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From: Todd Palin [fek9wnr@yahoo.com]
Sent: Saturday, June 09, 2007 11:19 AM
To: Sarah Palin; John W Bitney; Tibbles; Michael A (GOV)
Subject: Chitna

From Ken John last month

Chitina Dip Net Fishery Encourages:

Trespass onto Ahtna and CNC Property

Causing Safety Hazards to Life and

Environmental Damage to Lands

The Chitina Dip Net Fishery created by the State on the Copper River has become a popular recreational activity and an important source of fishery resources to the people of the State of Alaska. The O'Brien Creek area along the Copper River Highway is a primary Recreational Use point for this fishery. Other Recreational Use points include Eskilida Creek and Haley Creek. CNC is the owner of the surface estate for the land in the O'Brien Creek area. Ahtna is the upland owner in the Eskilida Creek and Haley Creek areas.

DOT&PF asserts an easement over portions of CNC's and

Ahtna's land for the Copper River Highway right-of-way (the "State ROW"). This fishery has resulted in the creation of a Recreational Use Area at O'Brien Creek which draws approximately 30,000 people each year.

Participants in these recreational activities at O'Brien Creek often cross CNC's land. The majority of parking and camping areas in the vicinity of O'Brien Creek are on lands owned by CNC. Other participants use land owned by CNC or Ahtna while engaging in recreational activities at other points on both the east and west banks of the Copper River.

In order to control access, DOT&PF has been asked to fund construction of fencing and gates adequate to isolate the Ahtna and Chitina lands at O'Brien, Haley, and Eskilida Creeks from the State ROW, and to allow better control of the use of the lands. DOT&PF also has been asked to fund the cost of print and electronic media along with signage to inform the public of the private land, and that entry without an appropriate permit constitutes trespass.

Safety of the participants and protection of AI and CNC lands would be served if the State would provide adequate bear-proof trash receptacles and garbage removal services; port-a-potties reasonable toilet facilities including port-a-potties and permanent facilities.

CNC and AI are willing to allow for parking and camping on its land; installation and maintain any signage necessary (including signage provide by the state); a potable water station and dump station (if the State will fund).

When issuing permits, DF&G should provide a brochure to all persons obtaining Chitina Dip Net Fishery Permits explaining the need for a permit when using the State ROW, CNC lands, or Ahtna lands. There should be a statement clearly setting forth the dangers involved in the fishery and that all participants are proceeding at their own risk.

Ahtna and Chitina are subjected to multiple trespass incidents and destruction of property. The State has not protected Ahtna and Chitina lands from the trespass risk and does not enforce criminal trespass laws, which the State has a duty to enforce. When State Troopers or Officers are present in such areas and witness or are informed of violations of the criminal trespass laws they should take reasonable steps to enforce such laws.

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