

## **Knik River Public Use Area Management Plan**

Information Sheet

3/23/2007

- The State must manage lands consistent with all existing statutes, regulations, and policies as well as regulations and policies developed through the KRPUA Management Plan.
- The State does not have a “Preferred Alternative”. The purpose of this step in the planning process is to solicit input from the public on a range of alternatives and management actions.
- The public is encouraged to comment on Draft Preliminary Alternatives and Preliminary Management Actions and Actions Common to all Alternatives.
- There is no specific format for your comments.
- When commenting on alternatives, here are some things to consider:
  - You may comment on an alternative in its entirety, or you may select portions from any alternative and comment on it individually.
  - You may combine aspects from various alternatives into one alternative.
  - You may suggest additional alternatives, or specific means to address issues.
- Comments should be specific to an issue and, if possible, suggest a means to address the issue(s).
- Comments must be received by 5:00pm AST, May 4, 2007.

# KNIK RIVER PUBLIC USE AREA MANAGEMTN PLAN

## **PRELIMINARY MANAGEMENT ACTIONS AND ACTIONS COMMON TO ALL ALTERNATIVES**

3/23/2007

### **Management requirement**

- The Knik River Public Use Area (KRPUA) will be managed consistent with all existing statutes, regulations, and policies as well as regulations and policies developed through the KRPUA Management Plan.

### **Management Actions:**

- The Department will address trails development and impacts to resources as outlined below. This process will address trail impacts to critical fish and wildlife habitat, including wetlands, and will provide for protection and use of those resources. Through this process, trails may be developed, designated, re-routed, or closed by the Department. No new trails will be developed or expanded unless authorized by the Department. Trails developed or designated through the phased process will be adjudicated, reserved as easements to the Division of Mining, Land & Water (DMLW), and placed on state land status plats. This management action will not affect development of the Rippy Trail, connecting loop trail, or other trails as proposed in the alternatives. The process will be conducted as follows:
  1. Identify major access points that provide legal access to the KRPUA. Access at Bodenburg Creek and Manmade Lake will be adjudicated, reserved as easements to the DMLW, and placed on state status plat(s).
  2. Identify major access routes into the KRPUA and secure rights to access. This will be accomplished by:
    - Working in conjunction with Matanuska Susitna Borough to survey and plat the Pavilion Parking Area, Sexton Trail, and the Envy Trail;
    - Survey and plat RST 17 - Knik Glacier Trail;
    - Work with BLM to identify 17(b) easements necessary to provide continued access to public lands; and,
    - Develop/designate a sustainable non-motorized trail to provide access from Pavilion Parking Area to Knik River Flats. This trail will be surveyed and platted by the Borough, and will be placed on state status plat(s).
  3. Address trails in vegetated areas within the Lower Knik Flats and Lakes Units. This will be accomplished by:
    - Inventory all trails occurring within these units;
    - identify existing trails impacting critical fish and wildlife habitat and re-route these trails as determined appropriate by the Department;
    - identify existing trails impacting other state resources, including wetlands, and assess the level of impact;
    - identify potential new trails (non-motorized and motorized);
    - after identification and assessment of trails within these units, trails may be designated, re-routed, developed, expanded, or closed by the Department; and,
    - adjudication of applications to re-route, designate, develop, or expand trails within these units resulting in easements reserved to Division of Mining, Land and Water.

4. Trails in vegetated areas in the remaining units will be addressed using the process mentioned above.
- In the interim, the Department will work with the Borough to manage Borough lands adjacent to the KRPUA, commonly known as the Pavilion Parking Area and surrounding lands, consistent with the management intent on adjacent state lands in the Lower Knik Flats Unit of the KRPUA. These lands are located within Section 36, T17N, R2E, Seward Meridian. The Department will recommend these Borough lands for inclusion into the KRPUA.
  - State lands in Section 31, T 17N, R3E, Seward Meridian, will be recommended for inclusion into the KRPUA.
  - The Department will work with the Office of Habitat Management and Permitting to identify appropriate crossings for anadromous streams within the KRPUA.

**Actions Common to all Alternatives:**

- An Access Brochure for the general public will be developed for the KRPUA.
- The KRPUA Management Plan will identify specific parcels for acquisition and/or inclusion in the KRPUA. Lands in other ownerships can only be obtained from willing parties.
- Notwithstanding 11 AAC 96.020 (a)(2)(A) \* construction, development, expansion, or pioneering a new trail within the KRPUA without authorization from the Department is prohibited. Vehicle use off of existing trails in vegetated areas is prohibited. This does not apply to units or areas designated to allow these activities through the KRPUA Management Plan. These units or areas will further be defined in the public review draft management plan to be released at a later date.
- Fires greater than three (3) feet in diameter within the KRPUA may be authorized by permit from the Department of Natural Resources, Division of Forestry under the following conditions:
  1. Fires will be located on the unvegetated state-owned lands at least 100 feet away from adjacent vegetation
  2. Fires are not authorized on State Lands within the KRPUA under any circumstances while a burn ban is in effect.
- Transporting a non-functional vehicle into the KRPUA is prohibited.
- Abandoning a vehicle within the KRPUA is prohibited.
- Dumping refuse, trash, or any form of litter within the KRPUA is prohibited.
- Burning of vehicles, household or other refuse, construction debris, or non-naturally occurring materials is prohibited within the KRPUA.
- Consistent with Borough and Municipality ordinances', discharge of fireworks, an explosive or similar device is prohibited within the KRPUA, unless that use is authorized or is conducted as part of mining operations on valid mining claims.
- Unless authorized by the Department, setting up or using a camp, using a tent, tent platform, or other temporary structure that can readily be dismantled and removed for personal, noncommercial recreational purposes, or for any non-recreational purpose, including as a support camp during mineral exploration, for more than 14 days at one site is prohibited. Cabins or other permanent improvements are not allowed, even if they are on skids or another nonpermanent foundation. The camp, tent, tent platform, or other temporary structure must be removed immediately if the department determines that it interferes with public access or other public uses or interests.

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\* See attached portion of regulations addressing development of trails as a generally allowed use.

**Knik River Public Use Area Management Plan**

**Preliminary Alternatives**

3/23/2007

**Unit A. Lower Knik Flats**

**Intent** - Provide for high-density multiple use recreation and for access to mining claims within the Metal Creek drainage and to private property. Facilities may be developed in this unit. Commercial use may be authorized.

Alternative 1 (Current Management)	Alternative 2	Alternative 3
<p>The Knik River Public Use Area will be managed consistent with all existing statutes, regulations, and policies as well as regulations and policies developed through the Knik River Public Use Area Management Plan.</p> <p>Numerous user-developed trails exist within this unit. The Sexton and Envy Trails are two major access routes in addition to RST 17 – Knik Glacier Trail. These routes have not been surveyed or platted by the Borough or adjudicated by the Department.</p> <p>The Pavilion Parking Area, located on adjacent Borough land, is the major access site to the KRPUA. The mouth of Bodenbug Creek and access points on Knik River Road also provide access to the KRPUA. None of these access sites have been reserved through State or Borough processes.</p> <p>Other developed facilities do not occur</p>	<ul style="list-style-type: none"> <li>• Recreational discharge of firearms will be prohibited in the western portion of this Unit to protect human safety. Recreational shooting will be prohibited on all state lands within this unit, west of a line drawn between a point ½ mile easterly of the mouth of Jim Creek, then south to a point at the intersection of Tempra Road and the Knik River Road.</li> <li>• This unit is designated as a multiple use recreation area. Specific to this unit, regulations will be developed rescinding, in part, restrictions on highway and off-road vehicle use that causes significant rutting or ground disturbance as described in 11AAC 96.020 (a)(1)(D)(E). Additionally within this unit, conditions for highway and off-road vehicle use will be rescinded as described in 11 AAC 96.025 (1)(2)(3)(A-C)<sup>1</sup>. Rescissions of existing regulations regarding generally allowed uses do not apply to vegetated stream buffers at Jim and Bodenbug creeks, and non-motorized trail(s) developed/designated in this unit. This is being done to recognize and allow current recreational uses, and their associated impacts, to continue in the majority of this unit.</li> </ul>	<ul style="list-style-type: none"> <li>• Recreational discharge of firearms will be restricted in this entire unit to protect human safety.</li> <li>• Same as 2.</li> </ul>

<sup>1</sup> See Generally Allowed Use regulations provided.

Alternative 1 (Current Management)	Alternative 2	Alternative 3
<p>in this unit.</p>	<ul style="list-style-type: none"> <li>• Motorized use in a 100 foot vegetated buffer along both sides of Jim and Bodenbug creeks will be prohibited in this unit. Crossings are only allowed at areas permitted by the Office of Habitat Management and Permitting.</li> <li>• A non-motorized trail will be developed/designated to facilitate access and to address user conflicts from Pavilion Parking Area to the Knik River Flats. This trail will be adjudicated and reserved to the DMLW as an ADL easement for non-motorized use. Use of motorized vehicles on this trail will be prohibited.</li> <li>• In conjunction with the Borough parking and sanitation facilities may be developed in the area of Pavilion Parking Area and Bodenbug Creek as land status and access rights are resolved.</li> <li>• Motorized use on the waters Manmade Lake will be prohibited during ice-free periods.</li> <li>• Sanitation facilities may be developed at Manmade Lake.</li> </ul>	<ul style="list-style-type: none"> <li>• Same as 2.</li> <li>• Same as 2.</li> <li>• Same as 2.</li> <li>• Motorized use on the waters of Manmade Lake will be prohibited during ice-free periods. In addition, motorized use within 100 feet of the shoreline of Manmade Lake will be restricted to no more than 10 miles per hour during ice free periods.</li> <li>• Same as 2.</li> </ul>

**Unit B. Lakes**

**Intent** – Continue to provide for moderate-to high-density multiple use recreation seasonally, and low to moderate use outside of high use periods. Facilities may be developed in this unit. Commercial use may be authorized.

<b>Alternative 1 (Current Management)</b>	<b>Alternative 2</b>	<b>Alternative 3</b>	<b>Alternative 4</b>
<p>The Knik River Public Use Area will be managed consistent with all applicable existing statutes, regulations, and policies as well as regulations and policies developed through the Knik River Public Use Area Management Plan.</p> <p>Many user-defined trails exist within this unit. Rippy Trail is a major access route, but it has not been surveyed or platted.</p> <p>Primitive access roads, boat launches, and parking areas exist at Mud and Jim lakes. Other developed facilities do not occur in this area.</p> <p>The Maude Road extension which provides access to Mud and Jim lakes is within a recorded easement.</p>	<ul style="list-style-type: none"> <li>• Rippy Trail will be developed as a sustainable multiple use trail. A multiple use loop trail may be developed to connect the Rippy Trail with the Knik Glacier Trail. The entire looping trail will be developed to minimize impacts on fish and wildlife habitat and will be developed as a sustainable multiple use trail.</li> <li>• The entire loop trail (including Rippy Trail) will be adjudicated and reserved to the DMLW as an ADL easement as a multiple use loop trail.</li> <li>• Uses may continue on existing trails or un-vegetated areas, however, no new trails will be developed or expanded until the trail management process for this unit is finished, except for development on the Rippy Trail and the Loop Trail. Use off of existing trails in vegetated areas will be prohibited.</li> </ul>	<ul style="list-style-type: none"> <li>• Rippy trail may be developed as a sustainable multiple use trail and will not extend past Upper Jim Creek. The Rippy Trail beyond Upper Jim Creek will be developed as a sustainable non-motorized trail.</li> <li>• Rippy Trail will be adjudicated and reserved to the DMLW as an ADL easement, as a multiple use trail from Jim Lake parking area to upper Jim Creek. The trail beyond upper Jim Creek will be adjudicated and reserved to the DMLW as an ADL easement as a non-motorized trail.</li> <li>• Same as 2.</li> </ul>	<ul style="list-style-type: none"> <li>• Rippy Trail may be developed as a sustainable multiple use trail and will not extend past Upper Jim Creek.</li> <li>• Rippy Trail will be adjudicated and reserved to the DMLW as an ADL easement as a multiple use trail from Jim Lake parking area to Upper Jim Creek</li> <li>• Uses may continue on existing trails or un-vegetated areas, however, no new trails will be developed or expanded until the trail management process for this unit is finished. Use off of existing trails in vegetated areas will be prohibited.</li> </ul>

	<ul style="list-style-type: none"> <li>• Approaching within 300 feet of an identified active Trumpeter Swan nest is prohibited between May 1 and June 15. Active nest sites will be identified and signed annually.</li> <li>• Facilities may be developed in this unit. Facilities may include: <b>Mud Lake</b> - Improve access road, harden boat launch, and develop sanitary facilities.</li> </ul> <p><b>Jim Lake</b> – Develop a parking area that accommodates fifteen vehicles and trailers; develop sanitary facilities; and develop ten primitive campsites; and, improve road and boat launch at Jim Lake (may include relocation of existing road and boat launch.</p> <ul style="list-style-type: none"> <li>• Recreational shooting will be prohibited within ¼ mile of developed facilities at Mud and Jim lakes and Maude Road extension in order to protect public safety.</li> </ul>	<ul style="list-style-type: none"> <li>• Approaching within 300 feet of an active Trumpeter Swan nest is prohibited between May 1 and June 15.</li> <li>• Facilities may be developed in this unit. Facilities may include: <b>Mud Lake</b> - Improved access road, maintain existing primitive boat launch, and develop sanitary facilities.</li> </ul> <p><b>Jim Lake</b> – Develop a parking area that accommodates ten vehicles; develop sanitary facilities; and develop ten primitive campsites; restrict access to improved ATV trail; and, rehabilitate area of existing unimproved launch and develop a small craft launch.</p> <ul style="list-style-type: none"> <li>• Recreational shooting will be prohibited within ¼ mile of developed facilities at Mud and Jim lakes in order to protect public safety.</li> </ul>	<ul style="list-style-type: none"> <li>• Use of a waterbody with an active Trumpeter Swan nest is prohibited between May 1 and June 15.</li> <li>• Facilities may be developed in this unit. Facilities may include: <b>Mud Lake</b> – No improvements proposed.</li> </ul> <p><b>Jim Lake</b> – Develop a parking area that accommodates ten vehicles; restrict access to a hardened foot trail; and, rehabilitate area of existing unimproved launch and develop a small craft launch.</p> <ul style="list-style-type: none"> <li>• Recreational shooting is prohibited within ¼ mile of developed facilities at Jim Lake in order to protect public safety.</li> </ul>
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**Unit C. Upper Knik Flats**

**Intent** - Provide for moderate-to high-density multiple use recreation and access to mining claims within the Metal Creek drainage and to private property. Minimal facilities may be developed in this unit. Commercial use may be authorized.

<b>Alternative 1 (Current Management)</b>	<b>Alternative 2</b>
<p>The Knik River Public Use Area will be managed consistent with all applicable existing statutes, regulations, and policies as well as regulations and policies developed through the Knik River Public Use Area Management Plan.</p> <p>RST 17 – Knik Glacier Trail is within this unit. It provides access to private property, mining claims, and other state land.</p> <p>Few user-defined trails exist within this unit.</p> <p>State developed facilities do not occur in this unit.</p>	<ul style="list-style-type: none"><li>• Trails may be developed as determined by the trails management process.</li></ul>

**Unit D. Upper Jim Alpine**

**Intent** - Provide low-density multiple use. Facility development will be minimal. Commercial use may be authorized.

<b>Alternative 1 (Current Management)</b>	<b>Alternative 2</b>
<p>The Knik River Public Use Area will be managed consistent with all applicable existing statutes, regulations, and policies as well as regulations and policies developed through the Knik River Public Use Area Management Plan.</p> <p>Few user-defined trails exist within this unit.</p> <p>State developed facilities do not occur in this unit.</p>	<ul style="list-style-type: none"><li>• Trails may be developed as determined by the trails management process.</li></ul>



**Unit E. Upper Friday Alpine**

**Intent** - Provide low-density multiple use. Facility development will be minimal. Commercial use may be authorized.

<b>Alternative 1 (Current Management)</b>	<b>Alternative 2</b>
<p>The Knik River Public Use Area will be managed consistent with all applicable existing statutes, regulations, and policies as well as regulations and policies developed through the Knik River Public Use Area Management Plan.</p> <p>Few user-defined trails exist within this unit.</p> <p>State developed facilities do not occur in this unit.</p>	<ul style="list-style-type: none"><li>• Trails may be developed as determined by the trails management process.</li></ul>

**F. Grasshopper Valley**

**Intent** – Provide opportunities for expanding low-density multiple use. Facilities may be developed. Commercial use may be authorized.

<b>Alternative 1 (Current Management)</b>	<b>Alternative 2</b>
<p>The Knik River Public Use Area will be managed consistent with all applicable existing statutes, regulations, and policies as well as regulations and policies developed through the Knik River Public Use Area Management Plan.</p> <p>Few user-defined trails exist in this unit adjacent to the toe of the Knik Glacier.</p> <p>State developed facilities do not occur in this unit.</p>	<ul style="list-style-type: none"><li>• Uses may continue on existing trails or un-vegetated areas, however, no new trails will be developed or expanded until the trail management process for this unit is finished. Use off of existing trails in vegetated areas is prohibited.</li><li>• Additional Trails may be developed as determined by the trails management process.</li></ul>

**Unit G. Glacier**

**Intent** - Provide low-density multiple use. Facility development will be minimal. Commercial use may be authorized.

<b>Alternative 1 (Current Management)</b>	<b>Alternative 2</b>
<p>The Knik River Public Use Area will be managed consistent with all applicable existing statutes, regulations, and policies as well as regulations and policies developed through the Knik River Public Use Area Management Plan.</p> <p>Few user-defined trails exist within this unit.</p> <p>State developed facilities do not occur in this unit.</p>	<ul style="list-style-type: none"><li>• Trails may be developed as determined by the trails management process.</li></ul>

**Unit H. Metal Creek**

**Intent** - Provide for low-density multiple use recreation and access to mining claims within the Metal Creek drainage. Minimal facilities may be developed in this unit. Commercial use may be authorized.

<b>Alternative 1 (Current Management)</b>	<b>Alternative 2</b>
<p>The Knik River Public Use Area will be managed consistent with all applicable existing statutes, regulations, and policies as well as regulations and policies developed through the Knik River Public Use Area Management Plan.</p> <p>Few user-defined trails exist within this unit.</p> <p>State developed facilities do not occur in this unit.</p>	<ul style="list-style-type: none"><li>• Trails may be developed as determined by the trails management process.</li></ul>

**Fees**

**Intent** – Evaluate the institution of a fee program for facilities and management within KRPUA.

<b>Alternative 1 (Current Management)</b>	<b>Alternative 2</b>	<b>Alternative 3</b>	<b>Alternative 4</b>
No fees collected at this time.	<ul style="list-style-type: none"><li>• Fees will be collected for facilities management and resource management.</li><li>• \$5.00/day parking and sanitation facilities fee.</li><li>• \$40.00 annual parking and sanitation facilities fee.</li><li>• \$10.00/day boat ramp usage fee (includes use of ramp, parking and sanitary facilities).</li><li>• \$100.00 annual boat ramp usage fee (includes use of ramp, parking and sanitary facilities).</li></ul>	<ul style="list-style-type: none"><li>• Fees will be collected for facilities management and resource management.</li><li>• \$3.00/day parking and sanitation facilities fee.</li><li>• \$20.00 annual parking and sanitation facilities fee.</li><li>• \$5.00/day boat ramp usage fee (includes use of ramp, parking and sanitary facilities).</li><li>• \$50.00 annual boat ramp usage fee (includes use of ramp, parking and sanitary facilities).</li></ul>	<ul style="list-style-type: none"><li>• Fees will not be collected.</li></ul>

## **Knik River Public Use Area Management Plan**

### **Regulations Affecting Generally Allowed Uses on State Lands**

3/23/2007

#### **11 AAC 96.020. Generally allowed uses**

(a) A permit or other written authorization is required for uses and activities not appearing on the list in this subsection. Unless otherwise provided in (b) of this section or in a special use land requirement in 11 AAC [96.014](#), the following land uses and activities, alone or in combination, are generally allowed uses on state-owned public domain land without any permit or other written authorization from the department, except that a land use or activity for a commercial recreation purpose requires prior registration under [11 AAC 96.018](#):

(1) travel or travel-related activities, as follows:

(A) hiking, backpacking, skiing, climbing, or other foot travel;

(B) bicycling;

(C) travel by horse or dogsled or with pack animals;

(D) using a highway vehicle with a curb weight of up to 10,000 pounds, including a pickup truck and four-wheel-drive vehicle, on or off an established road easement, if the use off the road easement does not cause or contribute to water quality degradation, alteration of drainage systems, significant rutting, ground disturbance, or thermal erosion;

(E) using a recreational-type off-road or all-terrain vehicle with a curb weight of up to 1,500 pounds, including a snowmobile and four-wheeler, on or off an established road easement if use off the road easement does not cause or contribute to water quality degradation, alteration of drainage systems, significant rutting, ground disturbance, or thermal erosion;

(F) landing an aircraft or using watercraft without damaging the land, including shoreland, tideland, and submerged land;

(G) driving livestock, including any number of reindeer or up to 100 horses, cattle, or other domesticated animals;

(2) access improvements, as follows:

(A) brushing or cutting a trail less than five feet wide using only hand-held tools such as a chainsaw; making a trail does not create a property right or interest in the trail;

(B) anchoring a mooring buoy in a lake, river, or marine waters, or placing a float, dock, boat haulout, floating breakwater, or boathouse in a lake, river, or marine waters, for the personal, noncommercial use of the upland owner, if the use does not interfere with public access or another public use, and if the improvement is placed within the projected sidelines of the contiguous upland owners parcel or otherwise has the consent of the affected upland owner; in this subparagraph,

- (i) "float" or "dock" means an open structure without walls or roof that is designed and used for access to and from the water rather than for storage, residential use, or other purposes;
- (ii) "boat haulout" means either a rail system, at ground level or elevated with pilings, or a line attached from the uplands to an anchor or mooring buoy;
- (iii) "floating breakwater" means a structure, including a log bundle, designed to dissipate wave or swell action;
- (iv) "boathouse" means a structure designed and used to protect a boat from the weather rather than for other storage, residential use, or other purposes;
- (3) removing or using state resources, as follows:
- (A) hunting, fishing, or trapping, or placement of a crab pot, shrimp pot, herring pound, or fish wheel; nothing in this subparagraph relieves a person from complying with applicable state and federal statutes and regulations on the taking of fish and game;
- (B) harvesting wild plants, mushrooms, berries, and other plant material for personal, noncommercial use; however, the cutting of trees is not a generally allowed use under this subparagraph;
- (C) using dead and down wood for a cooking or warming fire, unless the department has closed the area to fires during the fire season;
- (D) grazing no more than five domesticated animals;
- (E) recreational gold panning;
- (F) hard-rock mineral prospecting or mining using light portable field equipment, including a hand-operated pick, shovel, pan, earth auger, or a backpack power drill or auger;
- (G) suction dredging using a suction dredge with a nozzle intake of six inches or less, powered by an engine of 18 horsepower or less, and pumping no more than 30,000 gallons of water per day;
- (4) other improvements and structures on state land, as follows:
- (A) setting up and using a camp for personal, noncommercial recreational purposes, or for any non-recreational purpose, including as a support camp during mineral exploration, for no more than 14 days at one site, using a tent platform or other temporary structure that can readily be dismantled and removed, or a floathouse that can readily be moved; the entire camp must be moved at least two miles before the end of the 14-day period; a cabin or other permanent improvement is not allowed, even if on skids or another nonpermanent foundation; the camp must be removed immediately if the department determines that it interferes with public access or other public uses or interests;
- (B) brushing or cutting a survey line less than five feet wide using only hand-held tools, including a chainsaw, or setting a survey marker; however, a survey monument may not be set without written survey instructions issued under 11 AAC [53](#);
- (C) placing a residential sewer outfall into marine waters from a contiguous privately owned upland parcel, with the consent of the affected parcel owners, if the outfall is within the projected sidelines of the

contiguous upland parcel and is buried to the extent possible or, where it crosses bedrock, secured and covered with rocks to prevent damage; nothing in this subparagraph relieves a person from complying with state and federal statutes and regulations applicable to residential sewer outfalls;

(D) placing riprap or other suitable bank stabilization material to prevent erosion of a contiguous privately owned upland parcel if

(i) no more than one cubic yard of material per running foot is placed onto state shoreland; and

(ii) the project is otherwise within the scope of the United States Army Corps of Engineers Nationwide Permit 13 (Bank Stabilization), as set out in 67 Fed. Reg. 2,020 - 2,095, dated January 15, 2002 and adopted by reference;

(5) uses not listed in (1) - (4) of this subsection that

(A) are not conducted for a commercial recreational purpose;

(B) are not listed in 11 AAC [96.010](#);

(C) do not cause or contribute to significant disturbance of vegetation, drainage, or soil stability;

(D) do not interfere with public access or other public uses or interests; and

(E) do not continue for more than 14 consecutive days at any site; moving the use to another site at least two miles away starts a new 14-day period.

(b) The list of generally allowed uses in (a) of this section does not

(1) apply to land withdrawn from the public domain and no longer managed under [AS 38](#), including a state park and land owned by the University of Alaska;

(2) exempt a user from complying with other applicable federal, state, or municipal statutes, ordinances, and regulations; or

(3) authorize a use if another person has already acquired an exclusive property right to undertake that use.

(c) In order to operate under a generally allowed use listed in this section, the user must comply with the conditions set out in 11 AAC [96.025](#).

(d) If the department determines that, under the circumstances of a particular case, an otherwise generally allowed use interferes with public access or other public uses or interests, the use must cease.

**History:** Eff. 1/1/70, Register 32; am 12/7/2002, Register 164

**Authority:** [AS 38.05.020](#)

[AS 38.05.035](#)

[AS 38.05.850](#)

## 11 AAC 96.025. Conditions for generally allowed uses

A generally allowed use listed in 11 AAC [96.020](#) is subject to the following conditions:

- (1) activities employing wheeled or tracked vehicles must be conducted in a manner that minimizes surface damage;
- (2) vehicles must use existing roads and trails whenever possible;
- (3) activities must be conducted in a manner that minimizes
  - (A) disturbance of vegetation, soil stability, or drainage systems;
  - (B) changing the character of, polluting, or introducing silt and sediment into streams, lakes, ponds, water holes, seeps, and marshes; and
  - (C) disturbance of fish and wildlife resources;
- (4) cuts, fills, and other activities causing a disturbance listed in (3)(A) - (C) of this section must be repaired immediately, and corrective action must be undertaken as may be required by the department;
- (5) trails and campsites must be kept clean; garbage and foreign debris must be removed; combustibles may be burned on site unless the department has closed the area to fires during the fire season;
- (6) survey monuments, witness corners, reference monuments, mining location posts, homestead entry corner posts, and bearing trees must be protected against destruction, obliteration, and damage; any damaged or obliterated markers must be reestablished as required by the department under [AS 34.65.020](#) and [AS 34.65.040](#) ;
- (7) every reasonable effort must be made to prevent, control, and suppress any fire in the operating area; uncontrolled fires must be immediately reported;
- (8) holes, pits, and excavations must be repaired as soon as possible; holes, pits, and excavations necessary to verify discovery on prospecting sites, mining claims, or mining leasehold locations may be left open but must be maintained in a manner that protects public safety;
- (9) on lands subject to a mineral or land estate property interest, entry by a person other than the holder of a property interest, or the holder's authorized representative, must be made in a manner that prevents unnecessary or unreasonable interference with the rights of the holder of the property interest.

**History:** Eff. 12/7/2002, Register 164

**Authority:** [AS 38.05.020](#)

[AS 38.05.035](#)

[AS 38.05.130](#)

[AS 38.05.131](#)

[AS 38.05.133](#)

[AS 38.05.850](#)