



MATANUSKA-SUSITNA BOROUGH

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April 23, 2010

Mr. Richard Mylius, Division Director
Mining, Land and Water
Dept. of Natural Resources
550 W. 7th Avenue, Suite 1070
Anchorage, AK 99501-3579



RE: Review of Hatcher Pass Management Plan – Public Review Draft

Dear Mr. Mylius:

Thank you for the opportunity to review and comment on the State of Alaska, Department of Natural Resources' (DNR) Hatcher Pass Management Plan -- Public Review Draft – (draft plan). The comments are provided in two categories, general and specific. The specific comments are attached to this memorandum and the general comments follow.

1. In its present form, the Borough does not believe the Hatcher Pass Management Plan -- Public Review Draft – should be adopted by the Borough or by the state of Alaska. The plan suffers from numerous problems and fails to support many of its recommendations and management intent with any objective data or facts.
2. The original 1986 Hatcher Pass Management Plan and its 1989 amendment were developed with the full participation of the Borough on the DNR Planning Team. Indeed, the Borough is a signatory to the original plan and its amendment, and both note how the plan will be implemented and revised with full coordination with the Borough. The draft plan also requires that the Borough adopt the final plan. If the plan is to be adopted by the Borough, the Borough should be a full participant in the plan's development, public participation process, and implementation. However, even though the Borough made numerous requests to participate on the Planning Team, DNR ignored all requests.

The Borough should have been allowed to participate for several reasons. First and foremost, the HPMP and its amendment were adopted by the Borough Assembly and codified as part of the Borough's comprehensive plan. The Borough is also a major landowner within the Government Peak planning area and also has an 8,000+ acre leasehold within the planning area. In addition, Borough personnel work with the citizens of the Borough on a daily basis and thus are quite familiar with development patterns, infrastructure requirements, community planning efforts, community desires, and other variables that are important to the development of any major plan within the Borough. Borough input may have immeasurably improved the present draft plan. As mentioned above, the plan calls for the Borough to adopt

it; therefore, the Borough should be a full participant in the plan's development and implementation.

3. The draft plan makes numerous statements and recommendations that are not supported by any data or information. For example, the plan states that there has been a significant increase in recreation and then presents recommendations and management intent based on the statement. Yet the reader is not provided any information about the level of increase, e.g., 5% or 50%, nor information or data on trends, nor what forms of recreation have increased, e.g., equestrian, snowshoeing, skiing, snowmaching, etc. Thus, there is no rationale for any of the proposed recommendations or management intent. Moreover, the lack of supporting facts and data suggests that the recommendations and management intent are based on subjective reasons rather than objective information.
4. The draft plan contains numerous internal conflicts and inconsistencies. A careful reading of the document is necessary to reconcile these errors. Once the errors are corrected, another public review is necessary to determine what course(s) of action is/are being proposed.
5. There is no discussion of the level of recreational use by type and there is also no discussion of recreational carrying capacity even though the document claims that recreational use has grown significantly and is the primary reason for updating the plan. DNR provides no rationale for its recommendations or management intent. DNR also does not address how recreational uses will be managed so that they do not conflict with one another nor result in damaging the very resources that it is based upon.
6. The draft plan notes that there are several divisions of DNR that are involved with managing lands within the planning area. Yet no discussion is provided regarding whether or not the present management scheme is appropriate, whether or not it works well or poorly, or whether it should be changed. The plan should address this matter because the Borough has experienced the failings of the present scheme; that being, lack of enforcement of existing rules and lack of responsibility.
7. The draft plan notes that many of the existing guidelines, management intent, and regulations are not being followed by members of the public. However, the draft plan ignores the entire issue of enforcement. Rather than ignoring enforcement issues the draft plan should address this matter in detail and make rational recommendations that can be implemented.
8. The draft plan does not address the failings of existing DNR policies nor does it make any recommendations for resolving the policies. For example, the draft plan notes that all existing RS2477 routes "will be open to a broad range of vehicles." Yet there is no discussion about the effects of implementing the policy. Some of the effects are: the exact location of the RS2477 routes, the definition of "broad range of vehicles", what the results to the resource will be from allowing a "broad range of vehicles" onto all RS2477 routes, what the results of allowing a "broad range of vehicles" will be to existing and future recreational uses, and whether the original purpose of a RS2477 route has now been satisfied by a fully developed road. The plan should therefore discuss the RS2477 issue as it relates to the Hatcher Pass Management Unit and develop suitable recommendations.

The other existing policy that the plan should address is the "Generally Allowed Use" policy because the present DNR interpretation and implementation of the policy has lead to major

resource degradation throughout the state of Alaska, and specifically, the Matanuska-Susitna Borough. A method for ensuring that motorized and non-motorized uses occur in a manner that does not result in trail damage, ever-widening trails, fish and wildlife habitat damage, and water quality degradation should be developed with the full participation of all members of the public.

Moreover, the draft plan and current manner of policy implementation does not recognize the great changes made in recreational technologies and their effects on the natural resource. It should do so.

9. Much of the Borough's most populated area relies upon the nearby Talkeetna Mountains for water yet the plan's entire section on Water has been dropped without a single reason for doing so being presented. In addition to drinking water supplies, the mountains within the Hatcher Pass area provide the necessary water for salmon and other fish habitat. Management of this important resource is critical to the well being of the Borough's community and economy. Therefore, the section on Water should be returned to the plan and appropriate recommendations and management intent developed.
10. While the draft plan makes reference to how trails should be developed, it is silent on the very important aspect of trail management. The management of trails is important so that users do not damage a trail because of seasonal conditions such as soft and water soaked soils found during winter break-up. The plan should provide recommendations and management intent for the management of trails.
11. Each management unit within the draft plan has its own list of proposed capital improvements. However, there is no justification provided for any of the projects listed; the reader is at a loss as to how these capital improvements solve existing problems. In addition, the draft plan should provide one section that addresses capital improvements and list all proposed projects there, in order of priority. The provision of electrical power to the Independence Mine site should be included in the plan's list of capital improvements and a cost for providing such service identified. Also, the capital improvement list should include those improvements necessary to provide telecommunication coverage throughout the entire management area to enhance safety and enforcement.
12. Throughout the draft plan, management intent is provided that lacks any standards and criteria for decision-making, causing such decisions to be subject to challenges of being arbitrary and capricious. For example, the draft plan states that power lines will be buried unless it is impractical. However, no criteria are provided for determining whether or not burying electrical lines is impractical. The final plan should contain easily understood and implementable standards and criteria for decision-making.
13. The draft plan provides no justification for additions to the Hatcher Pass Public Use Area. While these additions may be appropriate, without justification no one knows whether or not it is a good proposal. The draft plan should contain justification for the proposed addition supported by objective data and information.
14. Other than a few general statements about public meetings and focus group meetings, no information is provided about the public participation and planning processes that were used to develop this draft plan. For instance, how many public meetings were held? What

comments were provided? How many focus group meetings were held? Who participated in the focus group meetings? How was focus group membership determined? How many planning team meetings were held? Who are the planning team members? Where are the meeting summaries of all of the aforementioned meetings? How were the comments addressed? This information should be disclosed so that the reader may understand how public comments were addressed and to determine if there were any failings of internal and external validity with the planning process.

15. There has been discussion between the Borough and DNR over the past years regarding the development of a Hard Rock Mine tour at Independence Mine. The concept consists of investing in the necessary infrastructure and visitor amenities to provide visitors to Independence Mine the ability to climb into an ore cart and take an underground tour of the mine through the water tunnel. Such tours are very popular in other parts of the world. The Borough recommends that the plan include this visitor attraction as a capital improvement recommendation and identify the costs for implementing the proposal.
16. The Borough does not agree with the proposal to have a motorized trail in the Mile 16 subunit for several reasons. Our opposition to this proposal is because the lands where the trail is to be located will likely be severely damaged by the motorized use. In addition, no trail management guidelines have been proposed which are critical to reviewing this proposal. For instance, will the trail be open to other uses such as mountain biking and hiking? If so, how are the uses to be managed so that they do not conflict? Who will conduct the management and enforcement? Lastly, use of the area by motorized uses will intrude on existing non-motorized uses.
17. In regards to the proposals for the Archangel subunit the Borough makes the following comments. Summer use and its management should not be changed from the present management intent. The Reed Lake parking lot should be expanded for summer use and restrooms and trash receptacles should be provided and properly maintained. The development of pull-outs or "wide" spots along Archangel Road should be developed to provide safe methods of handling traffic. The Borough does not agree with the present proposal to place motorized and non-motorized trails in close proximity to each other along Archangel Road. More specific recommendation on the location of the trails in this area will be forthcoming from the assembly in the form of a resolution.
18. A plan of this significance should be written so that it can be read and interpreted in the same way, by a variety of readers. For example, a state land manager should be able to read the plan and reach the same conclusions as a recreationalist who is interested in finding out which areas and trails are motorized or non-motorized. In its current format, the plan could be interpreted differently, depending on who was reading it, and what conclusions they wanted to reach.
19. Lastly, the draft plan requires serious editing as there are numerous incomplete sentences, missing words, and grammatical errors.

In closing, there are serious problems with the method used to prepare the proposed Hatcher Pass Management Plan -- Public Review Draft --. In addition, the draft plan lacks supporting facts and data and thus provides little to no justification for its various recommendations and modifications to management intent. Moreover, items of vital importance to our community and economic

development such as Water have been removed from the draft plan. Lastly, even though the Borough is a signatory to the existing plan as amended it has not been provided the appropriate opportunity to be involved; indeed, our requests to participate in the drafting of the draft plan have fallen on deaf ears.

The Mat-Su Borough is requesting that DNR initiate a new, more thorough planning process which results in a plan that is based upon objective data and facts while also addressing the difficult issues, such as enforcement and trail management that are presently ignored. While this occurs, the Borough will work to resolve the trail corridor issues within the Government Peak Unit.

Respectfully,

A handwritten signature in black ink, appearing to read "John Duffy", written in a cursive style.

John Duffy
Borough Manager