

TITLE 11. NATURAL RESOURCES

11 AAC 96.010, is amended to read:

11 AAC 96.010. Uses requiring a permit

. . . .

(Eff. 12/17/2002, Register 164, am \_\_\_/\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_.

Authority:	AS 38.05.020	AS 38.05.133	<b><u>AS 41.23.200</u></b>
	AS 38.05.035	AS 38.05.850	<b><u>AS 41.23.210</u></b>
	AS 38.05.130	<b><u>AS 41.23.180</u></b>	<b><u>AS 41.23.220</u></b>
	AS 38.05.131	<b><u>AS 41.23.190</u></b>	<b><u>AS 41.23.230</u></b>

11 AAC 96.018, is amended to read:

11 AAC 96.018. Uses requiring registration

. . . .

(Eff. 12/17/2002, Register 164, am \_\_\_/\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_.

Authority:	AS 38.05.020	<b><u>AS 41.23.180</u></b>	<b><u>AS 41.23.210</u></b>
	AS 38.05.035	<b><u>AS 41.23.190</u></b>	<b><u>AS 41.23.220</u></b>
	AS 38.05.850	<b><u>AS 41.23.200</u></b>	<b><u>AS 41.23.230</u></b>

11 AAC 96.020, is amended to read:

11 AAC 96.020. Generally allowed uses

. . .

(Eff. 1/1/70, Register 32; am 3/2/81, Register 77, am 5/8/83, Register 86, am 9/2/95, Register 135, am 12/17/2002, Register 164, am \_\_\_/\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_.

Authority:	AS 38.05.020	AS 38.05.180	<b><u>AS 41.23.200</u></b>
	AS 38.05.035	AS 38.05.850	<b><u>AS 41.23.210</u></b>
	AS 38.05.131	<b><u>AS 41.23.180</u></b>	<b><u>AS 41.23.220</u></b>
	AS 38.05.133	<b><u>AS 41.23.190</u></b>	<b><u>AS 41.23.230</u></b>

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

**11 AAC 96.010. Special use land**

. . .

(25) for the Knik River Special Use Area, ADL Number 230206, generally described as those lands lying within the uplands portion of the W1/2 section 31, T17N, R3E, S.M., the restrictions on generally allowed uses listed in 11 AAC 96.015(c) are applicable.

11 AAC 96, Article 1 is amended by adding a new section to read:

Section

015. Designated Public Use Areas

11 AAC 96.015. Designated public use areas. (a) This section addresses management of sites and areas of state land that have been statutorily designated as Public Use Areas. These areas have been designated to be managed in a way that will perpetuate and enhance general public use and recreation and public enjoyment of fish and wildlife and protect and maintain fish and wildlife habitat. Unless otherwise provided in (b) of this section, special requirements applicable to designated public use areas are in addition to requirements applicable to state land under AS 38 and this title.

(b) Within designated public use areas,

(1) a permit or other written authorization is required for an activity listed in 11 AAC 96.010.

(2) commercial recreation uses and activities involving generally allowed uses under 11 AAC 96.020 within designated public use areas are subject to registration under 11 AAC. 96.018,

(3) unless otherwise prohibited in (c) of this section, the land uses and activities listed in 11 AAC 96.020, alone or in combination, are generally allowed uses within designated public use areas 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.

(c) For the Knik River Public Use Area as described within AS 41.23.230;

(1) a person may not abandon a vehicle;

(2) a person may not transport a non-functional vehicle into the area;

(3) a person may not operate a vehicle in excess of 10,000 pounds curb weight for private or commercial activity without prior written authorization from the department;

(4) a person may not operate a vehicle in a manner that results in disturbance of the wetlands or vegetative mat to a depth greater than six inches without prior written authorization from the department;

(5) all open fires are subject to the requirements of 11 AAC 95.410; a person may not have an open fire larger than 3 feet in diameter except on open and unvegetated areas at least 100 feet from forested land without prior written authorization from the department;

(6) a person may not burn, or cause to burn, wooden pallets, a vehicle, structure, household or commercial refuse, construction debris, or non-naturally occurring material;

(7) a person may not discard or abandon waste, refuse, trash, or any form of litter;

(8) a person may not place, dump or abandon any hazardous materials including but not limited to those contained within appliances, batteries, automotive fluids and electronic devices;

(9) a person may not erect or abandon a structure other than a temporary structure authorized under 11 AAC 96;

(10) a person may not harvest or collect non-timber forest products, (including but not limited to mushrooms, conks, berries, bark, roots) for commercial use without prior written authorization from the department;

(11) a person may not cut, collect or harvest dead standing or live trees without prior written authorization from the department;

(12) subject to the provisions of 11 AAC 96.020(a)(5)(E), a person may not erect a camp, structure or facility, whether occupied or unoccupied, for more than 14 consecutive days for private personal use without prior written authorization from the department and must move their camp, structure, or facility and all equipment at least 2 miles away at the end of the 14 day period; a person may not relocate a camp, structure or facility to a site within two miles of the initial site for at least 4 consecutive days (96 consecutive hours);

(13) a person may not participate in an event, gathering or assembly in excess of 50 people without prior written authorization from the department;

(14) a person may not discharge a firearm for purposes of target practice at targets made of materials other than wood, paper, clay, or like material, without prior written authorization from the department;

(15) a person may not discharge an explosive, or similar device without prior written authorization from the Department; a person may not discharge a firework;

(16) except for the purposes of lawful hunting and trapping, a person may not discharge a firearm on or within the following without prior written authorization of the department:

(A)  $\frac{1}{4}$  mile of the Maude Road extension, Old Glenn Highway, Knik River Road, Knik Glacier Trail (RST 17), Rippy Trail, the bed of the Knik River west of the north-south township line between T16N, R3E and T16N, R4E SM., which corresponds to Longitude 148 degrees 49 minutes, 08.59 seconds, as depicted on a map entitled: *Recreational Shooting Restrictions within the KRPUA & Knik River SUA, Dated October 9, 2007*, and adopted by reference; in this section the bed of a river is defined to be between the lines of ordinary high water on each side of the water body,

(B) on the bed of the Knik River west of the north-south township line between T16N, R3E and T16N, R4E SM., which corresponds to Longitude 148 degrees 49 minutes, 08.59 seconds, as depicted on a map entitled: *Recreational Shooting Restrictions within the KRPUA & Knik River SUA, Dated October 9, 2007*.

(C) on state lands (including waters) on the bed of the Knik River within  $\frac{1}{2}$  mile of the terminus of the Knik Glacier, or

(C) ¼ mile of a developed facility unless specifically designated for the discharge of firearms;

(17) a person may not harass fish or wildlife resources;

(18) a person may not construct, develop, improve or pioneer a road or trail without prior written authorization from the Department;

(19) a person may not damage, vandalize or destroy public property, or property leased or rented by the department or local government.

(d) For the Knik River Public Use Area, any person who fails to acquire, or abide by the terms, conditions or limitations of, a permit required under (b)(1) of this section, register under (b)(2) of this section, or who engages in a use or activity prohibited under (c) of this section is subject to citation issued by a department employee duly appointed by the department; a citation issued under this section is subject to any and all fines established by the Superior Court of the State of Alaska. History: Eff. \_\_\_/\_\_\_/\_\_\_, Register \_\_\_;

Authority:	AS 38.04.200	AS 38.05.133	AS 41.23.200
	AS 38.05.020	AS 38.05.300	AS 41.23.210
	AS 38.05.035	AS 38.05.850	AS 41.23.220
	AS 38.05.131	AS 41.23.180	AS 41.23.230

AS 38.05.132 AS 41.23.190

11 AAC 96.250, is amended to read:

11 AAC 96.250. Definitions.

. . .

**(22) “firearm” includes a pistol, rifle, shotgun, revolver, mechanical, gas, or air-operated gun;**

**(23) “firework” means an explosive devise or combustible material used to produce lights, smoke, or noise for entertainment;**

**(24) “explosive” means a chemical compound, mixture, or device that is commonly used or intended for the purpose of producing a chemical reaction resulting in a substantially instantaneous release of gas and heat; “explosive” includes dynamite, blasting power, nitroglycerin, blasting caps, nitrojelly, and mixtures containing nitrates and petroleum based fuel; explosive does not include salable fireworks as defined above.**

**(25) “developed facility” includes a building, boat ramp, campground, picnic area, rest area, visitor information center, swim beach, parking area and a developed ski or shooting area.**

**(26) “structure” means anything constructed or erected on the ground or which is attached to something located on the ground;**

**structures include: buildings, radio and TV towers, sheds, swimming pools, tennis courts, gazebos, decks, boathouses.**

**(27) “abandon” means to give up with the intent of never claiming again within a 72 hour period of time.**

**(28) “non-functional” means not able to perform it’s normal operational function.**

**(29) “hazardous material” means substances that are harmful to human and environmental health and/or safety in relatively small quantities. Such materials include flammable, combustible, corrosive, reactive, and toxic substances as well as any other substance defined as "hazardous" by the state or federal government.**

**(30) “harass” means to repeatedly approach an animal in a manner not reasonably related to lawful hunting or trapping and which results in a disruption of animal behavior within migratory waterfowl nesting areas or other fish and wildlife habitat;**

**(31) “vandalize” means the willful or malicious destruction, injury, disfigurement, or defacement of any public or private property, real or personal, without consent of the owner or person having control.** (Eff.

1/1/1970, Register 32; am 3/21/81, Register 77; am 8/19/84, Register 91; am 12/7/2002, Register 164, am 1/11/2004, Register 169; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_\_.

Authority: AS 38.05.020 **AS 41.23.180** **AS 41.23.210**

AS 38.05.035

**AS 41.23.190**      **AS 41.23.220**

AS 38.05.180

**AS 41.23.200**      **AS 41.23.230**

AS 38.05.850