



August 26, 2016

Re: **Knik River Public Use Area**

Opportunity to Comment on Proposed Regulations

Dear Alaskan:

The Department of Natural Resources (DNR) is proposing to revise existing regulations and add new regulations concerning the use of state lands within the Knik River Public Use Area. I am writing to explain the proposed regulations, why we are proposing this regulation package now and how this action relates to the ongoing resource management planning process. I would like to invite you to review and comment on these proposed regulations.

The Knik River Public Use Area

In 2006 the Alaska State Legislature designated a portion of the area along the Knik River, between Palmer and the Knik Glacier, as the Knik River Public Use Area (KRPUA), AS 41.23.180 – 41.23.230. The Commissioner of DNR is responsible for managing state land, including the mineral estate, within the KRPUA, consistent with the purposes for which it was established, AS 41.23.190. The Commissioner has the authority to adopt regulations to prohibit or restrict uses determined to be incompatible with the purposes of the KRPUA (AS 41.23.200), and to enforce the provisions of AS 41.23.180 – AS 41.23.230 (AS 41.23.210).

The KRPUA is a unique management area for DNR as the department has been provided with specific enforcement and citation authority (AS 41.23.220) to protect the uses and resources within the area. In 2008, after adopting the department's KRPUA Management Plan, DNR adopted a set of management and enforcement regulations to establish which activities within the KRPUA were to be restricted or prohibited, and to provide a list of violations that could result in a citation. DNR and the Alaska Supreme Court established a bail schedule for these violations, which allows for disposition of citations without a court appearance.

The existing regulations have been in place for almost eight years and have been a highly effective means of improving visitor enjoyment and reducing the undesirable activities that occur within the area. Additionally, significant improvements have been made to the area through implementation of the KRPUA Management Plan, which was also adopted in 2008. These include construction of a designated shooting range located off of Maud Road Extension, the establishment of two designated Public Use Sites off the Rippy Trail, and trail improvements. In addition to the need for new regulations to help manage these sites, DNR has also determined that the existing KRPUA regulations need refining. This is the purpose for these proposed regulations.

Why Do We Need These Regulations Now?

The KRPUA is a very high value recreational and natural resource area which is intensively used by an increasing number of people for a wide variety of uses. These uses fall along a continuum from personal to commercial; from individual users to large groups of people; from low impact to high impact activities; and from seasonal to year around uses. After numerous contacts with individuals, as well as community groups, the department has determined that certain activities currently being conducted within the KRPUA are creating negative impacts on public land and waters, and in many cases creating a negative or unsafe environment for other users of the area.

Regulations proposed at this time, and which are subject to this review, are designed to give the department additional administrative tools to better manage the increasing use of the area. The intent is to reduce adverse impacts and to provide a higher level of protection for the area's natural resources. Furthermore, if adopted, these regulations will help the department further reduce the costs of managing the use and abuse of the area, while creating a safer, more positive environment for the majority of users of the area.

Generally Allowed Uses

Department regulations require that restrictions on generally allowed uses on state lands, such as those included in the proposed regulations for the Knik River Public Use Area, be adopted in regulation. DNR intends to restrict or prohibit certain uses within the Knik River Public Use Area through these proposed regulations by restricting or managing:

- the use of the Kenny and Patti Barber Shooting Range;
- use of the Rippy Trail and Jim Lake Overlook Trail;
- use of designated public use sites; and
- other activities detrimental to the area.

DNR also proposes to revise regulations to provide for user fees for the Kenny and Patti Barber Shooting Range and to make minor technical corrections to its fee regulations. While DNR does not intend to initially charge fees for personal or government use of the

Kenny and Patti Barber Shooting Range, it does propose to charge fees for commercial use. The proposed fee regulations establish a fee structure that allows the department to set, and incrementally adjust fees by executive order, provided the fees for the use of the shooting area do not exceed the amounts established in the proposed regulations. This will provide the department with a mechanism that provide for low initial fees and future fee increases as they may become necessary in the future.

Enforcement

The enforcement provisions contained within AS 41.23.210 provide the foundation for one of the most critical components for a successful land management program in the KRPUA. To implement this enforcement authority, the department must adopt regulations under the provisions of AS 41.23.180 – AS 41.23.230. By starting the regulation adoption process at this time, the department expects to have these new enforceable regulations in place for the summer of 2017.

Opportunity for Comment.

Interested parties are encouraged to review the proposed regulations and submit any comments to DNR. Enclosed is the official "Notice of Proposed Changes in the Regulations of the Department of Natural Resources," which lists the specific areas and provides the details regarding the submission of public comment. You can view the proposed regulations on our website at:

<http://www.dnr.state.ak.us/mlw/hottopics>

You are invited to comment on these proposed regulation changes to the Division of Mining, Land and Water. For your comments to be considered, the division must receive them no later than **5:00 p.m. on Friday, September 30, 2016**. Comments must be in writing, and they may be mailed, faxed, or e-mailed to the address below. Please see the Notice of Proposed Changes for additional information.

Attn: Joseph Joyner
Division of Mining, Land and Water
550 W 7th Ave., Suite 1070
Anchorage, Alaska 99501-3579
Fax: (907) 269-8904
E-Mail: dnr.knik.regulation@alaska.gov

You may submit written questions relevant to the proposed action to: Joseph Joyner, Division of Mining, Land and Water, 550 W 7th Ave., Suite 1070, Anchorage, Alaska 99501-3579, Fax: (907) 269-8904, E-Mail: dnr.knik.regulation@alaska.gov. **The questions must be received at least 10 days before the end of the public comment period (September 20, 2016)**. The department will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and agency website at <http://www.dnr.state.ak.us/mlw/hottopics>.

For more information regarding the Knik River Public Use Area or a copy of the proposed regulation changes, go to <http://www.dnr.state.ak.us/mlw/hottopics>, or write to the Director's Office, Division of Mining, Land and Water, Department of Natural Resources, Attention Joseph Joyner, 550 W. 7th Avenue, Suite 1070, Anchorage, Alaska 99501-3579; or call 907-269-8511, or email at joe.joyner@alaska.gov.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Joseph Joyner at 269-8511 no later than September 23, 2016, to ensure that any necessary accommodations can be provided.

Thank you for your consideration of these proposed regulations. DNR looks forward to reading your comments and suggestions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brent Goodrum", followed by a long horizontal line extending to the right.

Brent Goodrum, Director