

**Decision Establishing Special Use Lands ADL 227203
Glacier/Winner Creek Area of Girdwood Valley**

1. Introduction and Background Information: In October 1994 the Division of Land adopted the Turnagain Arm Management Plan (TAMP). This plan establishes general management intent for state lands in the Girdwood area. The plan included a provision [page 2-12, item d{3}] that allows one snowcat/heli operator per individual permit area on state lands in the upper valley.

Land status in the upper valley on slopes suitable for snowcat/heli skiing is of mixed ownership. The majority of the upper slopes are state or federal lands while properties owned by the Heritage Land Bank, Municipality of Anchorage comprise lower slopes and the snowcat access routes into the area. The affected state lands comprise approximately 5000 acres or 8 square miles of terrain. Much of this terrain is unsuitable for downhill skiing due to low/high slope angles, trees, cliffs, gullies or other naturally limiting features.

Commercial backcountry skiing operations provide an expensive but attractive alternative to resort based skiers. Typical clients are seeking untracked powder snow on terrain that is rarely visited by other users. Snowcat/heli operators require large tracts of land to consistently provide this type of experience. In Canada and the western US permit areas range from several hundred to several thousand square miles.

Many operators use a management technique called "snowfarming" in their permit areas. This term describes a system whereby a limited number of skiers use a particularly prized run and may ski only one portion of the slope to leave untracked areas for the next group of customers. This is an important management tool for operators during periods of low snowfall or otherwise marginal weather conditions.

The purpose of this decision is to establish a single permit area for snowcat/heli operations within this 5000 acres. The criteria and process to be used to award this permit will be outlined in a separate document. The creation of a special use area will enable the parcel to be noted on the official ADNR land status plats and computer records system.

The special use area will include land that is currently in state ownership and land under selection by the state and managed by the Chugach National Forest, USDA Forest Service. The provisions of the special use designation do not take effect on state selected land until title to the property has been transferred to the state.

2. Location: The state owned and selected lands within the following sections, partial sections and townships depicted on the map labeled Attachment A.

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State owned lands: Sections 1-3, 11, Township 10N, Range 2E, SM;
Section 6, Township 10N, Range 3E, SM; Sections 35-36, Township 11N, Range 3E,
SM; Sections 31-32, Township 11N, Range 3E SM.

Upon conveyance portions of state selected lands in the following sections, partial sections and townships depicted on Attachment A will automatically be added to the permit area.

Sections 12-13, Township 10N, Range 2E, SM; Sections 5-8, Township 10N, Range 3E, SM; Section 25, Township 11N, Range 3E, SM; Sections 20-21, 28-30, 32-33, Township 11N, Range 3E SM.

3. Rationale For Sole Operator: Snow safety considerations are a key component for all operators. Often the most desirable ski slopes are the same slopes most susceptible to avalanches. Competition for "first tracks" from different snowcat/heli skiing operators could lead to customers being rushed to prime slopes immediately after a storm when conditions are most hazardous. For example one company may not fly when wind speeds are above 25 mph. A competitor may use 30 mph, thereby creating pressure for the first operator to also fly.

Other safety concerns would be things such as one operator skiing or running their snowcat on a slope above a second group, thereby endangering the downslope group. There could be conflicts over the location of snowcat access routes and ski runs. For example a competitors snowcat trail traverses a slope and creates a hazard to skiers traveling down the fall line.

Multiple operators would also diminish the backcountry skiing experience as there would be no incentive to maintain untracked areas for future customers. Prime ski runs would be immediately skied and the primary attraction of backcountry skiing would not exist. This would negatively affect all operators and the perception of the quality of skiing with potential customers.

The importance of these considerations was recognized when the TAMP was adopted as the plan restricts each permit area to one operator. Given the limited amount of terrain available on state land and the need for large acreage's to conduct a successful business, *it is not feasible nor prudent to divide this acreage into multiple permit areas.*

4. Decision: For the reasons outlined above and in accordance with item (d) of the recreation policy in the Turnagain Arm Management Plan (TAMP), the state lands


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referenced above are hereby designated as a single permit area in accordance with this special use lands designation. The authority for this action is contained in 11 AAC 96.010. The TAMP and this designation requires that a permit from the Division of Land be obtained prior to conducting a commercial mechanized skiing enterprise in this location.

5. Appeals: A person adversely affected by this decision may appeal this decision, in accordance with 11 AAC 02 to:

John Shively, Commissioner
Department of Natural Resources
400 Willoughby Avenue
Juneau, Alaska 99801


Any appeal must be received at the above address within 30 calendar days after the date of "delivery" of this decision as defined in 11 AAC 02.040. A copy of these regulations may be obtained upon request from the ADNR Public Information Center or the Southcentral Regional Office. If no appeal is filed before the end of the period specified, this decision becomes final and goes into effect.



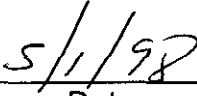
Richard B. Thompson
Southcentral Regional Manager



Date



Jane Angvik
Director, Division of Land



Date