

# **Chapter 8**

## **Implementation**

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### Implementation of Facility and Trail Recommendations

Facility and trail recommendations included in Chapter 7 of this plan are not implemented automatically when the plan is adopted. The process for a plan recommendation to become a project that is eventually developed involves multiple internal agency steps and may include a legislative process where people can provide input on the project. The following is a brief synopsis of the typical steps from plan recommendation to final development:

1. Facility and trail recommendations included in the plan are prioritized based on needs of the park unit for possible inclusion as a Capital Improvement Project (CIP).
2. Highest priority CIP projects from a unit or area compete with other DPOR projects to be included as a Division CIP.
3. Division CIP requests are identified in the DPOR budget to the legislature.
4. If a CIP project is funded, internal DPOR processes are initiated.
5. Preliminary design work begins as well as field and site work to determine where the facility or trail should be constructed.
6. Cultural historical reviews are conducted, and any limitations of the site are identified.
7. Design changes are made and plans are finalized prior to construction.
8. Construction begins.

### Land Acquisition

Certain high value lands both within and contiguous with the boundary of NLSRA are identified for potential acquisition for inclusion into the recreation area. Privately owned land will only be acquired from willing sellers. By statute, lands acquired in the future that are within the boundary of NLSRA will be managed by DPOR as the Nancy Lake State Recreation Area. Lands outside of the boundary of NLSRA that are acquired for potential future inclusion into the recreation area will be managed by DPOR through a Management Right until such time that the lands are included within the boundary of the recreation area. Until such lands are incorporated into the recreation area they will be managed consistent with the management intent of the adjacent area within the plan boundary. Parcels identified

for future acquisition and inclusion into NLSRA are identified in Map 12 on page 155. Several of the parcels identified for acquisition are subject to an on-going land exchange between the Matanuska Susitna Borough and the State of Alaska, Department of Natural Resources. These lands are identified in Map 12.

## Permitting Authorities

The following table highlights the DPOR and ADF&G jurisdiction and authority to permit activities *within NLSRA and NLSRS*. Several, but not all, of the common activities and uses are indicated in the table below.

Use or Activity	DPOR	ADF&G
Construction of docks and other structures on or in waterbodies	Permit required	Permit required in all fish bearing waterbodies <sup>53</sup>
Construction of structures on private uplands	No permit required	No permit required
Dredging (removing material) from a waterbody or wetland	Permit required	Permit required in all fish bearing waterbodies
Filling (placing material) into a waterbody or wetland	Permit required	Permit required in all fish bearing waterbodies
Placement of a seasonal or temporary structure within a wetland or waterbody	Permit required	Permit required in all fish bearing waterbodies

<sup>53</sup> See current version of the *Catalog of Waters Important for the Spawning, Rearing or Migration of Anadromous Fishes* and associated Atlas; continuously updated ADF&G publication.

**Map 12: Proposed Park Additions & Land Acquisitions**

## Plan Review and Modification

### Plan Review

It may be necessary to make changes to this plan document from time to time to meet the needs of the recreating public and the managing agency. It is intended that this plan be reviewed on a biennial basis to determine the appropriateness of management and facility recommendations; however, a decision to review this plan may occur at any time at the discretion of the area Superintendent. A plan review may be triggered by a number of factors including:

- scheduled review period;
- written public or agency requests for review that are determined by the DPOR Director to have merit;
- State statutory or policy changes;
- availability of new data;
- availability of new technology; or,
- changing social or economic conditions or recreational needs that place different demands on the recreation area and site or affect the division's capabilities to provide recreation opportunities.

The plan review may include meetings, as determined appropriate, with the local advisory board, interested people or groups, affected agencies, the area superintendent, and other DPOR personnel. The plan review will lead to one of the following actions: a decision to not modify the plan or "no action" or a decision to modify the plan. Depending on the type and complexity of the issue(s) being addressed, a decision to modify the plan could result in a minor change, a plan amendment, or an entire plan revision. The three types of plan modification are discussed in greater detail below.

### Modification

The following text identifies the two general types of modifications that can be made to a plan – revision and minor change. The process to make the modification and the appropriate agency personnel to make that decision are identified.

- **Revision**

There are three types of revisions that can be made – plan revision, amendment, and special exception.

### ***Plan Revision***

A “plan revision” provides the opportunity to address management and facility recommendations, management orientation, and allowed or prohibited uses on a comprehensive basis for the entire planning area. For example, the management recommendations for a large portion of the recreation area and site may be changed to accommodate new uses or types of recreation that were previously prohibited, or conversely, to prohibit uses and activities that were previously allowed. Because amendments and special exceptions provide flexibility for the agency to address short term and day to day management concerns, it is anticipated that a full plan revision will only occur after the 20 year “life” of the plan has been achieved. However, a plan revision can occur at any time if determined necessary by the Commissioner of the DNR. This type of modification will require public notice and a public process deemed appropriate by the DPOR and the planner for a plan revision. The authority to order a plan revision rests with the DNR Commissioner.

### ***Amendment***

An “amendment” permanently changes the plan by adding to or modifying the basic management orientation, direction, recommendations, or intent for one or more of the plan’s units. For example, an amendment might allow a use that was determined incompatible in the plan, make a new determination regarding permitting of uses and structures, or propose a facility in an area where it wasn’t previously determined appropriate. These types of changes are anticipated to be very infrequent as they may involve a significant deviation from the plan’s intent, guidelines, or recommendations. While infrequent, the ability to amend the plan will maintain flexibility in management necessary for short term management of the NLSRA and NLSRS. This type of modification to the plan will require public notice and a public process deemed appropriate for the type of change identified in the amendment. The authority to amend the plan rests with the Director of DPOR.

### ***Special Exception***

A “special exception” does not permanently change the provisions of the plan and cannot be used as the basis for classifying land into another land-use zone or determining the compatibility of a use. Instead, it allows a one-time, limited-purpose variance of the plan’s provisions, without changing the plan. The exception should only occur when compliance with the plan is excessively difficult or impractical, and an alternative procedure can be implemented which adheres to the purposes and spirit of the plan. A special exception might be made if certain unforeseen circumstances exist, the use or activity is necessary to protect human health and safety, or is necessary for the protection of natural resources. In all cases the impacts of the use or activity must be minimized to the greatest extent practicable. While infrequent, the ability to make special exceptions to the plan will maintain flexibility in management necessary for day to day operation of the NLSRA and NLSRS. The authority to develop the finding rests with the MatSu Copper Basin Park Superintendent.

**Procedure for granting a special exception will be as follows:**

1. The person or agency requesting the special exception shall prepare a written finding which specifies:
  - The nature of the special exception being requested,
  - The extenuating circumstances which require the special exception,
  - If the special exception is necessary to protect human health and safety,
  - If the special exception is necessary for protection of the natural resources,
  - The alternative course of action to be followed by the applicant,
  - How negative impacts to the state resources will be avoided or minimized to the greatest extent practicable, and
  - How the intent of the plan will be met by the alternative.
2. The Director will review the finding and issue a determination. If warranted by the degree of controversy or the potential impact, the Director may hold public meetings prior to reaching a decision.
3. The decision of the Director will be posted on the DNR Public Notices and Proposed Regulations website.
4. The decision of the Director may be appealed to the Commissioner of the Department of Natural Resources.

- **Minor Change**

A minor change to a management plan is not considered a revision. A “minor change” is a change that does not modify or add to the plan’s basic intent, and that serves only to clarify the plan, make it consistent, facilitate its implementation, or make technical corrections.

## **Project Phasing**

Implementation of the management recommendations should begin immediately upon adoption of the final plan. Facility and trail recommendations are intended to be implemented well; however, some of the larger projects will undoubtedly have to be developed in phases as staffing and funding allow. Because of the uncertainty of the CIP process or other funding processes, it would be impractical to establish a time line for project development and phasing of specific projects in this document. The phasing of specific projects is best handled through the site and design processes.

While this document will not address phasing of specific projects, it will address phasing generally by identifying those facility and trail recommendations that should be developed first to address existing facility and trail needs and to enhance or expand recreation

opportunities. The following facility and trail recommendations would greatly enhance recreational opportunities and address congestion and crowding at existing facilities:

- Develop a group camp facility at Shem Pete Lake.
- Develop the Chicken Lake Cross-Park Trailhead.
- Develop terra trails in the area of the South Rolly Lake Campground.
- Develop campsites, shelters, and public use cabins.
- Relocate existing campsites away from canoe portage sites.
- Redevelop the NLSRS campground including overflow parking for the boat launch at Nancy Lake.

## **Proposed Regulations**

Regulations will need to be promulgated to make certain plan recommendations are enforceable by DPOR. It is intended that regulations necessary to implement this plan be developed as soon as practicable after this plan is developed. Additionally, other regulations that are determined necessary for the recreation area and site will be developed and existing regulations may be modified from time to time as determined necessary by DPOR.

## **Recommended Staffing**

Adequate staffing of park units is important to provide positive public/staff interactions that foster appreciation and support for state park units; to provide public safety and emergency response to the recreating public; to protect the natural and cultural resources; to maintain facilities so they are safe and clean for residents and visitors alike; and, to supervise seasonal and contract workers and volunteers that are critical to the day to day functions of our park units. Because this plan presents a number of facility and management recommendations it is important to identify the appropriate number of staff and volunteer positions that would be necessary to ensure the significant investments in recreation facilities and trails would be properly maintained and would provide a long-term benefit to the visitors of the area.

Staff Recommendations	Objective	Rationale
One additional field Ranger	Provide enhanced public safety, visitor contacts, and emergency response at NLSRA and NLSRS.	A significant portion of the recreation area and recreation site is underserved by existing law enforcement staff. During snow free periods, routine enforcement at the largest campground in the state park system occupies a majority of a ranger's shift. The result is that other areas do not receive the enforcement presence that is warranted. This new ranger could be primarily assigned to the southern portion of the NLSRA but would also provide an enhanced ranger presence at the NLSRS, on Nancy Lake, and the Willow Creek State Recreation Site. This position would also provide shift coverage for the existing ranger position.
Upgrade existing park specialist position to a full-time position and create a new permanent part-time position	Provide expertise in trail construction, maintain trails on a year-round basis, and maintain current and future facilities.	As existing trails are re-developed and new trails are constructed, it will be increasingly important to ensure these trails are properly maintained to minimize impacts on natural and cultural resources and to provide safe recreational opportunities. These positions will be involved in the planning, layout, and construction of trails. They will supervise volunteer and contract construction and maintenance crews. The upgraded position is needed to provide maintenance, including winter grooming, on a year-round basis. The permanent part-time position will allow multiple projects to be conducted at the same time during the snow free periods when construction and maintenance activities would occur. These positions would also maintain existing facilities to ensure they are clean and safe for visitors.
Permanent part-time Park Interpreter position	Provide educational and interpretive services to day use visitors and to short term guests at campgrounds.	This position would have a unique opportunity to provide interpretive and educational opportunities because of the campgrounds located at NLSRA and NLSRS. These services would provide a positive interaction with the public and would foster support for parks and park programs. If a contact station/educational center is developed, this position could man that station and serve as the front line contact for DPOR. This position would also contribute to the maintenance of facilities to ensure they are clean and safe for visitors.

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<b>Staff Recommendations</b>	<b>Objective</b>	<b>Rationale</b>
Two maintenance workers	Provide routine maintenance to facilities and structures.	A properly maintained facility will provide a safe recreational experience over the designed life of the structure. A large investment in facility upgrades and new facilities will require additional maintenance staff to ensure the facilities remain serviceable and safe.
<b>Volunteer Needs</b>		
Continue to recruit volunteers to be stationed at remote and front country areas	Provide an on-site presence and perform necessary maintenance to ensure facilities are clean and safe.	Volunteers remain an invaluable resource that augments existing DPOR staff. Volunteers are relied upon to perform a number of functions including: visitor contacts, fee collection, and facility and trail maintenance. Often, volunteers are the only DPOR representatives that are visible to the public at some facilities. Additionally, they are responsible for maintaining facilities that are well used by residents and visitors alike. Therefore, recruiting quality people to fill these key positions remains a priority of DPOR.