

11 AAC 96.014, is amended by revising paragraphs (b)(3) and (b)(20) to read:

11 AAC 96.014. Special use land

...

(b) For the following sites and areas that have been designated as special use land, corresponding special requirements apply as follows:

...

(3) for the Hatcher Pass Special Use Area, ADL number 223585, generally described as those lands designated by AS 41.23.130 and certain lands described in the Hatcher Pass Management Plan, as shown on the map entitled *Hatcher Pass Special Use Area Map 1*, dated **September, 30 2011**[OCTOBER 16, 2002], and adopted by reference,

(A) **in the Mile 16, Government Peak, and Independence units and in portions of the Reed Lakes/Little Susitna and Archangel units** [IN THE UPPER LITTLE SUSITNA VALLEY AND THE REED VALLEYS AND LAKES], as depicted on the *Hatcher Pass Special Use Area Map 1* **as 'Non-Motorized (Year)', except for designated roads and parking areas,** motorized vehicle use, including landing aircraft, is prohibited, except that the department may issue a permit for motorized vehicle use for mineral development, **commercial recreation,** [GRAZING,]trail construction or maintenance, **and other uses preformed by the department related to the management of the Hatcher Pass area**[OR

TRAPPING,]if the department determines that the use would not substantially interfere with recreational use of the area or with the management intent of a unit as described in the Hatcher Pass Management Plan;

(B) repealed, __, __, __ [WITHIN THE INDEPENDENCE MINE HISTORIC PARK ADDITION, AS DEPICTED ON THE HATCHER PASS SPECIAL USE AREA MAP, OFF-ROAD MOTORIZED USE, INCLUDING LANDING AIRCRAFT, IS PROHIBITED, EXCEPT THAT THE DEPARTMENT MAY ISSUE A PERMIT FOR MOTORIZED USE FOR MINERAL DEVELOPMENT, TRAIL MAINTENANCE, OR ANOTHER SPECIAL USE IF THE DEPARTMENT DETERMINES THAT THE USE WOULD NOT SUBSTANTIALLY INTERFERE WITH RECREATIONAL USE OF THE AREA];

(C) repealed, __, __, __ [WITHIN THE HATCHER PASS STATE RECREATION SITE, AS DEPICTED ON THE HATCHER PASS SPECIAL USE AREA MAP, OFF-ROAD MOTORIZED USE IS RESTRICTED TO PERIODS OF SUFFICIENT SNOW COVER TO PROTECT SOILS AND VEGETATION; IF SUFFICIENT SNOW COVER IS NOT PRESENT, THE DEPARTMENT MAY ISSUE A PERMIT FOR MOTORIZED USE FOR MINERAL DEVELOPMENT, TRAIL CONSTRUCTION OR MAINTENANCE, OR ANOTHER SPECIAL USE IF THE DEPARTMENT DETERMINES THAT THE USE WOULD NOT SUBSTANTIALLY INTERFERE WITH RECREATIONAL USE OF THE AREA; AND]

(D) within the Bald Mountain Ridge Habitat Area, as depicted on the *Hatcher Pass Special Use Area Map 1* as 'Non-Motorized (Summer)', motorized vehicle use, including landing aircraft, is prohibited between May 1 and August 1; during that period, the department may issue a permit for motorized vehicle use for mineral development, trail construction or maintenance, or another special use, including uses performed by the department in its management of the Hatcher Pass area. if the department determines that the use would not negatively affect tundra bird nesting;

(E) in the Summit Lake State Recreation Site, the High Glacier Peaks, portions of the Independence, Archangel and Reed Lakes/Little Susitna units, as depicted on the Hatcher Pass Special Use Area Map 1 as 'Non-Motorized (Summer)', except for designated roads and parking areas, motorized vehicle use is prohibited between May 1 and October 1 of each year, except that the department may issue a permit for motorized vehicle use for mineral development, road or trail construction or maintenance, and other uses performed by the department related to the management of the Hatcher Pass area, if the department determines that the use would not substantially interfere with recreational use of the area or with the management intent of a unit as described in the Hatcher Pass Management Plan; and

(F) in the Summit Lake State Recreation Site, the High Glacier Peaks, the Government Peak, the Independence, and portions of the Archangel and Reed Lakes/Little Susitna units, as depicted on the

Hatcher Pass Special Use Area Map 1, motorized vehicle use is prohibited between October 2 and April 30 of each year; except that

(i) snowmobile use is allowed once snow depth is sufficient to protect underlying vegetation as determined by the department; in this sub-paragraph snowmobile has the same definition as in S 28.39.250(10) and

(ii) the Department may issue a permit for motorized vehicle use for mineral development, road or trail construction or maintenance, commercial recreation, and other uses performed by the Department of Natural Resources related to the management of the Hatcher Pass area, if the Department determines that the use would not adversely affect fragile tundra and soils and is consistent with the management intent of a unit as described in the Hatcher Pass Management Plan;

(G) in the High Glacier Peaks, the Government Peak, Independence, Mile 16, portions of the Archangel and the Reed Lakes/Little Susitna units, as shown on the Hatcher Pass Special Use Area Map 2, dated September 30, 2011 and adopted by reference, the use and discharge of a firearm is prohibited except for the purpose of lawful hunting; within the Independence State Mine Historical Park, Summit Lake State Recreation Site, the Northern and Southern Development areas in the Government Peak unit, within one quarter mile of a road, or the area between Archangel Road and

the Motorized Winter Corridor situated within the Reed Lakes/Little Susitna unit, ending at mile 2.5 of Archangel Road, the discharge of a firearm for any purpose is prohibited.

(H) in the Summit Lake State Recreation Site, the High Glacier Peaks, the Government Peak, the Independence, the Mile 16, the Archangel and Reed Lakes/Little Susitna units, as depicted on the Hatcher Pass Special Use Area Map, camping is not allowed except within

(i) officially designated or marked areas, or

(ii) an area adjacent to and along any trail or road right-of-way to a distance of one-quarter mile.

...

(20) for Exit Glacier Road, ADL number 227699, described in the Kenai Area Plan as Unit 359A, as shown on the map entitled *Exit Glacier Road Special Use Area*, dated October 16, 2002, and adopted by reference, setting up and using a camp is allowed as provided in 11 AAC 96.020(a)(4)(A), except that

(A) the period of use is limited to eight consecutive days; moving the use to another site at least two miles away starts a new 8-day period; it is prohibited to relocate a camp, structure or structure and all equipment within two miles of the original site for at least 96 hours;

(B) waste or refuse, including human waste, must be removed or properly disposed of in a toilet or trash facility approved by the Alaska Department of Environmental Conservation;

_____ **(C)** the department may close a site to camping if the site is subject to recurring problems, including camping for longer than the allowed period, abandoned trash and garbage, or[AND] unsanitary conditions;

11 AAC 96.014, is amended adding a new paragraph to read:

(26) for the Kasilof River Special Use Area, ADL Number 230992, generally described as state lands of the lower Kasilof River area, as shown on the map entitled *Kasilof River Special Use Area (ADL 230992) Map 1: Boundary and State Land*, dated May 2011, and adopted by reference;

(A) it is prohibited to place, drop, or discard waste or refuse, including human waste, except within any authorized or provided toilet or trash facility;

(B) it is prohibited to dispose of fish or fish waste on or in state property except upon tide or submerged lands;

(C) it is prohibited to cut, collect, or harvest a dead standing or live tree without prior written authorization from the department;

(D) with the exception of aircraft, emergency or state-owned motorized vehicles, or use authorized by a permit issued by the department, within units KS and KN as shown on the map entitled *Kasilof River Special Use Area (ADL 230992) Map 1: Boundary and State Land*, dated May 2011, it is prohibited to operate a motorized vehicle, except on designated trails and beach areas as shown on the maps entitled *Kasilof River Special Use Area (ADL 230992) Map 4: Designated Motorized Trails South Side (Unit KS)*, dated May 2011; and *Kasilof River Special*

Use Area (ADL 230992) Map 5: Designated Motorized Trails North Side (Unit KN), dated May 2011.;

(E) regarding the activities associated with the Kasilof River Personal Use Set Gillnet Fishery;

(i) from January 1st through April 30th of each year, stakes, signs, running lines, buoys or dry nets are prohibited;

(ii) from June 1st through June 30th of each year it is prohibited to erect a camp, structure or facility or stage equipment; with the exception of stakes, signs, running lines, buoys or dry nets for more than 21 consecutive days for personal use on the beach;

(iii) except for the purposes of lawful hunting or trapping, from June 1st through August 15th of each year it is prohibited to discharge a firearm;

(F) regarding activities under 11 AAC 96.020(a)(4) and (5), for the Kasilof River Special Use Area, it is prohibited to relocate a camp, structure or facility and all equipment within two miles of the original site for at least 96 hours;

(G) it is prohibited to deface, destroy, disable, or remove any state owned or authorized facility or property.

(H) in this paragraph,

(i) "beach" means bare sand or gravel free of vegetation and seaward of rooted terrestrial vegetation line; and

(ii) "motorized vehicle" means a wheeled, tracked or airboat or air-cushion vehicle whose propulsion is provided by an engine or motor and that an individual uses for the purpose of personal or commercial transportation. (History: Eff. 12/7/2002, Register 164; am

1/11/2004, Register 169; am 11/9/2008, Register 188; am _____,
Register _____)

Authority: AS 38.04.005 AS 38.04.900 AS 38.05.128
AS 38.04.015 AS 38.05.020 AS 38.05.300
AS 38.04.065 AS 38.05.035 AS 38.05.850
AS 38.05.070