

Nenana River Gorge and McKinley Village
Special Use Area Designation

ADL 414989

Director's Decision

Requested Action:

The Northern Regional Office, pursuant to 11 AAC 96.010(b), requests a "Special Use Area Designation" be placed on two parcels of state land in the vicinity of Denali National Park. The "Special Use Area Designation" would require an individual to obtain an authorization from the Division of Land prior to camping on state land within the designated area.

Authority:

The Department of Natural Resources may establish "Special Use Area Designations" pursuant to 11 AAC 96.010(b), AS 38.05.020, AS 38.05.035, AS 38.05.850, and AS 41.21.020.

Legal Description:

Nenana River Gorge Parcel:

All state land within Sections 9 (S1/2), 15, 16, 21, 22, 27, 28, 34, and 35 lying within 1/2 mile easterly of the eastern boundary of the Parks Highway right-of-way within Township 13 South, Range 7 West, Fairbanks Meridian.

McKinley Village Parcel:

The following parcels of state land located within Section 36, Township 14 South, Range 7 West, Fairbanks Meridian:

That portion of Lot 3, USS 5566 located between the Parks Highway right-of-way, the Old Denali Highway right-of-way, and the access road connecting the two roads, containing approximately 1.577 acres;

and,

Tract B of ASLS 82-91, Village View Subdivision, containing 2.359 acres.

Both parcels are shown on the map attached to this decision.

Discussion:

Visitation to the Denali National Park has increased dramatically in recent years. Similarly, visitor services and facilities have also increased, leading to a shortage of local housing for seasonal employees. As a result, many seasonal workers have been living in long-term camps on state land next to the Parks Highway in the Nenana River Gorge and McKinley Village areas. These camps have no facilities for human waste disposal, garbage or food storage, and thus pose a risk to human health and safety. This situation escalated to the point where a black bear was shot in the Hornet Creek area during the summer of 1992.

The 1991 Tanana Basin Area Plan identified Management Unit 4R for further study to determine if solutions such as alternative camp sites and agreements with employers could address the problem. The plan states, in the Management Guidelines for Subunit 4R3, "High impact areas within the gorge where camping is causing either excessive sanitary and scenic impacts or conflicts with local and residential land uses should be identified no later than the end of the 1991 tourist season. Solutions to mitigate these impacts should be considered and implemented for each area. These solutions may include closing off high impact areas, a possible camping prohibition, and the siting of rest-area facilities, such as restrooms, trash collection sites, and interpretive signs. All facilities should be constructed and sited to reduce visual impacts." While the Special Use Area Designation would also include a portion of Subunits 4D1, 4C1, and 4C2, the Special Use Area Designation is compatible with the intent of the Tanana Basin Area Plan because the area is still available for public recreation uses other than camping.

On February 16, 1993, a meeting was held at the McKinley Village Community Center to discuss the situation and propose solutions. The meeting was attended by the Division of Land (Department of Natural Resources), Department of Environmental Conservation, Department of Fish and Game, the Department of Transportation and Public Facilities, the, Division of Governmental Coordination (Office of Management and Budget), the National Park Service, the Denali Borough, the Denali Citizen's Council, several major local employers, and numerous local residents.

Several alternatives were discussed that included both short-term and long-term solutions. The short-term solutions included physically blocking the access to the Hornet Creek Road, implementing a special use area designation that prohibits camping, leasing areas for campgrounds, and seeking enforcement authority for the Division of Land. Some of the long-term solutions included seeking enforcement authority, finding ways for the Denali Borough to enforce employee housing, enforcement through borough planning and zoning, and finding alternative land for visitor services. One private sector employer in attendance indicated they are requiring their employees to live in employer provided

housing or provide proof that they have the landowner's authority to live elsewhere. In addition, the National Park Service indicated they were in discussions with the shuttle bus contractor to locate camping space, within the park, for the contractor's employees.

Monitoring and Enforcement:

At the present time, the Division of Land has limited enforcement authority. However, the Alaska State Troopers, Department of Public Safety, has indicated that they can enforce, as time and manpower allow, a no camping designation (if posted) under AS 11.46.330, Criminal Trespass in the Second Degree. Criminal trespass in the second degree is a class B misdemeanor.

Review of Special Use Area Designation:

The special use area designation should be reviewed whenever the Tanana Basin Area Plan is reviewed. Other reviews may take place periodically to evaluate the effectiveness of the special use area designation.

Decision:

The Division of Land recognizes that this area has high scenic and recreational values that are important to the vicinity that require protection, and that the long-term camping is detrimental to these values. In addition, the long-term camping poses risks to humans by both other humans and wildlife because of the health and sanitary conditions that exist, and due to the risk of wildfire. As a result, this area is hereby closed to all camping unless specifically authorized by the Division of Land by a written authorization. All other generally allowed uses will continue to be allowed on state land.

Under 11 AAC 96.010(a)(2) and 11 AAC 96.010(b), the lands described herein and shown on the attached map are hereby designated as special use lands. The areas will be known as the Nenana River Gorge Special Use Area and the McKinley Village Special Use Area. I find that this is consistent with the Department of Natural Resources' management authority and that it is in the best interest of the state.

