

**SUSITNA BASIN
RECREATION RIVERS MANAGEMENT PLAN
ADVISORY BOARD MEETING
Wednesday, April 19, 2023
10:00am-12:00pm**

MINUTES

The recording for this meeting is available [online](#).

I. Call to Order

- A. The regular meeting of the Susitna Basin Recreation Rivers Advisory Board was called to order at approximately 10:03 AM on April 19, 2023, via Microsoft Teams.
- B. Roll Call – Board Members Present: Israel Mahay (Chair), Mike DeMaria, Nancy Conklin, Greg Bell, Mel Grove, Mike Overcast, Curt Scoggin & Stephanie Nowers
- C. Board Members Absent: Emma Pokon & Joseph Wright (Vice Chair)
- D. Stephanie Nowers MOVED to approve the meeting Agenda. Mike Overcast SECONDED. PASSED without objection.
- E. Stephanie Nowers MOVED to approve the Regular Meeting Minutes from 11/23/2022. Mike Overcast SECONDED. PASSED without objection.

II. Old Business

- A. Board Member Vacancies and Term Expirations
 - a. New Board member introductions:
 - i. Greg Bell (Forest Products)
 - ii. Mel Grove (Recreationally Oriented Commercial Users)
 - iii. Curt Scoggin (Matanuska-Susitna Borough Planning Commission Representative)
- B. Plan Process Update
 - a. Review of work to date for new board members
 - i. **Monica Alvarez** described the series of four work sessions (February and March 2023) in which the board reviewed Chapters 2 and 3 of the plan. DNR has compiled notes from the work sessions and provided them to the Board for review. Once DNR gets the Board recommendations, the next step will be for DNR to prepare a *Public Review Draft* (PRD) of the plan.

III. New Business

A. Work Session Notes Discussion

- a. Board plan revision recommendations
 - i. Most Board members thought the *Recreation Rivers Work Session Notes* were thorough and well put together and had no further additions to the Chapter 2 and 3 recommendations.
 - ii. **Mike Overcast** sent some additional Chapter 2 comments via email (these were added to the *Work Session Notes* document.)

B. Discussion of *Chapter 4 – Implementation*

- a. **Chair Mahay** read aloud a letter submitted to the Board on 4/13/23 by a member of the public, Becky Long, for board discussion:

The public is concerned about the revision of the SBRRMP Chapter 4 Implementation. What we have before us is a well-intentioned plan with no teeth in it which means protections can get eroded. And there was no real implementation that the public really ever saw.

MY TAKE: CHAPTER 4 IMPLEMENTATION ACTIONS (P.4-1)

Areas Recommended for Designation as Recreation Rivers 5. Upper Talkeetna River p.4-2 I support this extension in the Talkeetna Canyon, subunit 3d, to River Mile 51.5 just above the mouth of Prairie Creek. This would include a public use site. Air taxis who fly rafters in, and other members of the public support this to protect the still current uses.

Procedures for Plan Review, Modification, and Amendment p.4-3 to 4-6 Are these still relevant? What about the *Recommended Statute Change for Public Notice Requirements*?

Trails Action Plan p.4-6. Is this still necessary? The Mat Su Borough has its own Recreational Trails Plan. Does the state have its own plan?

Other Recommendations p.4-7. *Recreation Rivers Advisory Board*. It would seem that the existence of the advisory board is necessary for plan implementation in consultation with the ADNR Commissioner. The Board would provide flexibility with the issues that come up. Without a board, how can reviews, management regulations and updates happen? The public and user groups won't be represented.

Susitna Area Plan (SAP) Update. SAP was updated by the 2008 Southeast Susitna Area Plan and the 2011 Susitna Matanuska Area Plan (SMAP). The

SBRRMP recommended that the SAP update would recommend that Yellow Jacket Creek on the Upper Talkeetna River be reserved for public access. “The landing area located there is one of the few public access points for float trips down the Talkeetna River.”

This area is unit L03 designated and classified as habitat in SMAP. It is in the legislatively designated Nelchina Public Use Area under AS 41.23.010, AS41.23.020. There has been no management plan.

SMAP has no mention of a public access reservation. I think the Board should still recommend a public use access designation so that option exists especially with changing climate conditions.

Enforcement. Should peace officers be designated to enforce? Should DNR seek citation authority?

Monitoring. P. 4-7 states that successful management programs require systematic monitoring. This is another crux of the management issues. Without monitoring, a lot of the Plan is in vain. But does ADNR have the staff and/or can they co-monitor with other state agencies?

<<End 4.13.23 Becky Long Letter>>

- b. **Greg Bell** asked why the State Troopers Fish and Wildlife personnel can't enforce the regulations. **Monica Alvarez** replied that they can enforce fish and wildlife regulations, but not the land use regulations that are in place specifically for the Recreation Rivers. **Greg Bell** said too much power should not be given to too many state employees – it can be a problem down the road and even with good intentions some things can be misinterpreted. He added that the state does in fact have Troopers and they do enforce regulations.
- c. **Curt Scoggin** asked what the infractions are that we want to enforce. **Chair Mahay** gave the example of temporal limits on camping but noted there are many other restrictions in the Recreation River regulations.
- d. **Mel Grove** suggested that before discussing enforcement, the Board should come to agreement on what is being enforced. He mentioned objecting to the non-motorized areas within the plan at the last meeting and noted that an overzealous enforcement officer could give someone a ticket if these areas are left as non-motorized. He further noted that the 1991 plan says that if new technologies offer access to these hard-to-reach areas these areas should still be accessible only by non-motorized means. Mr. Grove expounded on his belief that everyone should have the freedom to explore those areas as long as there is

no biological reason not to. He noted these areas have been non-motorized since 1991 and the salmon have not returned and suggested that maybe it's the floaters and the commercialization of the area that is causing the problem.

Chair Mahay reminded the Board that *Chapter 4 – Implementation* is under discussion and that this is not the time to discuss motorized vs. non-motorized.

Mike Overcast suggested tabling the discussion on Chapter 2 until the Board receives language back from DNR at which time the Board could discuss motorized areas before the plan is finalized. He further noted that he will have some additions to the motorized areas he'd like to propose as well at that future time.

- e. **Nancy Conklin** asked if the *Areas Recommended for Designation as Recreation Rivers* had ever been implemented? **Monica Alvarez** replied that none of the suggested additions or deletions recommended in the *Implementation* Chapter have been completed. **Chair Mahay** voiced his full support for adding the upper Talkeetna area to the Recreation Rivers.
- f. **Mel Grove** noted that enforcement is already listed on P. 4-7 and that apparently DNR just never followed through on implementation. **Chair Mahay** emphatically agreed.
- g. **Chair Mahay** suggested that education would help and further suggested putting some signs up at boat launches, for example.
- h. **Mel Grove** asked why the state doesn't come up with a head tax for everyone that uses the Recreation Rivers area to pay for improved management.
- i. **Mike DeMaria** stated, regarding Page 4-5 *Discretion within Guidelines*, that some ambiguity in the plan is good if common sense prevails and noted that DNR is going to have to interpret if a citation is valid or not sometimes. He further stated that the ultimate interpretation of these enforcement actions should be political so there is some accountability and bureaucrats shouldn't be deciding such things. He also noted the area is too large for just one officer and suggested that perhaps Fish and Game could help. He stated that using volunteers could be dangerous if there is a bad encounter. Lastly, he agreed on the importance of education.
- j. **Stephanie Nowers** noted the importance of Chapter 4 and asked how the Board and DNR can make this plan something that is actually implemented. She said that a way must be found to pay for implementation or nothing will happen. Regarding *Enforcement* (P. 4-7), she offered the Jim Creek area as an example: education helped encourage people to follow the rules. She suggested that an enforcement policy with consequences may be needed, but mostly what is needed is a person going out to educate people. She

stated that somehow the Board should embed the intent into the plan that education is a main goal. Regarding *Monitoring* (P. 4-7), she suggested discussing how to best monitor with limited resources. She noted some pressure is off on some areas due to less fish, but that it would be prudent to include flexibility in the plan so that if those fish runs return, enhanced monitoring would come into effect to help address the issues related to user congestion. Regarding *Trail Mapping* (P. 4-6), she suggested DNR work with MSB trail people to see if borough data can help inform the creation of state trail maps.

- k. **Mike Overcast** proposed using something similar to the following language to change the *Periodic Review* section (P. 4-3): “This plan should be reviewed and updated as new information becomes available and conditions change. As there’s no specific timeline for future reviews it’s important that land managers have the flexibility to make decisions over a 20-year or more period that consider changing conditions and updated information. When making plan implementation decisions of land use applications the comments of other agencies and the public must be given equal or greater weight than broad area wide guidelines. Future land managers are to make use of the minor change and special exceptions provisions of plan implementation when reviewing specific land use applications. This is especially important when dealing with issues related to private property access.” He stressed the importance of the plan being exercised and enforced, but also reviewed to make sure the right decisions are being made, especially right after DNR has revised the plan. He also stressed the need to have the flexibility to change things that don’t make sense, especially for private landowners that are affected by the plan.

He voiced support for the idea of user fees but noted the difficulty in monitoring who is using the rivers. He suggested a sign up or permitting process. He noted the ease of collecting fees from commercial users but said that private users should also pay fees and further noted this would require a DNR plan on how to collect those fees.

Regarding the ambiguity in the plan that provides flexibility, he stressed the importance of keeping this in the plan to give DNR the ability to use those terms (such as “feasible,” “prudent,” and “should”) as a way to make considerations without running into more concrete statutes that would keep DNR from making changes.

- l. **Curt Scoggin** noted that most people don’t know about the plan and suggested more of an effort to help the community understand the plan could help improve the enforcement issues.
- m. **Mel Grove** suggested that perhaps DNR could require anyone on the rivers to have a

stamp on their boat showing that they've paid a user fee. **Chair Mahay** suggested this idea may have some merit.

IV. Comments from Members of the Public (Maximum 3 minutes/person)

- a. Becky Long (Susitna River Coalition), Ben Allen (Miller's Riverboat Service), Melissa Heuer (Susitna River Coalition), Ted Eischeid (Mat-Su Borough) and Eric Booton (Trout Unlimited) called in to provide public comment.

V. Comments from Board Members

- a. **Greg Bell** voiced his support for the idea of educating the public since many don't realize the difference between plans. He also supports the distribution of some educational literature on the Recreation Rivers plan.
- b. **Mike DeMaria** stated that education is the key, although some hard enforcement will be required as well.
- c. **Stephanie Nowers** asked what the next steps were. **Monica Alvarez** responded that DNR will assemble the notes on today's Chapter 4 discussion and send those to the Board and suggested that perhaps at the next meeting the Board would feel comfortable approving a resolution recommending changes from the Board to DNR about the plan.
- d. Several Board members agreed that the next meeting should be an in-person meeting if possible.
- e. **Mike Overcast** hoped that the Board would include in its recommendations the addition of Prairie Creek to the Recreation Rivers area to support the king salmon. He may put some language together regarding that for the next meeting.
- f. **Mike Overcast** suggested that Mel Grove send his suggestions in writing to DNR so that they could be disseminated and reviewed by the Board before the next meeting. **Mel Grove** agreed and restated that his recommendation is that he opposes non-motorized areas unless there is specific biological concern, with DFG data to back it up. He further stated that he doesn't like restricting anyone's access and reiterated his conviction that if there is a biological concern, then every user group should be restricted, not just one. **Mike Overcast** said that he thinks the intent of this plan was to mimic what was being done nationally with Wild and Scenic Rivers and that there are just some areas where motorized activity is inappropriate if you are trying to create a Wild and Scenic River environment. He further stated that to address Mel Groves' recommendations, he thought the Board would need to dive into specifics and decide if those recommendations are

prudent and align with the intent of the plan.

- g. **Chair Mahay** announced that he will be retiring from the Board at the end of his term (July 1) and a new chair and co-chair should be chosen at the next meeting.
- h. **Mike Overcast** expressed the importance and need to fill the three remaining vacant board seats quickly.

VI. Adjournment

- a. Mel Grove MOVED to adjourn the meeting. Greg Bell SECONDED. PASSED without objection. The Board adjourned at 11:39 AM.