreational interests;

Whereas, the area includes over 7600 acres of wetlands, anadromous streams, unique geologic features, waterfowl staging and nesting, and wildlife to include resident moose, black and grizzly bear;

Whereas, citizens and users have expressed repeated concern for the increase in unmanaged uses, vandalism, safety, pollution, littering, impacts to wildlife resources, and impacts on residents and users, and have committed significant volunteer resources notifying agencies and troopers, organizing clean-ups, and educating residents and visitors in attempts to improve the situation;

Whereas, DNR has statewide experience in developing sustainable multiple-use plans for state land;


Whereas, a DNR led planning team would include land managers, scientists, user groups, citizens, and adjoining private landholder representation, and would be developed using an open public process;

Whereas, a management planning effort would enhance opportunity for multiple use management that would include partnering, collaboration and volunteerism for agencies, landholders, diverse users, residents and citizen groups.

**NOW THEREFORE BE IT RESOLVED:**

That the Citizens Advisory Board of the Mat-Su district of Alaska State Parks supports state funding to the Alaska Department of Natural Resources to fulfill a management planning process for public lands in the Knik River Watershed.

This RESOLUTION #~~0503~~ was passed by the Mat-Su Citizens Advisory Board at its regular meeting held April 12, 2005.

  
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Roy Wahl, Chair

*Distribution:*

*Cecily Fritz, Chair, Knik River Watershed Group*

## AMENDMENTS FOR HB 307/SB 197

### "An Act Creating the Knik River Public Use Area"

Existing statutes are good models for resolving problems with these bills

#### 41.23.180. Purpose

- **We need an inclusive plan that will unite user groups:** Amend items (1) and (3) (pg 1 lines 7-8) to: "Provide a public use area for off road motorized vehicle and nonmotorized recreation."; and
- (pg 1 lines 12-14) to: "Perpetuate and enhance public enjoyment of fish and wildlife and their habitat including fishing, hunting, trapping, viewing, and photography." (See A.S. 41.23.010.)

#### 41.23.190. Management

- **We need a public planning effort:**  
Add: "The commissioner shall develop and adopt a management plan and regulations implementing the plan, shall give public notice, conduct meetings and receive public comments on the draft plan and regulations." (See A.S. 41.23.020 and A.S. 41.23.110)
- **We need daily (seasonal), on-the-ground enforcement.** Add language to this legislation that will authorize and require the Commissioner to enforce a ballable schedule of violations in the area defined in 41.23.210. The legislation should also authorize the commissioner to enforce a ballable offense schedule for regulations adopted under the Knik River Public Use Area Management Plan.
- Add: "Provisions of AS 41.23.180—41.23.210 do not restrict enforcement authority within the Knik River Public Use Area of the Commissioner of Fish and Game, the Board of Fisheries, the Board of Game, the Commissioner of Environmental Conservation, or the Commissioner of Public safety."

#### 41.23.200 Incompatible Uses:

- **We need management of incompatible uses to protect wildlife resources; item d list exceptions [41.23.200(a)] to that management provision.** Amend item d (pg 2 line 31-pg 3 line 4) to: "The commissioner shall allow access to the Knik River Public Use Area by motorized and nonmotorized means of transportation to private land, interests in private land, and for lawful sport and subsistence hunting, fishing, trapping, and recreational purposes in a manner that is compatible with purposes." (See A.S. 41.23.030 and A.S. 41.23.120).
- **A planning effort must involve evaluation of trails for resource and resident impacts; improvement, reroute or closure as appropriate.** Delete Item e (pg 3 lines 5-8). (See A.S. 41.23.030, A.S. 41.23.120 and A.S. 41.23.070.)
- **Managers need flexibility to manage shooting:** Amend Item f (pg 3 lines 9-12) to: "The commissioner may restrict the use of weapons, including firearms, when the commissioner determines that the use of weapons constitutes a threat to public safety."

**APPENDIX XIV.****HATCHER PASS PUBLIC USE AREA****LEGISLATION  
AN ACT****Relating to Hatcher Pass Public Use Area**

\*Section 1. AS 41.23 is amended by adding new sections to read:

**ARTICLE 2. HATCHER PASS PUBLIC USE AREA.**

Sec. 41.23.100. **PURPOSE.** (a) The purpose of AS 41.23.100 - 41.23.130 is to establish the area described in AS 41.23.130 as the Hatcher Pass Public Use Area.

(b) The Hatcher Pass Public Use Area is established to

- (1) provide for public recreation activities;
- (2) protect and enhance the fishery, waterfowl, and wildlife resources and habitat and provide for public use of the fishery and wildlife resources, including fishing, grazing, hunting, and trapping;
- (3) protect the water quality and scenic resources within the Hatcher Pass Public Use Area.

Sec. 41.23.110. **MANAGEMENT.** (a) The Commissioner of natural resources is responsible for the management of the surface and subsurface estate within the Hatcher Pass Public Use Area consistent with the purposes of AS 41.23.100.

(b) The Commissioner of fish and game, the Board of Fisheries, and the Board of Game are responsible for the management of fish and game resources and public use of fish and wildlife in the Hatcher Pass Public Use Area consistent with the purposes of AS 41.23.100.

(c) After adequate public hearings and in consultation with the Commissioner of fish and game, the Commissioner shall adopt and may revise a management plan for the Hatcher Pass Public Use Area in consultation with local governments and other affected state agencies. The management plan adopted under this section must be consistent with the purposes stated in AS 41.23.100. A management plan adopted or revised by the Commissioner under this section shall be submitted to the legislature within the first 10 days of the first regular session of the legislature to convene after its adoption or revision by the commissioner.

(d) The provisions of AS 41.23.100 - 41.23.130 do not restrict a responsibility within the Hatcher Pass Public Use Area of the Commissioner of fish and game, the Board of Fisheries, the Board of Game, the Commissioner of environmental conservation, or the Commissioner of public safety.

(e) The Hatcher Pass Public Use Area is closed to mineral entry under AS 38.05.185 - 38.05.275 from the effective date of this Act.

(f) Each valid existing mining claim on the effective date of this Act remains valid and shall continue in full force and effect according to its terms.

(g) Except for road construction, the state may not acquire by eminent domain privately owned land within or abutting state-owned land described in AS 41.23.130 but may acquire privately owned land by purchase, exchange, or otherwise for inclusion in the Hatcher Pass Public Use Area from willing landowners.

(h) Except for valid existing rights on the effective date of this Act, the Commissioner of natural resources may not sell state land within the Hatcher Pass Public Use Area.

Sec. 41.23.120. COMPATIBILITY OF USES. (a) Except as provided in this section, the Commissioner may prohibit or restrict incompatible uses under the management plan adopted under AS 41.23.110 within the state-owned land and water described in AS 41.23.130.

(b) Nothing in AS 41.23.100 - 41.23.130 prohibits the Department of Fish and Game from engaging in rehabilitation, enhancement, and development of fish and wildlife habitat within an area described in AS 41.23.130 that is consistent with the purposes stated in AS 41.23.100.

(c) The Commissioner may not restrict lawful fishing, hunting, or trapping rights allowed under a regulation of the Board of Fisheries or the Board of Game within the Hatcher Pass Public Use Area.

(d) The Commissioner shall designate routes for motorized and nonmotorized access within or across the Hatcher Pass Public Use Area.

(e) The Commissioner of public safety and the Commissioner of fish and game shall have necessary access for fish and game management, research, and enforcement purposes.

(f) If the Commissioner determines that a use is incompatible with one or more other uses in a portion of the Hatcher Pass Public Use Area, the Commissioner shall state in the management plan adopted or revised under AS 41.23.110.

- (1) each determination of incompatibility;
- (2) the specific area where the incompatibility is determined to exist;
- (3) the time within which the incompatibility is determined to exist; and
- (4) the reasons for each determination of incompatibility.

Sec. 41.23.130. HATCHER PASS PUBLIC USE AREA. The vacant and unappropriated state-owned land and water and the state land and water acquired in the future that lie within the boundaries described in this section are designated as the Hatcher Pass Public Use Area, are reserved for all uses compatible with their primary function as public use land, and are assigned to the Department of Natural Resources for control and management:

Approved by the Governor: June 3, 1986  
Actual Effective Date: September 1, 1986