

# Chapter 2

## Areawide Land Management Policies

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# 1 Chapter 2

## 2 Areawide Land Management Policies

### 3 Introduction

4  
5 This chapter presents land management policies for each of the major resources affected by  
6 the plan: agriculture, fish and wildlife, forestry, materials, mineral resources, recreation and  
7 tourism, cultural features, and water. It also presents management policies for several  
8 specific land management concerns: protection of fish and wildlife habitat, public and  
9 private access, timber harvest, settlement, and shoreline and stream corridor management.  
10 These policies apply to state land throughout the planning area regardless of the land use  
11 designation.

12  
13 This chapter consists of goals and management guidelines. Goals are the general condition  
14 the department is trying to achieve, and guidelines are specific directives that will be applied  
15 to land and water management decisions as resource use and development occurs.

### 17 Definitions

18  
19  
20 For definitions of terms commonly used in this chapter, see Appendix A, Glossary.

### 22 Goals

23  
24  
25 The following goals are for state lands in the planning area. Goals are general conditions that  
26 DNR attempts to achieve through management actions. The goals are listed alphabetically.  
27 No single goal has a priority over the others.

28  
29 **Economic Development.** Provide opportunities for jobs and income by managing state land  
30 and resources to support a vital, self-sustaining, diverse local economy.

31  
32 **Environment and Habitat.** Manage state land to protect natural ecosystems, sensitive  
33 species, and wildlife habitats.

34  
35 **Fiscal Costs.** Minimize the needs for, and the fiscal cost of, providing government services  
36 and facilities such as schools and roads.

37  
38 **Public Health and Safety.** Maintain or enhance public health and safety for users of state  
39 land and resources.

1 **Public Use.** Provide, plan, enhance, and manage diverse opportunities for public use of state  
2 lands, including uses such as hunting, fishing, boating and other types of recreation.

3  
4 **Quality of Life.** Maintain or enhance the quality of the natural environment including air,  
5 land and water, and fish and wildlife habitat and harvest opportunities; provide opportunities  
6 to view wildlife and the natural environment; and protect heritage resources.

7  
8 **Recreation.** Protect recreational resources including public access and visual resources, and  
9 manage recreational activities to minimize user conflict, while providing for a range of  
10 recreational experiences on state land managed for multiple uses.

11  
12 **Settlement.** Provide opportunities for private ownership and leasing of land currently owned  
13 by the state.

14  
15 **Sustained Yield.** Maintain the long-term productivity and quality of renewable resources  
16 including fish and wildlife, agriculture, and timber.

17  
18  
19 **Management Intent**

20  
21 Management intent for state land is expressed through statements of management emphasis  
22 identified on a unit specific basis. These statements are based on resource and use  
23 inventories, the review of existing and potential economic trends, state authorizations,  
24 existing plans and similar resource management documents, agency review and comment,  
25 and public participation.

26  
27  
28 **General Framework of the Plan**

29  
30 **A.** State land within the planning area will be managed to allow for multiple use unless  
31 legislatively designated<sup>1</sup>, or a parcel of state land is less than 640 acres and managed under a  
32 management agreement by another state agency, or affected by 11 AAC 96.014 (Special Use  
33 Land).

34  
35 **B.** State land will also be managed to protect access and public resources. Types of  
36 resources to be protected include, but are not limited to habitat, recreation, water quality,  
37 anchorages, watersheds, scenery and trails.

38  
39

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<sup>1</sup> Typically, LDAs refer to state game refuges, state parks, and the like, that are withdrawn from the public domain and are managed as special purpose sites. However, certain LDAs may be managed for multiple use, although they have been withdrawn from the public domain. Within the planning area, the Tanana Valley State Forest is an example of such types.

1 **C.** State land within the general domain will remain open to mineral entry unless specifically  
2 closed. This plan does not recommend any areas to be closed to mineral entry, although it  
3 does recommend a leasehold location orders, which would affect newly designated  
4 settlement areas as well as existing settlement areas that are not now closed (2014) to mineral  
5 entry. No new mineral closing orders are recommended. Except for those areas now closed  
6 to mineral entry or affected by leasehold location orders, all other state land within the  
7 planning area is open to entry.  
8

9 **D.** In management units where a primary surface use has been designated, activities and  
10 authorizations pertaining to that primary designated use may take precedence over other uses.  
11 Although there may be a priority for use in certain parcels, other uses may also be allowed if  
12 they do not preclude the primary use assigned to a management unit. This plan emphasizes  
13 minimizing land use conflicts through plan guidelines and intent rather than through  
14 prohibitions, although prohibitions are sometimes identified. All other uses are initially  
15 presumed compatible with the primary use. However, if DNR determines that a use conflict  
16 exists and that the proposed use is incompatible with the primary use, the proposed use  
17 should not be authorized or the use should be modified so that the incompatibility no longer  
18 exists (11 AAC 55.040 (c)). Except in areas closed to mineral entry, subsurface uses are  
19 considered an allowable use but must take into consideration the effects upon surface uses.  
20

21 **E.** This plan designates state lands in categories that are generally consistent with current  
22 use patterns and reflect the significant resources in the planning area.  
23

24 **F.** This plan honors the intent of existing settlement agreements with the Mental Health  
25 Trust Authority and the University of Alaska. These settlement agreements as well as  
26 pertinent sections of state law and regulation shall prevail over the area plan, if  
27 inconsistencies exist.  
28

29 **G.** DNR, in its consideration of resources and in the management of state land, shall  
30 consider the impacts of such use upon fish and wildlife, habitat and soil degradation, and  
31 upon other forms of use, including recreation, which may occupy the area that is under  
32 consideration in an authorization. Uses that are not compatible with these uses and resources  
33 are, if the use is nonetheless determined appropriate, to be made compatible to the extent  
34 feasible and prudent through the use of stipulations. The ability of the Department to manage  
35 the subsequent activities that may result from the issuance of an authorization is to be taken  
36 into consideration in the adjudication of an application that requires a written determination  
37 by DNR.  
38  
39

## 40 **Management Guidelines by Activity or Resource Value**

41

42 The remainder of this chapter specifies guidelines that are specific directives to apply to  
43 management decisions. DNR will use these guidelines when considering issuing  
44 authorizations and conveyances or making management decisions on state lands. These

1 guidelines will also apply to lands that are currently state-selected and ANILCA topfiled  
2 when they are tentatively approved or patented into state ownership.  
3

4 Chapter 2 guidelines apply to all state land covered by the ETAP unless the plan explicitly  
5 exempts some parcels or designations from a guideline or the resource or use for which a  
6 guideline is intended does not exist in the parcel in question. There are few such exemptions.  
7  
8

### 9 **General Guidelines**

10  
11 **A.** All authorizations for use of state land within the planning area will be consistent with  
12 the management intent in this plan.  
13

14 **B.** In considering authorizations for use of state land, DNR will adjudicate applications to:  
15

- 16 1. avoid, or if not possible, minimize damage to streambeds, fish and wildlife habitat,  
17 vegetation, trails, anchorages, and other resources;
- 18 2. minimize conflicts between resources and uses; and
- 19 3. protect the long-term value of the resource, public safety, and the environment.  
20

21 **C.** If authorizations from other agencies are required, DNR will consider issuing a permit or  
22 lease contingent upon issuance of these other authorizations.  
23  
24

### 25 **Other State Land**

26  
27 Parcels that are donated or acquired after the plan is adopted will be designated for the uses  
28 for which they were acquired or donated without an amendment to the plan. Lands that come  
29 into state ownership through other means will be designated and classified consistent with  
30 the designation identified in the applicable management unit or, if not so identified,  
31 according to the standards of the section, ‘Applicability of Plan Designations and  
32 Classifications’, in Chapter 4 without an amendment to the plan or to the Land Classification  
33 Order adopting this plan revision. This same process applies to those parcels of state land  
34 that may be missed during the plan preparation process and have subsequently identified as  
35 state land.  
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## **Agriculture and Grazing**

### **Agriculture**

#### **Goals**

**Food Security.** Provide a reserve of land for agricultural use to support the local and regional production of foodstuffs necessary to support the citizens of Alaska in the future. Known as ‘food security’, this goal recognizes the potential variabilities of worldwide food production and its distribution in the future and indicates the state’s intent to ensure a continuing agricultural land base.

**Economic Development.** Diversify and strengthen the state’s economy by increasing the availability of Alaska food products by:

- Encouraging expanded production and availability of farm products from agricultural lands within Alaska;
- Increasing the acreage available as demand or market opportunities warrant;
- Preserving the ability to produce agricultural products as a future option.

**Agrarian Lifestyle.** Provide the opportunity for Alaskans to pursue an agricultural lifestyle.

**Agricultural Land Disposals.** The primary purpose of future agricultural land disposals is to bring land into agricultural production and/or preserve it for agricultural use by future generations.

**Conservation of Agricultural Resources.** Agricultural land disposals shall be designed to maintain or enhance the productivity of the soil.

**Protection of Environment.** Agricultural land disposals shall consider off-site impacts and shall utilize appropriate mitigation measures.

**Management of Invasive Plants and Animals.** Mitigation efforts shall be taken to avoid the spread of invasive plants and animals.

## 1 Management Guidelines

2  
3 **A. Agricultural Sales: Classification.** Agricultural land disposals under AS 38.05.321  
4 may only occur within areas designated Agriculture Land<sup>2</sup>.

5  
6 **B. Agricultural Sales: Size.** Within the planning area, agricultural sales should have a  
7 minimum area of 40 acres. Sale areas may be less than 40 acres, if the opinion on the  
8 Division of Agriculture and in the written decision under AS 38.05.035(e), it is determined  
9 that such an action is in the best interests of the state.

10  
11 **C. Agricultural Land Disposals.** Agricultural land disposals shall be consistent with the  
12 requirements of 11 AAC 177. Agricultural land cannot be used for other purposes that would  
13 preclude its eventual use for agriculture.

- 14
- 15 • Land conveyed under this authority may only be used for agricultural purposes or for  
16 purposes that do not conflict with the use of the land for agriculture.
  - 17 • Remote state land with good agricultural potential and designated Agriculture, but not  
18 scheduled for sale within the next 15 year period, shall remain in public ownership,  
19 continue in an agricultural designation, and shall not be used for other purposes  
20 except through a plan amendment that re-designates such areas into another land use  
21 designation. (This prohibition does not extend to non-permanent, temporary uses of  
22 agricultural land such as uses associated with permits.)
  - 23 • A Farm Conservation Plans approved by the state shall be provided as a condition of  
24 an agricultural sale and shall meet all other requirements of 11 AAC 177.
  - 25 • In addition to the requirements of 11 AAC 67.180 or as part of an AS 38.05.035(e)  
26 decision, agricultural sales adjoining areas designated Habitat shall evaluate the need  
27 for measures needed to protect adjacent habitat, and shall incorporate these features  
28 into the Preliminary/Final Finding and Decision or Farm Conservation Plan (FCP),  
29 Agricultural sales adjoining lands designated Settlement shall evaluate the need for  
30 measures necessary to minimize adverse impacts to areas of land disposals and shall  
31 similarly incorporate such measures into the Preliminary/Final Finding and Decision  
32 or FCP. It is not intended that mitigation measures will always be required in these  
33 instances, but that the need for such measures be assessed and required where  
34 necessary.
  - 35 • Generally, agricultural land disposals should not occur within mapped floodways.  
36 Where neither floodways nor flood plains have been mapped, the best available  
37 information will be used to identify areas where flooding is likely to be a severe  
38 limitation on agriculture. Agricultural disposals in such areas should be avoided.
- 39

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<sup>2</sup> There may be instances where areas classified Settlement may also be appropriate, within specific areas of the site, for agricultural land disposals. The determination of whether a management unit is appropriate for the collocation of these two forms of disposal shall be made in the written decision process under AS 38.05.035(e). The decision shall specify which areas of the unit are appropriate for each type of disposal.

1 **D. Site Specific Requirements.** Agricultural land sales within the planning area are subject  
2 to the following additional requirements:

- 3
- 4 • A riparian buffer of undisturbed vegetation of a minimum of 100' shall be retained in  
5 state ownership (or otherwise protected so that riparian functions are not impaired)  
6 adjacent to all anadromous waterbodies and high value resident fish streams. See the  
7 standards for riparian areas in the section 'Shorelands and Stream Corridors' in this  
8 Chapter.
- 9 • Areas of reported historic, archaeological, or paleontological sites should not be  
10 disturbed. Agricultural operations shall not be authorized within 300 feet of the  
11 boundaries of known sites unless OHA determines, in coordination with the Division  
12 of Agriculture, that agricultural activities can occur without significant impact to the  
13 cultural resource. OHA shall work with the Division of Agriculture to develop site-  
14 specific mitigation measures to protect known cultural sites while allowing  
15 agricultural operations. A buffer (or other management mechanism sufficient to  
16 protect the cultural resource) of 50' or greater shall be established around significant  
17 cultural resources identified by OHA as part of agency review.

18

19 **E. Other Guidelines Affecting Agriculture.** Other guidelines may affect agriculture. See  
20 other sections of this chapter.

## 21

## 22

## 23 **Grazing**

### 24

### 25 **Goals**

26

27 **Food Security.** Provide opportunities for grazing on state lands to support the local and  
28 regional production of livestock to support the citizens of Alaska in the future. Known as  
29 "food security", this goal recognizes the potential variability of food production and  
30 distribution in the future and indicates the state's intent to ensure a grazing land base.

31

32 **Availability of State Land.** Make units with existing forage and rangeland resources  
33 available for short-term and long-term grazing, consistent with the management intent of the  
34 units affected by grazing operations and with the following management guidelines.

35

36 **Contribute to Economic Diversity.** Contribute to Alaska's economy by protecting range  
37 lands that provide opportunity for the development of the livestock industry.

### 38

### 39

### 40 **Management Guidelines:**

41

42 **A. Use of State Land for Grazing.** Grazing on state land may be allowed in areas with  
43 appropriate classifications (11 AAC 60.010) and if consistent with the management intent of  
44 the unit and with management guideline B, and if DNR determines in the authorization

1 decision that the potential conflicts with other resource or land uses are acceptable or can be  
2 mitigated with stipulations. (11 AAC 60.170)

3  
4 **B. Areas Not Appropriate for Grazing Leases.** In addition to the restrictions of 11 AAC  
5 60.010, lands designated Water Resources, Materials, Public Facilities-Retain, and co-  
6 designated Reserve Use and Habitat may not be used for grazing leases.

7  
8 **C. Multiple Use.** Lands used for grazing will be managed as multiple use lands to support a  
9 variety of public benefits, including fish and wildlife habitat and harvest, water quality  
10 maintenance, public recreation, and public access. (11 AAC 60.130)

11  
12 **D. Access and Use.** Public access across and public use of grazing lands may not be limited  
13 by persons holding grazing leases or permits unless approved as part of a grazing operations  
14 plan. (11 AAC 60.130)

15  
16 **E. Operational Requirements.** Grazing operations on state land are subject to the  
17 requirements of 11 AAC 60.

18  
19 **F. Grazing Operations Plans.** Prior to initiating grazing activities on a grazing permit or  
20 lease, a person must have an approved grazing operations plan that will become part of the  
21 lease or permit. DNR will assist a lessee or permittee in preparing a plan in consultation with  
22 the Natural Resources Conservation Service or other agencies.

23  
24 **G. Other Guidelines Affecting Grazing.** Other guidelines may affect grazing. See other  
25 sections of this chapter.  
26

1  
2  
3 **Coordination and Public Notice**  
4

5 **Goals**  
6

7 **Coordination with Non-state Landowners.** Coordinate the use of state land with that of  
8 private and other public landowners to provide for the optimal use, development, and  
9 protection of area resources.  
10

11 **Public Participation.** Provide local governments, state and federal agencies, adjacent  
12 landowners, and the general public with meaningful opportunities to participate in the  
13 process of making significant land use decisions.  
14  
15

16 **Management Guidelines**  
17

18 **A. Notice for Decisions Requiring Public Notice (Under AS 38.05.945).** As required by  
19 statute, public notice will be given for decisions involving the sale, lease, or disposal of (or  
20 interests in) land, property, or resources. Notice will be given to parties known or likely to  
21 be affected by an action proposed by the state or an applicant to the state.  
22

23 **B. Coordination with Local Plans and Zoning Ordinance.** The comprehensive plan and  
24 zoning map of the North Star and Denali Borough should be reviewed by DNR prior to  
25 issuing permits, leases, or other forms of use authorizations.  
26

27 **C. Avoiding Conflicts with Adjacent Upland Owners.** Before DNR issues a land use  
28 authorization on shorelands, DNR should encourage applicants to use areas that will reduce  
29 the likelihood of possible land use disagreements with upland owners where comments have  
30 been solicited as part of project review. DNR will consider comments from private  
31 landowners and others before making a decision. DNR will retain the right to issue a land  
32 use authorization over the objection of adjacent landowners.  
33

34 **D. Authority of State Plans.** State plans only affect state lands and federal lands that have  
35 been selected by the state for conveyance. They do not affect Borough, other state lands not  
36 affected by Title 38, other federal lands, or private lands.  
37

38 Boroughs have developed and will continue to develop local comprehensive plans for  
39 specific parts of the two boroughs. These are intended to identify preferred land use patterns  
40 and development stipulations. DNR reviews these plans in the course of developing  
41 management plans or area plans, and often makes use of their recommendations. However,  
42 while community comprehensive plans can make recommendations for state lands within  
43 their planning areas, they cannot establish land use designations or other planning  
44

1 requirements for state land. State land use designations are decided on a regional basis  
2 through the state land use planning process and local plans do not supersede state plans for  
3 the use of state lands.

4

5 **E. Other Guidelines Affecting Coordination or Public Notice.** Several other guidelines  
6 may affect coordination or public notice. See other sections of this chapter.

7

## Cultural Resources

### Goal

**Cultural Resources.** The Alaska Historic Preservation Act establishes the state’s basic goal: to preserve, protect, and interpret the historic, prehistoric, and archaeological resources of Alaska so that the scientific, historic, and cultural heritage values embodied in these resources may pass undiminished to future generations.

### Management Guidelines

**A. Cultural Resources Identification.** Identify and determine the significance of cultural resources on state land through the following actions:

1. Cultural resources surveys conducted by qualified personnel;
2. Research about cultural resources on state land by qualified individuals and organizations; and
3. Cooperative efforts for planned surveys and inventories between state, federal, and local or Native groups.

**B. Cultural Resources Protection.** Protect significant cultural resources through the following actions:

1. The Office of History and Archeology (OHA) within the Division of Parks and Outdoor Recreation (DPOR) reviews authorizations, construction projects or land uses for potential conflict with cultural resources. The office determines if there may be an adverse effect on heritage resources and makes recommendations to mitigate these effects.
2. Cooperating with concerned government agencies, Native corporations, statewide or local groups, and individuals to develop guidelines and recommendations on how to avoid or mitigate identified or potential conflict.
3. Require the establishment of buffers (50’ or greater) around significant cultural resources<sup>3</sup> as part of the overall protection process when subdividing or otherwise using state lands.

**C. Cultural Resource Surveys Prior to Land Offerings.** If determined by OHA during an agency review of a proposed land disposal that a cultural survey may be required, further coordination between OHA and DMLW prior to the land disposal is warranted. Cultural

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<sup>3</sup> Cultural resources, for the purposes of this management guideline, do not include trails or routes.

1 surveys should be considered where OHA reported sites exist or where there is a high  
2 potential for such sites to exist. The extent and type of the cultural survey within the area of  
3 the proposed land disposal shall be determined by OHA in consultation with DMLW.  
4 Detailed procedures exist governing when a survey is required and extent of the cultural  
5 resource survey and are to be consulted by DNR adjudicators.  
6

7 **D. Cultural Resources in Timber Management Areas.** The Office of History and  
8 Archaeology (OHA) will review proposals for timber management activities through the  
9 interagency review process for the Five-Year Schedule of Timber Sales and Forest Land Use  
10 Plans for individual sales and provide comments and information about areas of concern  
11 within the review deadline. OHA may recommend archaeological surveys in timber sale  
12 areas with a high potential for cultural resources. Areas of reported historic, archaeological,  
13 or paleontological sites that retain historic integrity should not be disturbed. Timber  
14 operations shall not occur within 300 feet of the boundaries of known sites unless the OHA  
15 determines, in consultation with the Division of Forestry, that certain activities can occur  
16 without significant adverse impacts to the cultural resource. The OHA shall assess the extent  
17 and significance of the cultural resource and work with Division of Forestry to develop site-  
18 specific mitigation measures to protect the cultural sites while allowing timber management.  
19

20 **E. Cultural Resources Adjacent to Recreation Facilities.** Recreation facilities that might  
21 subject cultural sites to vandalism because of the increased public use should not be placed  
22 adjacent to the cultural sites.  
23

24 **F. Heritage sites should be reported when found.** The Alaska Heritage Resources Survey  
25 (AHRS) is an inventory of all reported historic and prehistoric sites within the State of  
26 Alaska and is maintained by the Office of History and Archaeology (OHA). The AHRS is  
27 used to protect cultural resource sites from unwanted destruction. By knowing of possible  
28 cultural remains prior to construction, efforts can be made to avoid project delays and  
29 prevent the destruction of cultural sites. While over 22,000 sites have been reported within  
30 Alaska, this is probably only a very small percentage of the sites which may actually exist  
31 but are as yet unreported. The AHRS is not complete or static, so heritage sites, when found,  
32 should be reported to the OHA.  
33

34 **G. Other Guidelines Affecting Cultural Resources.** Other guidelines will affect cultural  
35 resources. See other sections of this chapter.  
36

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## Fish and Wildlife Habitat

### Goals

**Maintain and Protect Publicly Owned Habitat Base.** Maintain in public ownership and protect habitat for fish and wildlife resources sufficient to conserve a diversity of species to support commercial, recreational, or traditional uses on sustained yield basis; or protect a unique or rare assemblage of a single or multiple species of regional, state, or national significance.

**Ensure Access to Public Lands and Waters.** Ensure access to public lands and waters and promote or enhance the responsible public use and enjoyment of fish and wildlife resources.

**Mitigate Habitat Loss.** When resource development projects occur, avoid or minimize changes in the quality and quantity of fish and wildlife habitat.

**Contribute to Economic Diversity.** Protect fish and wildlife resources which contribute directly or indirectly to local, regional, and state economies through commercial, subsistence, personal use, sport and non-consumptive uses.

**Manage to Maintain and Enhance the Natural Environment.** Maintain and enhance the natural environment in areas known to be important as habitat for fish and wildlife.

**Avoid the Introduction of and Reduce the Spread of Invasive Plants, Exotic Animals and Diseases.** State lands are to be managed to avoid or reduce the spread of non-native invasive animals and plants as well as exotic diseases that can be detrimental of wildlife populations. This management shall be consistent with the applicable requirements of 11 AAC 34.

### Management Guidelines

The Management Guidelines that follow apply to areas designated Habitat or co-designated Habitat areas throughout the planning area, with emphasis on fish and wildlife populations used for consumptive commercial, subsistence, personal use, and sport purposes, and other uses listed in Guideline B where alternation of the habitat and/or human disturbance could result in a loss of a population or sustained yield of a species. The primary objective is the use of adequate protection measures to ensure the sustainability of fish and wildlife habitat, populations, and the continuation of other uses of the area. The management of state land and resources are also to be consistent with the requirements of sustained yield, as described in Article VIII is the State Constitution.

1 **A. Mitigation.** When issuing permits and leases or otherwise authorizing the use or  
2 development of state lands, DNR will include stipulations or measures needed to protect fish,  
3 wildlife, or their habitats. The costs of mitigation relative to the benefits to be gained will be  
4 considered in the implementation of this policy.

5  
6 All land use activities will be conducted with appropriate planning and implementation to  
7 avoid or minimize adverse effects on fish, wildlife, or their habitats, and on public access to  
8 those resources.

9  
10 DNR enforces permit stipulations and measures, consistent with their authorities and  
11 enforcement capabilities. Mitigation will be required of any significant damage to fish,  
12 wildlife, or their habitats that may occur as a direct result of the party's failure to comply  
13 with applicable law, regulations, or the conditions of the permit or lease.

14  
15 When determining appropriate stipulations and measures, the department will apply, in order  
16 of priority, the following steps. Mitigation requirements listed in other guidelines in this plan  
17 will also follow these steps:

- 18  
19 1. Avoid anticipated, significant adverse effects on fish, wildlife, or their habitats  
20 through siting, timing, or other management options.
- 21  
22 2. When significant adverse effects cannot be avoided by design, siting, timing, or other  
23 management options, the magnitude of the adverse effect(s) of the use or  
24 development will be minimized.
- 25  
26 3. If significant loss of fish or wildlife habitat occurs, the loss will be rectified by  
27 repairing, rehabilitating, or restoring the affected area to a useful state.
- 28  
29 4. DNR shall consider replacement or enhancement of fish and wildlife habitat when  
30 steps 1 through 3 cannot avoid substantial and irreversible loss of habitat. The  
31 ADF&G will identify the species affected, the need for replacement or enhancement,  
32 and the suggested method for addressing the impact. In those instances when  
33 replacement or enhancement is not feasible, DNR will consider the provision of  
34 substitute resources or environments. DNR will consider only those replacement and  
35 enhancement techniques that have either been proven to be, or are likely to be,  
36 effective and that will result in a benefit to the species impacted by the development.  
37 Replacement or enhancement will be required by DNR if it is determined to be in the  
38 best interest of the state either through the AS 38.05.035(e) or other authorization  
39 process.

40  
41 **B. Allowing Uses in Fish and Wildlife Habitats (Ha).** These habitats are defined as areas  
42 that serve as a concentration area for a single or multiple species of fish and wildlife during a  
43 sensitive life history stage or are highly important to the maintenance or management of a  
44 single or multiple species of fish or wildlife. Fish and wildlife categories used, in part, to  
45 identify Habitat (Ha) designations in this plan include the following:

- 1 • Anadromous and high value resident fish spawning, rearing, overwintering, and  
2 migration areas.
- 3 • Bison foraging, wintering, calving areas, and movement corridors.
- 4 • Swan nesting, molting, and migration concentrations.
- 5 • Other waterfowl nesting and molting areas, and areas important for waterfowl  
6 migration.
- 7 • Fish streams frequented by bears (including concentrations by season).
- 8 • Moose rutting, wintering and calving areas.
- 9 • Caribou wintering<sup>4</sup> and calving areas.
- 10 • Dall sheep lambing and wintering areas, and mineral licks.
- 11 • Important wildlife migration corridors.

12  
13 The areas designated Habitat (Ha) in Chapter 3 of the plan were defined using the best  
14 available information when the plan was written. In the granting of authorizations within  
15 areas designated Habitat, DNR adjudicators should attempt to acquire more detailed and  
16 more recent information pertaining to habitat resources and values if there is some question  
17 as to the appropriateness of the use that is under consideration for authorization.

18  
19 The resource that was used to make the determination that an area should be designated “Ha”  
20 is identified in the parcel descriptions contained in Resource Allocation Tables in Chapter 3  
21 under the column, “Resources and Uses”. In some cases, there is only a single resource but  
22 in other instances, several resources exist, with these resources sometimes occupying  
23 differing portions of the parcel. The spatial distribution of habitat resources is described in  
24 the management intent language, if known. Units are to be managed to protect the  
25 resource(s) identified in these tables. The fish and wildlife associated with the Habitat  
26 designation are listed in the Glossary under the term ‘Habitat’.

27  
28 There is a distinct seasonality associated with the critical life periods of certain species;  
29 seasonality shall be taken into consideration during project review and approval. Seasonality  
30 and critical life cycle stages are identified in various publications. Thus, it may be possible,  
31 through consultation with ADF&G and other agencies, that uses and facilities may be found  
32 appropriate within areas designated Habitat if the seasonality criteria are satisfied by  
33 including mitigating measures in project design.

34  
35 Uses not consistent with a plan designation or not authorized in a management intent  
36 statement and that, if permitted would result in the degradation of the resource(s) within  
37 areas designated “Ha”, are to be considered incompatible and are not to be authorized unless  
38 determined to be necessary and in the best interest of the state. Degradation of the resource  
39 might result from actions involving one or more of the following factors: dredging, filling,

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<sup>4</sup> Where such areas are concentrated spatially and particularly where they coincide with calving areas.

1 significant compaction of vegetation and sediment, alteration of flow patterns, discharge of  
2 toxic substances, or disturbance during sensitive periods. If there is a question as to whether  
3 a use would be appropriate or whether it would degrade a listed resource, DNR shall consult  
4 with ADF&G in making the determination of initial incompatibility.

5  
6 Non-designated uses that cause significant adverse impacts to the resources identified within  
7 a given “Ha” parcel can be allowed if:

- 8
- 9 • DNR in consultation with ADF&G determines that the management unit in question  
10 does not possess those attributes characteristic of a Habitat designation as defined in  
11 the plan; or
  - 12 • If DNR in consultation with ADF&G determines that the non-designated use can be  
13 made compatible and significant adverse impacts to the “Ha” area avoided with  
14 appropriate design, siting, and operating stipulations; or
  - 15 • If after consideration of the above statements, the project is then found to be in the  
16 best interest of the state under AS 38.05.035(e) or similar department authorizations  
17 and significant adverse impacts are mitigated under Management Guideline A.
- 18

19 **C. Allowing Uses Outside of Designated Fish and Wildlife Habitat Areas.** Habitat-  
20 altering uses will be sited consistent with the management guidelines in this chapter, and the  
21 management intent and guidelines in Chapter 3, and applicable statutes and regulations.

22  
23 **D. Habitat Manipulation: General Requirements.** Habitat alteration through water  
24 control, timber management practices, removal of pollution sources, prescribed fire, or other  
25 measures may be used to improve habitat for fish and wildlife species where ADF&G  
26 determines that it is beneficial to the species or habitat and DNR determines that it is  
27 compatible with other primary uses.

28  
29 **E. Habitat Manipulation: Management of Invasive Plant and Animal Species.** The  
30 state shall manage its lands and waters to avoid the introduction of and reduce the spread of  
31 invasive non-native plants and animals, consistent with the requirements of 11 AAC 34.  
32 Although the strategic management plan for noxious and invasive plant species recognizes  
33 this as a statewide issue, in most instances this problem is best handled at the local level. The  
34 Fairbanks and Salcha-Delta Soil and Water Conservation Districts have a program in place  
35 that currently concentrates on surveying areas of infection and providing landowners with  
36 treatment options and Best Management Practices in an effort to manage these species.  
37 Contact them for more information.

38  
39 **F. Hatchery and Aquatic Farm Source Waters.** To preserve the quality of an existing  
40 hatchery’s water supply, land uses should be limited to those that reduce the risk of reducing  
41 water quality or quantity below that needed by the hatchery.

1 **G. Water Intake Structures.** When issuing water rights for waters providing fish habitat,  
2 DNR a will require that practical water intake structures be installed that do not result in  
3 entrainment, entrapment, or impingement of fish and will maintain in-stream flows needed  
4 to sustain existing fish populations. The simplest and most cost-effective technology may be  
5 used to implement this guideline when consistent with all applicable permits.

6  
7 Water intake structures should be screened, and intake velocities will be limited to prevent  
8 entrapment, entrainment, or injury to fish. The structures supporting intakes should be  
9 designed to prevent fish from being led into the intake. Other effective techniques may also  
10 be used to achieve the intent of this guideline. The DMLW (Water Section) and ADF&G  
11 Division of Habitat should be consulted to determine screen size, water velocity, and intake  
12 design if the intake structure is in fish-bearing waters. ADF&G will continue to determine  
13 and permit the appropriate intake structures for specific locations and projects.

14  
15 **H. Alteration of the Riverine Hydrologic System.** To the extent feasible, channelization,  
16 diversion, or damming that will alter the natural hydrological conditions and have a  
17 significant adverse impact on important riverine habitat will be avoided. If projects like this  
18 are proposed they will require a review and permit from the ADF&G Division of Habitat and  
19 other agencies.

20  
21 **I. Threatened and Endangered Species.** All land use activities will be conducted  
22 consistent with state and federal Endangered Species Acts to avoid jeopardizing the  
23 continued existence of threatened or endangered species of animals or plants, to provide for  
24 their continued use of an area, and to avoid modification or destruction of their habitat.  
25 Specific mitigations recommendations should be identified through interagency consultation  
26 for any land use activity that potentially affects threatened or endangered species. There are  
27 no known threatened or endangered species under either federal or state statute or regulation  
28 within the planning area. The U.S. Fish and Wildlife Service (USFWS), Division of  
29 Ecological Services, should be consulted on questions that involve endangered or threatened  
30 species of federal interest and the ADF&G for those listed by the state.

31  
32 **J. Eagles.** Authorizations or disposals that potentially affect bald eagles will be consistent  
33 with the state and federal Endangered Species acts and the Bald Eagle Protection Act of 1940  
34 as amended. Applicable standards are drawn from a cooperative agreement signed by the  
35 U.S. Forest Service and the USFWS or such subsequent standards that may be promulgated.  
36 These standards, however, may not be adequate in all circumstances, and the USFWS may  
37 determine that additional measures are necessary. In addition, meeting the guidelines does  
38 not absolve the party from the penalty provisions of the Bald Eagle Protection Act; therefore,  
39 the USFWS should be consulted when activities may affect bald or golden eagles.

- 40  
41 **1. Siting Facilities to Avoid Eagle Nests.** Facilities determined by the U.S. Fish and  
42 Wildlife Service to cause significant disturbance to nesting eagles will not be allowed  
43 within 330 feet and up to one-half mile of any bald eagle nest site, whether the nest is  
44 currently active or not.

- 1       **2. Activities Disturbing Nesting Eagles.** Activities the U.S. Fish and Wildlife Service  
2       determines likely to cause significant disturbance to nesting eagles will be prohibited  
3       within 330 feet of active bald eagle nests between March 15 and August 31.  
4       Temporary activities and facilities that do not alter eagle nesting habitat or disturb  
5       nesting eagles, as determined by the USFWS, may be allowed at other times.  
6

7       **K. Moose, Caribou Dall Sheep, and Bison Wintering and Calving Areas.**  
8

9       **Moose.** Moose are present throughout the planning area, and many portions are important  
10      for moose calving and rutting, or are used as winter concentration areas. Calving typically  
11      occurs from May through June, while rutting occurs late September to October. Uses that are  
12      likely to produce levels of acoustical or visual disturbance sufficient to disturb calving,  
13      rutting, or post-calving aggregations that cannot be seasonally restricted should not be  
14      authorized in these areas. Uses may be authorized in these areas at other times of the year.  
15      DNR authorizations shall include seasonal restrictions on activities that would produce  
16      significant acoustical or visual disturbance during wintering, calving (including post-  
17      calving), or rutting periods.  
18

19      Moose calving and rutting areas may change over time. Consult ADF&G prior to issuing an  
20      authorization in an area suspected to contain such concentrations in order to better determine:  
21      1) the location of calving and rutting areas; 2) when activities within these areas should be  
22      avoided; and 3) identify appropriate mitigation measures if no feasible or prudent alternative  
23      site exists. Refer to a management unit's 'Uses and Resources' section in the Resource  
24      Allocation Tables to determine whether the presence of a rutting or calving area is likely or if  
25      it is a winter concentration area.  
26

27      **Caribou.** With the exception of Fairbanks, areas west of Fairbanks, and North Pole, caribou  
28      wintering and calving areas are present and widely distributed throughout the planning area.  
29      Calving typically occurs from May through June, and areas of particular importance include  
30      the Tanana Hills north of the Alaska Highway (Forty mile Herd) and the Alaska Range  
31      southeast of Delta Junction (Macomb Herd). Authorizations in these areas are to use the  
32      same management requirements as those for moose calving and winter concentration areas,  
33      described above.  
34

35      **Dall Sheep.** Dall sheep are present throughout the mountainous terrain and open alpine  
36      ridges within the East Alaska Range region and the Tanana Hills north of the Tanana River.  
37      Within these areas, sheep are widely distributed and there are numerous areas that are  
38      important for lambing, rutting, and winter habitats. Lambing typically occurs in May and  
39      June. Ewes and lambs are especially vulnerable and sensitive to disturbances (i.e.,  
40      helicopters) and other environmental factors at this time. Authorizations in these areas are to  
41      use the same management requirements as those for moose/caribou calving, rutting and  
42      winter concentration areas, described above. ADF&G should be consulted in determining a  
43      course of action for authorizations occurring during this time.  
44

1 **Bison.** Bison are can be found throughout the Delta region from the lower Shaw Creek and  
2 Goodpaster drainages in the north to the foothills on the northern flank of the Alaska Range,  
3 and they occupy small portions of adjacent regions. Within the larger habitat range, the  
4 Delta bison herd regularly utilizes a much smaller area that is important as a calving and  
5 wintering area. This concentrated habitat area encompasses the Jarvis Creek and Gerstle,  
6 Tanana, and Delta river floodplains, forested and wildlife burn areas south of the Alaska  
7 Highway and west of the Gerstle River, the relatively flat agricultural areas of primarily  
8 private land south of the Tanana River and occasionally the mountainous areas of the Granite  
9 Mountains. Calving typically occurs in secluded meadows beginning in May.

10 Authorizations in the bison movement corridors and concentration areas are to use the same  
11 management requirements as those for moose calving and winter concentration areas,  
12 described above.

13  
14 **L. Protection of Mineral Licks.** Mineral licks identified within specific management units  
15 are used by significant numbers of wildlife primarily during the spring and early summer.  
16 Known mineral licks occur in the Fairbanks, Delta, Upper Tanana and East Alaska Range  
17 regions. The regular use of these areas suggests that the licks play an important role in the  
18 life history of the animals that use them. These same areas may also have significant mineral  
19 values. Management Intent should protect the area around the licks for their wildlife value.  
20 Stipulations should be developed on a case-by-case basis, in consultation with ADF&G, for  
21 specific leases or permits. The stipulations should address the following: 1) the avoidance of  
22 direct and indirect impact on the mineral licks, the animal tracks leading to them and other  
23 areas of concentrated animal use that is associated with the mineral lick; 2) the method and  
24 routing of mining-related access to these areas.

25  
26 **M. Trumpeter and Tundra Swan Nesting Areas.** In swan nesting areas, uses that would  
27 disturb a significant number of nesting swans or detrimentally alter their nesting habitat  
28 should be avoided. The siting of permanent facilities, including roads, material sites, storage  
29 areas, and other forms of permanent structures should be avoided within one-quarter mile of  
30 these known nesting sites. Surface entry should also be avoided within one-quarter mile of  
31 these nesting areas between April 1 and August 31. Both of these should be evaluated on a  
32 case-by-case basis. Some areas are more open and susceptible to noise and visual  
33 disturbances and therefore require larger protection areas. Leases or permits may require  
34 seasonal restrictions on activities to avoid disturbance to swans. Consult with ADF&G and  
35 USFWS to identify current or potential nesting habitat and to determine guidelines to follow  
36 and activities to avoid. The standards of Guideline N, 'Activities in Important Waterfowl  
37 Habitat', also apply. Refer to the management unit's 'Resources and Uses' section in the  
38 Resource Allocation Tables to determine if the presence of a nesting area is likely.

39  
40 **N. Activities in Important Waterfowl Habitat.** In important waterfowl habitat, activities  
41 requiring a lease permit, or development plan, and producing habitat disturbance or high  
42 levels of acoustical or visual disturbance from sources such as boat traffic, vegetation  
43 clearing, construction, blasting, dredging, and seismic operations, should be avoided during  
44 sensitive periods such as nesting, staging, or brood-rearing periods. Where it is not feasible  
45 and prudent to avoid such activities, other mitigation measures may be required to avoid

1 significant adverse impacts and the activity may be denied. If it is likely that a waterfowl  
2 concentration exists within the area affected by a potential project, consult with ADF&G and  
3 USFWS to identify areas of important waterfowl in addition to those identified in the  
4 management units in this plan and to determine appropriate mitigation or avoidance  
5 measures.

6  
7 **O. Fish and Wildlife Enhancement on State Lands.** Fish and wildlife enhancement  
8 activities on state lands, whether by ADF&G or other parties, should be consistent with the  
9 management intent for those lands. Enhancement activities likely to attract significant public  
10 use, including sport fishing use, will be designed and located to minimize the impact of  
11 additional public use on the existing recreation resources, including anchorages, campsites,  
12 and existing and intended wilderness values.

13  
14 **P. Protection of Fish and Wildlife Resources - Transportation Routes and Facilities.**  
15 Important overwintering, calving, lambing, or mineral lick areas, fish and wildlife habitats in  
16 riparian areas, fish and wildlife movement corridors, important wintering areas, and  
17 threatened or endangered species habitat should be avoided in siting transportation routes  
18 unless no other feasible and prudent alternatives exist. Location of routes and timing of  
19 construction should be determined in consultation with ADF&G. Transportation corridors  
20 that intersect or cross fish or wildlife movement areas shall be equipped with appropriate  
21 crossing devices or structures to allow the free and efficient passage (in both directions) of  
22 the species using the corridor.

23  
24 **Q. Protection of Riverine Areas.** Riverine areas perform a variety of important functions  
25 related to recreation, habitat protection, and water quality/quantity maintenance. To the  
26 maximum extent feasible and prudent, the protection of these areas is important and DMLW  
27 and DOA authorizations are to ensure the maintenance of these areas in any authorizations  
28 that may be issued. See Management Guidelines D, E, F, H, and I in the ‘Shorelands and  
29 Stream Corridors’ section in this Chapter for guidance and standards pertaining to riverine  
30 areas. These standards are to apply to authorizations issued by DMLW and the Division of  
31 Agriculture.

32  
33 **R. Protection of Resources and Balancing of Impacts with Potential Development.**  
34 DNR, in its consideration of resources and in the management of state land, shall consider  
35 the impacts of such use upon fish and wildlife populations and human uses of those  
36 populations, habitat and soil degradation, and upon other forms of use that may occupy the  
37 area that is under consideration in an authorization. Uses that are not compatible with these  
38 uses and resources are to be made compatible through the use of stipulations. The ability of  
39 the Department to manage the subsequent activities that may result from the issuance of an  
40 authorization is to be taken into consideration in the adjudication of an application that  
41 requires a written determination by DNR.

42  
43 It is recognized that the use and development of resources will create some level and area of  
44 impact. Nonetheless, the state may determine through its authorization processes that the  
45 development of specific surface or subsurface resources is appropriate, even with some level

1 of impact, and may approve such developments, with appropriate stipulations. It is also  
2 recognized that the development of specific subsurface resources may take precedence over  
3 surface uses. Material site development and construction access may also take precedence in  
4 certain instances.

5  
6 **S. Conflicts with Traditional Uses of Fish and Game.** The harvesting of fish and game  
7 resources is an important part of the subsistence lifestyle within the planning area, with  
8 concentrations of this activity occurring outside of the Fairbanks North Star Borough  
9 boundary, generally along the upper reaches of the Tanana River and its major tributaries.  
10 The underlying integrity of the ecological system and traditional way of life within the  
11 planning area is to be maintained to the maximum extent practicable. DNR decisions are to  
12 carefully consider the effects of a proposed project or activity upon these uses and resources,  
13 and authorizations are to ensure that adverse impacts are avoided, minimized, or mitigated  
14 consistent with the requirements of this section of Chapter 2 and, specifically, with  
15 Management Guideline A within areas designated or co-designated Habitat.

16  
17 **T. Other Guidelines Affecting Fish and Wildlife Habitat.** Other guidelines may affect  
18 the protection and management of fish and wildlife habitat. See other sections of this  
19 chapter.  
20

## Forestry

The forest resources of the ETAP planning area are a mixture of white spruce, black spruce, paper birch, and quaking aspen in the upland areas. Balsam poplar is commonly found in riparian areas. Black spruce is the dominant species in this boreal forest type. White spruce has commercial value for sawlogs, biomass, fiber and fuelwood. The commercial value of the paper birch is for biomass, fiber, and fuelwood with some sawlog value in birch which contains little or no defect. A significant volume of spruce and birch timber is harvested and utilized for personal use firewood by residents of the Tanana Valley. In addition to white spruce and birch, black spruce and aspen are now recognized as an abundant source of woody biomass. Some communities are beginning to utilize woody biomass for heating public schools.

The Tanana Valley State Forest occupies significant portions of the planning area, except for the East Alaska Range region and the southernmost portions of the Upper Tanana region, chiefly near Nenana. The TVSF, occupying over 1.8 million acres of state land within the Tanana Basin, is managed under the TVSF Management Plan, updated in 2001. The ETAP recommends a number of additions to the TVSF, principally areas similar in character to the lands within the TVSF and generally adjacent to it. These areas are more effectively managed under the TVSF. If these areas are, in fact, determined to be appropriate as additions to the TVSF and are included, there is often a time gap between the date of their inclusion in the TVSF and the time that the TVSF Management Plan is updated and re-adopted<sup>5</sup>. In this circumstance the additions to the TVSF are to be managed according to the management intent of the nearest management unit in the 2001 TVSF Management Plan. In the event that these areas are not added to the TVSF, they remain subject to the requirements of the ETAP.

The recommendations that follow implement constitutional and statutory policies to develop the state's renewable resources, making them available for maximum use, consistent with the principle of sustained yield and with the overall public interest. The primary purpose of the timber management program is timber management that provides for the production, utilization, and replenishment of timber resources while allowing other beneficial uses of public lands and resources. Forestry designated lands are to be managed by DNR as a 'working forest' consistent with the constitutional mandate to encourage the use and development of state's resources, including renewable resources. A 'working forest' refers to actively managed forest lands that provide wood for personal and commercial use, while protecting fish and wildlife habitat, providing the public with recreation and other multiple use of state land, and maintaining public benefits such as clean air, land, and water.

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<sup>5</sup> It was revised in 2001 and is not scheduled for modification for some time. Such plans are usually revised every 15-20 years.

## 1 **Goals**

2  
3 **Personal Use Timber.** Provide timber to meet the needs of Alaskans. This program will be  
4 provided on a demand basis when the operational costs of administering this program are  
5 satisfactory.

6  
7 **Economic Opportunities.** Provide for economic opportunities and stability in the forest  
8 products industry by allowing the use of state uplands and riverine environments in areas  
9 designated Forestry or co-designated Forestry. Also, to benefit the state's and borough's  
10 economies by providing royalties to the state from stumpage receipts, and adding to the  
11 state's economy through wages, purchases, jobs, and business.

12  
13 **Support Timber Industry.** Continue to perform reviews of private timber harvests for  
14 adherence to the Alaska Forest Resources and Practices Act and provide the timber industry  
15 with information, technical expertise, and management guidance for utilizing forest  
16 resources.

17  
18 **Wildland Fire Suppression.** DOF shall continue to provide wildland fire suppression  
19 within the planning area consistent with the requirements of the Alaska Interagency Fire  
20 Management Plan.

21  
22 **Forest Health.** To improve forest health and vigor by harvesting and replacing mature aspen  
23 stands with healthy new stands of regrowth, while protecting and maintaining other resource  
24 values. Replacement of mature aspen stands has also benefited wildlife habitat. Minimize to  
25 the extent possible adverse forest health impacts utilizing active forest management  
26 techniques.

27  
28 **Wildlife Habitat Management.** DNR will seek to create, enhance and maintain wildlife  
29 habitat consistent with forest management by providing a mosaic of forest stand areas,  
30 reflecting the natural range of species and habitat diversity, for the variety of wildlife species  
31 that live in the planning area.

32  
33 **Provision of Biomass for Public Purposes.** DNR shall support actions to develop  
34 sustainable sources of energy for meeting community needs from renewable woody biomass  
35 obtained from state forests or other state lands that are suitable for this purpose and  
36 consistent with state and federal permitting standards. Wherever feasible and practical, the  
37 by-products of forest land management practices involving harvest or land clearing are to be  
38 utilized for biomass.

## 39 40 41 **Management Guidelines**

42  
43 A systematic program of scheduled timber harvests is appropriate within the planning area.  
44 Timber management activities are subject to the following management guidelines. Another  
45 important component of the state forestry program within the planning area is fire

1 management. A management guideline is included that describes the broad aspects of this  
2 program. The implementation of the state fire management program is identified and  
3 controlled in detail by the Alaska Interagency Fire Management Plan.  
4

#### 5 **A. Timber Harvest Guidelines.**

- 7 1. All timber harvest activities must be compatible with the general management  
8 guidelines of this section and with the management intent statements and land use  
9 designations identified in specific management units of this plan found in Chapter 3.  
10 Systematic timber harvest programs are to be conducted in areas designated Forestry.  
11 Forest harvest operations conducted on a parcel of state land intended for subdivision  
12 development or agriculture by DNR can precede actual construction. However, these  
13 operations must be consistent with the subdivision plan or Farm Conservation Plan  
14 for the parcel; consultation with DMLW is required before commencing operations.
- 15 2. Timber harvest operations will be conducted in accordance with the stipulations in the  
16 Forest Land Use Plan, the Five Year Schedule of Timber Sales, the Alaska Forest  
17 Resources and Practices Act (AS 41.17 & 11 AAC 95), the Alaska Land Act  
18 (AS 38.05 & 11 AAC 71), and other pertinent state guidelines and laws. The Forest  
19 Practices Act provides statewide policy and regulatory authority for managing  
20 forestry related activities. The specific layout and other site-specific requirements of  
21 a timber sale is addressed through a Forest Land Use Plan (FLUPs), which is  
22 prepared prior to any commercial timber harvest or sale that is greater than ten acres  
23 in size (AS 38.05.112).

24 FLUPs developed for timber sale or harvests in the planning area are to be consistent  
25 with the Forestry Management Guidelines of this Chapter and the Management  
26 Guidelines specified for particular parcels in Chapter 3. FLUPs shall consider, in  
27 their preparation, the sensitive resources and wildlife, or any other significant factors,  
28 identified in the Management Guidelines for a parcel.  
29

30 **B. Timber Salvage from Rights-of-Way.** Timber with commercial or personal use value  
31 should be salvaged from lands that are to be cleared for other uses such as roads,  
32 transmission lines, material sites, mining, and habitat enhancement projects (AS 41.17.083).  
33 The DMLW Regional Manager shall determine the amount and kind of material that is to be  
34 salvaged and shall coordinate with DOF on timber salvage operations having commercial  
35 value.  
36

37 **C. Personal Use Wood Harvest.** When forested lands are available near communities and  
38 where personal use harvest is consistent with other purposes for which the land is being  
39 managed, DOF may provide wood products for personal use. This program will only be  
40 undertaken, however, if it can be effectively and efficiently administered by DOF. In areas  
41 designated for settlement, personal use forestry permits may be issued by Division of  
42 Forestry after consultation with DMLW's Land Sales Section to assure compatibility with  
43 future land sales.  
44

1 **D. Sustained Yield of Forest Resources.** Forestland will be managed to guarantee  
2 perpetual supplies of renewable resources to serve the needs of all Alaskans for the many  
3 products, benefits, and services obtained from them. The annual allowable harvest will be  
4 calculated using the area control method and the units designated Forestry or co-designated  
5 Forestry are to be used for the basis of this calculation. It is appropriate to include the  
6 estimates from the management units identified in the ETAP with similar sustained yield  
7 estimates for the TVSF, to determine estimates of total allowable (annual) harvest within the  
8 DOF planning area.

9  
10 **E. Salvage of Damaged Trees.** Trees damaged due to fire, wind throw, insects or disease,  
11 or other causes may be salvaged on all land use designations unless management intent  
12 statements for specific management units in Chapter 3 specifically prohibit salvage harvest.  
13 A Forest Land Use Plan, if required, will provide the rationale for conducting the salvage  
14 harvest and describe how the action will not conflict with the management intent for each  
15 management unit.

16  
17 **F. Fire Disturbance.** The intent of fire management is to identify where wildland fire can  
18 be allowed or managed fires can be used to reduce costs of fire suppression, reduce the risk  
19 of damaging fires, and maintain the natural diversity and productivity of forest stands. Fire  
20 suppression will be a priority near residential areas or other forms of active land use, high  
21 value recreation use areas, and areas with infrastructure development. Consistent with  
22 AS 41.15.010 and AS 41.15.020, DOF will protect forest resources from destructive agents  
23 commensurate with the values at risk identified in the Alaska Interagency Fire Management  
24 Plan. The Fire Management Plan indicates where suppression operations are likely to occur;  
25 generally, such operations are to be limited to decreasing the long-term risk of damaging  
26 fires and maintaining the natural diversity of forest stands, stand ages, and habitat types. Fire  
27 disturbances, wildland and prescribed, may also be appropriate where soil erosion is not a  
28 concern, as habitat enhancement techniques. Fire disturbance may also be appropriate for  
29 ground scarification to ensure exposure of mineral soil, a substrate essential to the natural  
30 regeneration of early successional browse species. Specific fire suppression levels are  
31 identified in the Alaska Interagency Fire Management Plan.

32  
33 **G. Wildlife Habitat.** Forest management can be an important tool for improving wildlife  
34 habitat. DOF will consult with ADF&G's local biologist during the planning stage of timber  
35 harvest layout and in the preparation of the Forest Land Use Plan in order to receive guidance  
36 on wildlife habitat enhancement opportunities. Trees and vegetation may be manipulated by  
37 cutting, crushing, harvesting, or burning to provide or improve wildlife habitat.

38  
39 **H. Additions to the Tanana Valley State Forest.** This plan recommends that consideration  
40 be given to adding areas of state land that have significant forest resources and, in some  
41 cases, are important access corridors to the TVSF. These areas have important timber  
42 resources, are similar in character to parcels within the TVSF, and, typically, adjoin areas  
43 that are currently part of the TVSF. State forests are multiple use in terms of overall  
44 management, providing for areas of public recreation and the protection of key habitat areas,  
45 while providing a more vigorous approach to the management of forest stand resources as

1 'working forests' within the more productive areas of the Tanana Basin. This  
2 recommendation applies to those management units that are designated Forestry or co-  
3 designated Forestry and that include the recommendation for inclusion in the TVSF in the  
4 unit's management intent statement. (There are areas that are designated Forestry or co-  
5 designated Forestry in the YTAP but are not recommended for inclusion in the TVSF. These  
6 areas are usually distant from current areas of the TVSF.) Management units recommended  
7 for inclusion in the TVSF are identified in Map 2-1 and Table 2-1 below. A total of 215,850  
8 acres is recommended to be added to the TVSF.

9  
10 Note: Should areas be added to the TVSF, it is likely that it will be some time before these  
11 newly acquired areas are included within an updated TVSF Management Plan. During this  
12 transition period, the management intent and management requirements of the closest  
13 management unit in the TVSF shall apply.

14  
15 **I. Maintenance of State Land Timber Base.** Land designated or co-designated Forestry  
16 is to be retained by the state and is not to be converted to another designation. If the latter is  
17 considered necessary, a public hearing is to accompany the plan amendment. It is the policy  
18 of this plan, and required under 11 AAC 55.030(f)(1)(A), that such conversions not be  
19 considered until the plan is revised through a plan amendment process.

20  
21 **J. Coordination with Borough Forest Management Plans and Programs.** Prior to the  
22 preparation of the (biennial) Five Year Schedule of Timber Sales and the development of a  
23 Forest Land Use Plan, DNR should coordinate with local government and major land owners  
24 in order to obtain maximum efficiencies and reduce management conflicts over the  
25 harvesting of timber and land use.

26  
27 **K. Timber Harvest in Areas Designated Settlement, Agriculture, Materials, Forestry,  
28 Coal or Minerals.** Timber harvests are considered appropriate in areas designated  
29 Settlement if intended to support the costs of subdivision development, provide access to the  
30 subdivision, or provide ancillary facilities subject to the other requirements of the Forestry  
31 standards in this Chapter. Timber harvests may also be appropriate for purposes of forest  
32 health or the clearing of right-of-way. The elective harvesting of timber before subdivision  
33 development is considered appropriate, after consultation with the Land Sales Section and if  
34 authorized by the Regional Manager, NRO. Similarly, the harvesting of timber at material  
35 sites may be appropriate, after consultation with the Regional Manager, NRO. Timber  
36 harvests are also considered appropriate in areas designated Agriculture if the timber harvest  
37 is identified as an appropriate use or activity in the Farm Conservation Plan that is approved  
38 prior to agricultural production. Consult with the Division of Agriculture prior to the  
39 initiation of timber harvest in areas designated Agriculture. Such harvests are also  
40 considered appropriate in areas designated Minerals or Materials if the use is consistent with  
41 the submitted plan of operations or as may be authorized by the Chief, Mining Resources  
42 Section, DMLW. Consult with the Regional Manager, NRO, prior to mineral or coal  
43 development. Similarly, timber harvest is considered appropriate in areas co-designated  
44 Forestry and Habitat but forest management activities are to avoid or minimize impacts to the  
45

1 fishery, wildlife, or habitat resources in such areas. Consult with ADF&G where timber  
2 harvests are to occur in co-designated areas as part of the forest land use plan (or similar pre-  
3 decisional process).

4

5 **L. Other Guidelines Affecting Forestry.** Other guidelines will affect management  
6 practices for timber development support facilities and forestry. See other sections of this  
7 chapter.

8

9

1 **Table 2-1: Lands to be Considered for Legislative Designation as State Forest**  
 2 **Management Units**

<b>Region</b>	<b>Unit No.</b>	<b>Acres</b>
Region 1 - Fairbanks	F-21 (part)	2,603
Region 1 - Fairbanks	F-33	69,921
Region 1 - Fairbanks	F-34	62,723
Region 1 - Fairbanks	F-37	2,032
Region 1 - Fairbanks	F-38	3,840
Region 1 - Fairbanks	F-48	2,765
Region 1 - Fairbanks	F-64	14,373
Region 1 - Fairbanks	F-71	640
Region 1 - Fairbanks	F-79	520
Region 1 - Fairbanks	F-99	1,938
Region 1 - Fairbanks	F-100	1,440
Region 1 - Fairbanks	F-101	71
Region 1 - Fairbanks	F-111	824
Region 1 - Fairbanks	F-114	1,034
Region 1 - Fairbanks	F-133	320
Region 2 - Delta	D-18	12,019
Region 2 - Delta	D-19	11,204
Region 2 - Delta	D-46	40
Region 2 - Delta	D-48	980
Region 2 - Delta	D-50	2,560
Region 2 - Delta	U-21	13,141
Region 3 – Upper Tanana	U-34	4,464
Region 3 – Upper Tanana	U-66	10,543
<b>TOTAL</b>		<b>219,995</b>

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**Map 2-1: Lands to be Considered for Inclusion in Tanana Valley State Forest**

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## Material Sites

### Goal

**Land for State-Owned Materials Sites.** Maintain in state ownership and make available to public and private users sufficient, suitably located materials sites to economically meet long-term economic needs of the area for material resources.

### Management Guidelines

**A. Preferred Material Sites<sup>6</sup>.** When responding to a request for a material sale or identifying a source for materials, the highest priority should be given to using existing material sources. Using materials from wetlands or lakes should be avoided unless no feasible public upland alternative exists. As a general policy, sales or permits for gravel extraction should only be permitted in known fish spawning areas or within 100 feet of known spawning areas with ADF&G approval. Material sites shall be maintained in public ownership unless the management intent language for a specific management unit indicates that it may be appropriate for alternative uses. To minimize construction and maintenance cost of transportation facilities, material sites should be located as near as is feasible to where the material will be used<sup>7</sup>.

**B. Maintaining Other Uses and Resources When Siting, Operating or Closing Material Sites.** The disposal of materials should be consistent with the applicable management intent statement and management guidelines of the plan. In some instances, areas occupied by a material site may be appropriate for reuse for settlement or another form of development. When this occurs, this is noted in the ‘management intent’ of the affected unit and reuse of the parcel for the intended use is appropriate. If this occurs, the reclamation plan shall take this into consideration and not preclude possible reuse.

**C. Land Sales in Areas of High Material Potential.** Generally, if a settlement area contains sand and gravel deposits, rock sources or other similar, high value material resources, a material source area should be identified during subdivision design and retained in state ownership for future use.

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<sup>6</sup> Material sites are the sites where materials are developed. They are generally located within or near transportation corridors.

<sup>7</sup> Consultation of the following reference is advised: North Slope Gravel Pit Performance Guidelines. McLean, R.F. 1993. Alaska Department of Fish and Game, Habitat and Restoration Division, Juneau, AK, Technical Report No. 93-9, 97 pp. Document available for download at [http://www.adfg.alaska.gov/static/home/library/pdfs/habitat/93\\_09.pdf](http://www.adfg.alaska.gov/static/home/library/pdfs/habitat/93_09.pdf)

1 **D. Avoidance or Minimization of Impacts.** Material extraction sites are to be sited so that  
2 they avoid or minimize impacts, including but not limited to noise and dust, to adjacent  
3 residential or institutional areas (i.e., schools).  
4

5 **E. Screening and Rehabilitation.** Where topographic and vegetation allow, material sites  
6 should be screened from roads, residential areas, recreational areas, and other areas of  
7 significant human use. Sufficient land should be allocated to the material site to allow for  
8 such screening. Material extraction sites adjacent to the Parks Highway shall provide a  
9 vegetation buffer of 75’ or more. Rehabilitation of the site shall follow the requirements of  
10 AS 27.19.020 and 11 AAC 97.250.  
11

12 **F. Protection Area Adjacent to Anadromous or High Value Resident Fish**  
13 **Waterbodies.** Where topography and vegetation allow, a riparian buffer of at least 100’  
14 shall be provided adjacent to anadromous waterbodies. The adjudicator is to review the  
15 DMLW on-line procedures pertinent to riparian buffers and Management Guidelines B, D, E  
16 and H in the ‘Shorelands and Stream Corridors’ section of this chapter prior to issuing an  
17 authorization or disposing of an interest in state land to determine the amount of area to  
18 protect and the type of management stipulation to impose.  
19

20 **G. Coordination with Boroughs.** Prior to granting authorizations for material sales, the  
21 DNR should coordinate with the North Star and Denali Boroughs to determine applicable  
22 local land use requirements.  
23

24 **H. Development of Material Sites.** Materials sites are surface resources that occur in  
25 specific geologic locations. It is recognized that the use and development of material  
26 resources will create some level and area of impact. Nonetheless, the state may determine  
27 that the development of material resources is appropriate, with appropriate stipulations. It is  
28 also recognized that the development of specific material resources may take precedence  
29 over surface uses. Material sites are necessary to and are a type of use that is often  
30 associated with the construction and maintenance of roads, and therefore an essential  
31 component of the road construction process. They may also provide access to other state  
32 resources, such as forest stands in the Tanana Valley State Forest. The provision of access to  
33 forest resources is appropriate if not in conflict with material extraction activities.  
34

35 **I. Management of Material Sites Near Critical Infrastructure.** Construction materials  
36 resources are required for the development, maintenance, and expansion of critical  
37 infrastructure including roads, pipelines, airports, businesses, residences, utilities,  
38 communication facilities, and similar types of projects. Transport of materials over any  
39 significant distance (e.g., more than 1000 feet from an existing road) quickly makes their use  
40 cost prohibitive, and therefore lack of materials sites within a reasonable distance from  
41 projects effectively prevents maintenance and development activities that are necessary  
42 and/or desirable. Recognizing the critical need for construction materials resources wherever  
43 infrastructure is present or planned, generalized management for materials resources is  
44 appropriate and encouraged within 1000 feet of existing and planned infrastructure to  
45 facilitate appropriate development and maintenance activities.

1 Consideration should be given to the identification of material sites near such projects.  
2 Because of the importance of such sites, their siting is appropriate within areas designated  
3 Settlement, Resource Management, and Agriculture and may, with mitigation requirements,  
4 be appropriate in areas designated Habitat, Public Recreation, or Water Resources. See  
5 Management Guideline R, Protection of Resources and Balancing of Impacts from Potential  
6 Development, in Chapter 2. This management guideline is also applicable to the  
7 development of material extraction sites.

8

9 **J. Other Guidelines Affecting Materials.** Other guidelines will affect the use of material  
10 resources. See other sections of this chapter.

11

## Public Access

### Goals

**Public Access.** 1) Preserve, enhance, or provide adequate access to public and private lands and resources. Provide for future trail and access needs, and protect or establish trail corridors to ensure continued public access consistent with responsible wildlife and fish habitat conservation. 2) Ensure adequate opportunities for the public's use of public resources of local, regional, and statewide significance. 3) Provide access to and within developing areas within the region, including bridge crossings of major rivers, consistent with federal/state design and environmental requirements.

### Management Guidelines: General Public Access

**A. Reservation of Public Use Easements.** Before selling, leasing, or otherwise disposing of the land estate, DNR will reserve public use easements pursuant to the requirements of 11 AAC 51.015. This section of administrative code establishes when public access easements are to be reserved and the widths of these easements. Specific standards for section-line easements are identified in 11 AAC 51.025 and for easements required under AS 38.05.127, to and along navigable and public waters, in 11 AAC 51.045. These sections of Administrative Code shall be used as the basis for the reservation of public access easements in authorizations granted by DNR.

**B. Retain Access.** Improve or preserve public access to areas with significant public resource values by retaining access sites and corridors in public ownership; reserving rights of access when state land is sold or leased; or identifying, managing and legally validating RS 2477 (Revised Statute Section 2477) rights-of-way. RS 2477 rights-of-way within the planning area that are identified in AS 19.30.400 (d) or otherwise determined by DNR to qualify as RS 2477 trails are to be retained in state ownership or made a stipulation of approval ('subject to') in the transfer of state land. Standards for the vacation of easements are contained in 11 AAC 51.065. Information regarding RS 2477 rights-of-way easements can be found at the DNR web site: <http://dnr.alaska.gov/mlw/trails/index.cfm> .

**C. Access to Non-State Lands.** Reasonable access will be provided across state lands to other public and private lands. Existing legal access will not be precluded unless equivalent access is available.

**D. Management of ANCSA 17(b) Easements.** The state will identify any new 17(b) easements as required and ensure that public access is maintained to existing 17(b) easements. These easements are intended to provide access through private Native lands to public lands and waters. They are reserved and managed by the federal government.

1 Information regarding ANCSA 17(b) easements can be found at the DNR web site:

2 <http://dnr.alaska.gov/mlw/trails/index.cfm> .

3

4 **E. Access for Development.** When an access route is constructed for resource development  
5 over state land, public access to mineralized or oil, gas or geothermal areas, recreation, fish,  
6 wildlife, or other public resources should generally be retained. If the new resource facility  
7 is likely to be of limited duration and provides superior access to the current means of access,  
8 the state should retain the new facility for public access. If the new route or facility will not  
9 or should not provide public access due to concerns for public safety or the long-term  
10 detrimental impact on natural resources, the current means of public access should be  
11 retained. Additional access routes in some areas may lead to negative impacts on valuable  
12 resources, particularly certain renewable resources. Consultation with ADF&G is necessary  
13 to determine whether or not the access road will cause detriment to fish and wildlife habitat  
14 and populations. The development of new trails should not displace current methods of  
15 access without providing alternative routes.

16

17 **F. Limiting Access.** Access to state lands may be curtailed at certain times to protect public  
18 safety, provide for the remediation of public use areas, allow special uses, and prevent harm  
19 to the environment, fish and wildlife. Public access may be limited because of the presence  
20 of fire management operations, timber harvest, high soil moisture content when vehicular  
21 traffic may cause damage to the base or sub-base, or sensitive populations of fish or wildlife.

22

23 **G. Consultation with NRO, DMLW.** Proposed trails, easements, and RS 2477 routes shall  
24 be reviewed by NRO prior to authorization. NRO determines if the routes or trails are  
25 required, consistent with applicable sections of statute and administrative code.

26

27 **H. Siting and Constructing Temporary and Permanent Roads or Causeways.**

28 Temporary and permanent roads or causeways will, to the extent feasible and prudent, be  
29 routed to avoid sensitive wetlands, avoid streams and minimize alteration of natural drainage  
30 patterns, and avoid long-term adverse effects on fish and wildlife, water quantity or water  
31 quality. If a temporary road is routed through sensitive wetlands, clean fill will be required  
32 and construction methods, which facilitate removal of the fill, will be required. Temporary  
33 roads should be obliterated when no longer needed for their original purpose.

34

35 **I. Protection of the Environment.** In the siting of public access facilities, consideration is  
36 to be given to the effect of the proposed project or improvement on the natural environment,  
37 fish and wildlife species, and habitats identified in this plan as significant. ADF&G should  
38 be consulted prior to the issuance of an authorization to determine whether or not significant  
39 impacts to fish or wildlife resources or their associated habitats are anticipated and can be  
40 mitigated.

41

42

1 **J. Joint Use and Consolidation of Surface Access.** Joint use and consolidation of surface  
2 access routes and facilities should be encouraged wherever it is feasible and prudent to do  
3 so<sup>8</sup>. Surface access also should be sited and designed to accommodate future development  
4 and avoid unnecessary duplication.  
5

6 **K. Preservation of Access Opportunities.** The Department shall preserve potential access  
7 routes to developing areas. Unless there is an overriding state need, section line easements  
8 are to be preserved. It is likely that any road corridor that is developed to resources areas  
9 will utilize sections easements as important components of this corridor. ADOT/PF is to be  
10 consulted prior to any action involving requests for the vacation of section line easements.  
11 Vacation requests should not be granted unless it clearly be shown that there will not be a  
12 need for the foreseeable future (25 years) of if an alternative route is available of equal or  
13 better access.  
14

15 Because of their linear alignment, it is recognized that roads and trails may traverse a number  
16 of different land use designations. Land use designations are not intended to affect or  
17 preclude access development, and such facilities may be constructed on all land use  
18 designations, including Habitat, Public Recreation, and Water Resources, although  
19 stipulations may be required to mitigate adverse impacts to the resources associated with  
20 these designations.  
21  
22

### 23 **Management Guidelines: Trails Within and Between Developing Areas**

24

25 **A. General.** The following guidelines pertain to the siting and development of trails within  
26 developed or developing areas and between these areas. This is a more specific application  
27 of the general public use easement. These types of facilities provide movement areas for  
28 people and, if appropriate, wildlife. The width and siting of trail corridors depends upon  
29 their function and location. General precautions should be taken when developing new trails  
30 to avoid critical wildlife concentration areas. Easements are used to create an access  
31 corridor, similar to the more general public use easements described previously.  
32

33 **B. Requirement for Trails.** The Department shall assess the need for public access before  
34 selling, leasing, or otherwise disposing of the land estate. If local access needs are identified  
35 through the adjudication and agency or public review process, access trails may be reserved.  
36 This will occur through the retention of state land in public ownership or through the creation  
37 of a public use easement. Under either approach, the public is to have the right of access  
38 within the area of state land or the public use easement.  
39

40 **C. Ownership.** The following factors shall be considered by DNR in making the decision  
41 to retain the access corridor under state ownership or to provide for public access through a  
42 public use easement:

---

<sup>8</sup> Note: There are instances where access routes should not be consolidated; their purposes may be at odds with one another or one consolidated route cannot effectively provide access to resources required by the public.

- 1       **1.** If the access (usually a trail within a developed or developing area) is used as a  
2       neighborhood collector trail that connects to a public open space system or a trail of  
3       regional significance, access should be retained in public ownership.
- 4       **2.** If a trail is used as access by neighborhood residents, it should be dedicated to local  
5       government or established as an easement to an entity willing to accept maintenance  
6       and management responsibility. This would typically occur when the purpose is to  
7       establish access between lots or to improve pedestrian circulation within subdivision.
- 8       **3.** If the access provides a connection to other areas and is considered of regional or  
9       statewide significance, it should be retained in public ownership.

10  
11 **D. Width of Trail Corridors.** The width of the access corridor<sup>9</sup> should be determined  
12 according to its function and location:

- 13  
14       **1.** Within developed or developing areas, access corridors should not be less than 25 feet  
15       in width for pedestrian movement and not less than 40 feet if motorized movement  
16       (other than car or truck) can be expected in addition to pedestrian travel. In areas  
17       where topographic conditions restrict development, widths less than 40 feet may be  
18       considered.<sup>10</sup>
- 19       **2.** In all other areas, the width shall vary with terrain, function, and the need for  
20       separation from other uses, but should not be less than 50 feet.
- 21       **3.** Trails or other access facilities of statewide or regional significance should not be less  
22       than 100 feet in width.

23  
24 **E. Trail Rerouting.** Standards for the vacation and modification of trails are identified in  
25 11 AAC 51.065. Rerouting of trails may be permitted to minimize land use conflicts, reduce  
26 duplication in trail routings, or minimize habitat destruction. If trails are rerouted, provision  
27 should be made for construction of new trail segments if warranted by type and intensity of  
28 use. Rerouting trails shall be done in consultation with affected private users and public  
29 agencies. Rerouted trails should allow the same uses and activities as the original trail.  
30 Reroutes should not interrupt access, and reroutes should be established, open and usable for  
31 the intended uses before the original route is closed. Closed routes should be blocked off and  
32 restored. The development of new trails should not displace current methods of access  
33 without providing alternative routes.

34  
35 **F. Alignment with Crossings.** When it is necessary for power lines, pipelines or roads to  
36 cross trails, crossings should be at a 90-degree angle where possible, with consideration for  
37 visibility and public safety. Vegetative screening should be preserved at trail crossings.  
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<sup>9</sup> An access corridor includes the tread of the trail and an area immediately adjacent to the tread.

<sup>10</sup> Note: These standards apply to motorized uses other than cars or trucks, or similar sized and types of vehicles. The standards of 11 AAC 51.015(d)(1)(D) apply when a 'neighborhood service road' is to be established or when a public use easement is to be used by cars or trucks. The width of this road or easement is not less than 60 feet.

- 1 **G. Other Guidelines Affecting Public or Trail Management.** A number of other
- 2 guidelines may affect public and trail access management. See other sections of this chapter.
- 3

1  
2  
3 **Recreation and Scenic Resources**  
4

5 **Goal**  
6

7 **Recreation Opportunities.** Lands will be provided for accessible outdoor recreational  
8 opportunities with well-designed and conveniently located recreational facilities. In addition,  
9 undeveloped lands should be provided for recreation pursuits that do not require developed  
10 facilities. These opportunities shall be realized by:

- 11
- 12 • providing recreation opportunities on state land and water that serves multiple  
13 purposes such as habitat protection, timber management, and mineral resource  
14 extraction;
- 15 • assisting communities through cooperative planning, conveyance of state lands, and  
16 grants-in-aid for parks and trails within population centers;
- 17 • encouraging commercial development of recreational facilities and services through  
18 concession contracts, land sales, leases, and permits where public recreation needs  
19 can most effectively be provided by private enterprise, while minimizing  
20 environmental impacts and conflicts with the existing users of an area;
- 21 • protection of recreation resources including public access, visual resources, fish and  
22 wildlife important for recreation, and, where appropriate, the isolation and unique  
23 wilderness characteristics of the planning area;
- 24 • management of recreation to minimize user conflict, provide for a quality experience  
25 for all user groups, and protect the natural values and attributes of the area within  
26 which the recreation occurs; and,
- 27 • protection of ecosystems and habitat from damage caused by inappropriate recreation  
28 use.  
29  
30

31 **Management Guidelines**  
32

33 **A. Coordination with Other Landowners and Users of an Area.** Recreation  
34 management, including the location and management of recreation facilities, will take into  
35 account the current and projected future uses of lands owned by local governments and  
36 private landowners, and should strive for compatibility with adjacent current and projected  
37 uses.  
38

39 **B. Roles of Different Public Land Owners in Providing Public Recreational**  
40 **Opportunities.** Generally, the state’s role is to retain and manage land supporting  
41 recreational opportunities of regional or statewide significance. The state and federal  
42 governments are most capable of providing recreational opportunities that require large land

1 areas, while local government is generally best suited for providing and managing  
2 community recreation opportunities. To recognize local government's role in providing  
3 community recreation needs, the state may transfer state land designated Public Recreation-  
4 Dispersed (Rd) or state recreation sites within or near existing communities, if the  
5 municipality has parks and recreation powers and if this action is in the overall best interest  
6 of the state (AS 38.05.810). The selection of these sites shall be agreed to by local  
7 government and the state, and shall be contingent on the local government's commitment to  
8 develop and maintain the recreation uses, facilities, and values of these areas.

9  
10 **C. Public Use Sites.** Uses that adversely affect public use sites or areas should not be  
11 authorized. Uses that are made available to the public, recreational or other sites (such as  
12 airstrip development or docks) may be authorized if consistent with the management intent  
13 for the public use site or area and if there is a demonstrated public need.

14  
15 **D. Private Commercial Recreation Facilities and Operations on State Land.** Lodges or  
16 other private commercial facilities and operations designed to be run as or to support private  
17 commercial recreation facilities may be authorized if the facility or operation fulfills the  
18 conditions outlined in this section, conforms to the requirements of AS 38.05.850,  
19 AS 38.05.070 and .075 or AS 38.05.073, or a management plan is prepared in accordance  
20 with AS 41.21.302(c) authorizing the facility.

21  
22 If so authorized, the facility or operation should be sited, constructed, and operated in a  
23 manner that creates the least conflict with natural values and existing uses of the area. The  
24 commercial facility and the use it generates should avoid significant adverse impacts on fish  
25 and wildlife habitat and existing uses of an area. For facilities supporting recreational fish  
26 and wildlife harvest, ADF&G should be consulted on the possible effects of increased  
27 harvest on fish and wildlife resources, and on established commercial, recreation, and  
28 subsistence users.

29  
30 **E. Commercial Recreation Leasing Processes.** There are several processes for leasing  
31 state land for commercial recreational facilities under the following Alaska Statutes (AS):  
32 AS 38.05.070, 38.05.073, 38.05.075, and 38.05.810. The first three are used for commercial  
33 recreation facilities and the last is used for not-for-profit entities that provide some type of  
34 recreational use or service.

35  
36 In particular, AS 38.05.073 is designed for creating recreational facility leaseholds. This  
37 statute requires that the regional land use plan identify areas suitable for recreational facility  
38 leasing. Given the broad scope of the ETAP, the determination of particular sites is  
39 impractical, although such uses are generally appropriate within most plan designations,  
40 except Agriculture, Forestry, and Water Resources. Authorizations under AS 38.05.073 must  
41 evaluate the adequacy of the proposed recreation facility, and a final site determination and  
42 best interest finding must support this determination. Any amendments to the ETAP to  
43 accommodate a .073 commercial lease shall be reviewed by the Director of DMLW prior to  
44 or concurrent with the adjudication process.

1 **F. Permits, Easements, and Leases Adjacent to Recreation Facilities.** Permits,  
2 easements, and leases may be issued adjacent to recreation facilities if the land manager  
3 determines that the two uses can be made compatible by design, siting or operating  
4 guidelines; or if the land manager determines there is no feasible and prudent alternative for  
5 the activity. This guideline also applies to sites reserved for future recreation facilities. The  
6 land manager’s determination will be made after consultation with the facility manager.  
7

8 **G. Management of Recreation Use on State Lands.** To the extent provided by law, DNR  
9 is to manage recreation use and activities to be enable a variety of uses and vehicle types,  
10 while ensuring that adverse impacts to fish and wildlife species and habitats are avoided or  
11 minimized, and to avoid the creation of user conflicts and if in existence, to minimize their  
12 impact.  
13

14 **H. Scenic Areas of Exceptional Value.** To the extent feasible and prudent, areas of  
15 exceptional scenic value are to be retained by the state or protected through the use of  
16 easements, setbacks, or other management techniques. Authorizations issued by DNR shall  
17 consider scenic values and such areas during the process of adjudication, and if found to be  
18 in the state’s best interest, should retain or protect these areas through appropriate  
19 stipulations or management requirements.  
20

21 **I. Consultation with ADF&G.** Consult with ADF&G in the siting of facilities where fish  
22 and wildlife species or important habitats are likely to occur.  
23

24 **J. Other Guidelines that Affect Recreation, Tourism, and Scenic Resources.** Other  
25 guidelines will affect recreation, tourism, and scenic resources. See other sections of this  
26 chapter.  
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## Reservations of Water

### Goal

**Reservation of Water.** Maintain water quantity and quality sufficient to protect the overall ecosystem integrity and as well as the human, fish, and wildlife resources and uses of the region.

### Management Guidelines

**A. Stream Uses to Consider for Instream Flow Reservation (General).** Streams, lakes, and other waterbodies may be considered for reservations of water under AS 46.15.145. Such reservations are intended to maintain the rate or volume of flow for one or a combination of purposes: 1) protection of fish and wildlife habitat, migration, and propagation; 2) recreation and park purposes; 3) sanitary and water quality purposes; and 4) navigation and transportation purposes.

**B. Priorities.** Instream flow reservations have been established on the Wood River and Nenana River (see [http://dnr.alaska.gov/mlw/mapguide/wr\\_intro.htm](http://dnr.alaska.gov/mlw/mapguide/wr_intro.htm)). Proposals for new developments requiring substantial water use or uses of water or that have the potential to negatively impact instream flows needed to produce fish, sustain water quality, provide for navigation, and/or recreation, should include an evaluation of the need for an instream water reservation or other forms of instream flow protection.

**C. Process for Determining Reservations.** Applications for instream flow reservations are submitted to the Department for adjudication following the procedures identified in 11 AAC 93.141-147. In general, these procedures estimate the quantity of water seasonally available and review the amount of water already appropriated in consideration of the requested instream flows or levels of water for the purposes to be protected.

**D. Other Guidelines Affecting Instream Flow.** Several other guidelines will affect instream flow. See other sections of this chapter.

## Settlement

### Background

Residential development on state land within the planning area over the past 25 years has been relatively modest, with most of the growth occurring with the Fairbanks metropolitan area and at the small communities along the Richardson Highway. It has also occurred along the major highways – Parks, Richardson, and to a lesser degree because of the small amount of length within the planning area, the Elliot, and Steese Highways. Near and within community areas, this growth has predominately involved pre-survey lots, created through state subdivisions. Most of the lots created in this manner have been conveyed out of state ownership, either to individuals, disposal to borough and cities under the Municipal Entitlement program, or disposals to the University of Alaska or the Mental Health Trust. In the more remote areas, much of the development has occurred in the areas west and east of the Tanana River in generally flat areas or adjacent to the Parks and Richardson Highways, with some development also occurring adjacent to larger streams and streams in the each of the regions, with the exception of the Alaska Range East region. A mix of settlement types have occurred in these areas; pre-surveyed lot are generally common adjacent to lakes and to some streams, while remote settlement forms occupy more remote terrain on land adjacent to streams and, more in frequently, small lakes. In general, most of the pre-surveyed lots have been conveyed out of state ownership, primarily to individuals but also to the Mental Health Trust as part of the settlement of litigation that occurred in the early 1990’s. Residential development in remote sales areas has been less significant, reflecting the relatively remote locations of these settlement areas and the presence of less desirable conditions. In comparison to the growth that has occurred around the Fairbanks area and south-central Alaska, especially within the Susitna Valley, this growth can be characterized as modest.

It is likely that residential development will continue in the next 25 years, although it is probable that the amount of this growth will be somewhat less than in previous periods, reflecting the modest demand for remote homesites and the fact that the more desirable areas of residential development have already been occupied. Nonetheless, continued growth is likely to occur along the major highways and at the more desirable sites in remote locations, especially adjacent to lakes, streams, and areas having scenic views. The dream of having a cabin in a remote part of Alaska will continue to drive the demand for remote homesites.

The Settlement designations in the planning area total approximately 283,445 acres or about 3% of the total state land inventory of this area. This is about the same amount of land in the Settlement designation as in the 1985 Tanana Basin Area Plan within the four regions that are now part of the ETAP plan. Settlement areas primarily occur in the more accessible and better drained uplands adjacent to the four major highways, in the remaining undeveloped portions of the Fairbanks metropolitan area, in areas east of the Tanana River, and at the more desirable locations in remote areas, principally at lakes, streams, areas having scenic views.

1 The application of the Settlement designation to a specific parcel resulted from the  
2 consideration of a number of factors. It was primarily based on whether it had reasonable  
3 access by road, water, or air, consisted of topography that would be suitable for development,  
4 and posed minimal conflict with recreation, scenic values, important fish and wildlife  
5 resources, or resource development. Compatibility with adjacent land uses and the plan  
6 designations used herein were also considered.

7  
8 It should be noted that the Fairbanks North Star Borough has developed and will continue to  
9 develop local comprehensive plans for specific parts of the Borough. These are intended to  
10 identify preferred land use patterns and development stipulations. DNR reviews these plans  
11 in the course of developing management plans or area plans, and often makes use of their  
12 recommendations. However, while community comprehensive plans can make  
13 recommendations for state lands within their planning areas, they cannot establish land use  
14 designations or other planning requirements for state land. State land use designations are  
15 decided on a regional basis through the state planning process and local plans do not  
16 supersede state plans for the use of state lands.

## 17 18 19 **Goals**

20  
21 **Private Land Ownership.** Provide suitable public land for transfer to private ownership for  
22 settlement purposes. DNR will attempt to satisfy three settlement categories within the  
23 planning area:

- 24  
25 **1. Seasonal residences for recreation.** DNR will offer land suitable for seasonal  
26 recreation use. This land will be provided as demand warrants, subject to the  
27 availability of funding. This category of land disposal is intended to provide land,  
28 often in remote locations, for recreational needs. No public facilities and services are  
29 intended to be provided.
- 30  
31 **2. Year-round residences for community expansion.** DNR will offer accessible land  
32 suitable to meet the needs of existing communities. This category serves people  
33 whose principal place of residence and work is, or will be, in the area of the disposal.  
34 It also includes land disposals of commercial and industrial land to accommodate the  
35 expansion needs of communities. This land will be provided as demand warrants,  
subject to the availability of funding.
- 36  
37 **3. Industrial or commercial development.** DNR will sell, lease, or protect for future  
38 use suitable land for private commercial and industrial uses. Within the YTAP  
39 planning area most land designated Settlement is intended for residential use.  
40 Relatively few parcels are suitable for possible commercial or industrial development  
41 and these are indicated in the Resource Allocation Table. If DNR sells the land, the  
42 timing of this disposal will depend on market demand and adequate funding.

1 **Community, Social, and Aesthetic Values.** In designing future disposals, DNR will  
2 maintain compatibility with the cultural lifestyle and aesthetic values of residents and users,  
3 and minimize undesired impacts on those values while considering the needs and demands of  
4 all state residents.

5  
6 **Protection of Critical Recreational Areas, Environmental Resources, and Habitats.**  
7 Sensitive environmental features, habitat resource areas, and areas (or corridors) used by  
8 local residents for recreation purposes will be taken into consideration in subdivision design  
9 and subdivisions should be developed to protect or maintain these features. Vegetated  
10 wildlife migration corridors, riparian buffers, and retained open space should also be  
11 considered when there is also a high value for fish and wildlife resources in the areas.  
12 Subdivisions should be developed to protect or maintain these features. Refer to the  
13 ‘Shorelands and Stream Corridors’ section of this chapter for guidance on the management of  
14 riparian areas.

15  
16 **Fiscal Impacts.** Land disposals (not including remote settlements) should be sited and  
17 planned to minimize the costs of infrastructure and other services resulting from settlement.  
18 Disposals should be focused on areas of existing settlement; areas along the road system or a  
19 waterway that can be easily accessed by water transport; or areas where service requirements  
20 may be provided by local government or community organizations. These requirements are  
21 not pertinent to a state remote settlement disposal since these occupy areas that are remote  
22 and are of limited density and the provision of services is not to be expected or intended.

23  
24 **Coordination with Local Governments and Landowners.** Where state land adjoins  
25 Borough land and where both areas are designated for Settlement, consideration should be  
26 given to the coordination of land disposal programs in order to achieve economies of scale  
27 and reduce infrastructure costs. Coordinate state land offering programs with similar  
28 programs of local governments and major landowners to best achieve common objectives.

## 31 **Management Guidelines**

### 32 **A. Planning and Coordination.**

- 33  
34  
35 1. **Competition.** The state may compete with the private sector or local governments if  
36 necessary to satisfy demand, provide market choice, or moderate unreasonably high  
37 prices.
- 38 2. **Local Plans.** DNR will comply with provisions of the Borough comprehensive plan  
39 and zoning ordinance (if applicable) regarding the location and density of land  
40 development except to the extent that local requirements are inconsistent with an  
41 overriding state interest.

42

- 1       **3. Coordination with Local Governments.** Where state land adjoins Borough land  
2       and where both areas are designated for Settlement, consideration should be given to  
3       the coordination of land disposal programs in order to achieve economies of scale and  
4       reduce infrastructure costs.
- 5       **4. Pacing.** Settlement offerings may be phased over 20 years, the life of this plan. The  
6       timing and extent of disposals will depend upon anticipated demand, availability of  
7       funding, the rate of community expansion, the availability of or costs to provide  
8       necessary infrastructure, and the particular land requirements of such expansion.  
9       Another factor may be whether the disposal will generate a demand for services that  
10      cannot be reasonably expected to be met by local government or community  
11      organizations.
- 12      **5. Areas Designated Resource Management.** The large areas of state land that are  
13      designated Resource Management are generally not suitable for development during  
14      the planning period. Most Resource Management areas are remote and generally  
15      unsuitable for residential development because of the presence of adverse  
16      topography, drainage, and extensive areas of wetlands that adjoin these areas. This  
17      makes the uplands within the Resource Management areas difficult to develop  
18      because of the costs and difficulty of road construction in the adjacent wetlands. For  
19      these reasons, residential development during the planning period in areas designated  
20      Resource Management is considered generally inappropriate except in those areas  
21      that adjoin parcels designated Settlement, where road access has been provided to  
22      adjoining properties, or for remote land disposals that are not dependent upon access.  
23      There may be other restrictions that affect specific management units, and it is  
24      necessary that adjudicators consult the management intent portion of a management  
25      unit to determine if these exist.
- 26      **6. Ensure Access to Remote Settlements.** Because these types of settlement in areas  
27      are almost always distant from infrastructure, it is generally not practicable to identify  
28      and develop access corridors<sup>11</sup> to such areas, whether or not they are adjoined by state  
29      land or land under other ownership. However, in those limited instances where  
30      access corridors can be identified and economically developed, access should be  
31      provided. In this circumstance, it is intended that this access be accommodated even  
32      if plan designation(s) differ from that of Settlement.
- 33      As part of the development of remote settlement areas, DNR should consider the  
34      provision of staging areas, parking areas, and/or trailheads in order to accommodate  
35      landowners parking vehicles and other equipment while accessing their remote  
36      parcels. ADF&G should be consulted to ensure there will be no habitat associated  
37      impacts from parking areas or trailheads.
- 38      **7. Maintenance of State Settlement Land Base.** Areas designated Settlement in the  
39      area plan are intended to provide a land base for DNR's long term land disposal  
40      program and are not to be converted to other land use classifications. Departures  
41      from this standard will require a plan amendment and a public meeting.

---

<sup>11</sup> Meaning roads or trails.

1 **B. Types of Settlement Land and Land Offerings.** The nature of state land available for  
2 private ownership is influenced by both the characteristics of land designated for settlement,  
3 and the type of land sales program that makes it available. ETAP designates certain lands for  
4 settlement and provides guidelines for land sales and, in certain instances, will designate  
5 certain management units for remote staking. The designation of remote staking areas in this  
6 plan is made when an established pattern of this settlement form has already occurred; for  
7 this reason, additional development, to achieve compatibility in land use type, is  
8 appropriately the remote staking type. In other instances, the plan does not provide a  
9 recommendation for a particular form of settlement. This situation exists when it is equally  
10 probable that one or the other, or both forms, of settlement can be developed within a  
11 management unit. Many management units are quite large and could accommodate both  
12 types of settlement. In these instances the plan is silent as to type of settlement and the  
13 decision on type is to be made in the context of the Preliminary Decision and Final Finding  
14 and Decision.

15  
16 **C. Protection, Management, and Enhancement of Other Resources.**

17  
18 **1. Protect Life and Property.** DNR should design and develop subdivisions to protect  
19 life and property. Sensitive areas such as wetlands or potentially dangerous areas  
20 such as areas with unstable soil, riverbanks subject to active stream erosion, or within  
21 floodways or floodplains, should be avoided in subdivision design or protected by  
22 retaining these areas in state ownership or restricting their use through developmental  
23 reservations or restrictions. Wildland fire risks in areas with heavy fuels such as  
24 black spruce need to be considered during early decision-making on subdivision  
25 development. DMLW should coordinate with state and/or federal fire suppression  
26 agencies early in the process of developing a best interest finding and in the  
27 identification of potential settlement areas. Easements or plat notes can be used for  
28 this purpose in lieu of retaining land in state ownership.

29 **2. Protect and Manage Valuable Environmental Areas.** The state will provide, in its  
30 design of land disposals, an open-space system to preserve important fish and wildlife  
31 habitats and natural areas such as shorelands, freshwater wetlands, and riparian lands.  
32 As part of this design process, consideration should also be given to the connectivity  
33 of habitat types as well as access to fish and wildlife resources. Where appropriate  
34 other design and management approaches may be used; these may complement an  
35 open space system or substitute for it, although preference should be given to the  
36 provision of an open space system.

37 These areas should be designed to provide the necessary linkage and continuity to  
38 protect or increase values for human uses and wildlife movements. In some places,  
39 large areas may be protected to provide adequate terrestrial habitat.

40 **3. Priority of Public Uses in Stream Corridors.** Within stream corridors, DNR will  
41 set a higher priority on protecting public use values than on providing opportunities  
42 for private ownership of land. Disposals near streams with important recreation value  
43 will be designed to protect riparian habitat and protect access to and along the stream  
44 for fishing, hiking, camping, and other recreational activities. Disposals near streams

1 that have important fish or wildlife habitat or wildlife value will be designed to insure  
2 the protection of the habitat or wildlife. In certain limited cases, it may be  
3 appropriate to provide land for private use, but such an action must be in the overall  
4 best interests of the state. Before lands are disposed of in stream corridors, DNR will  
5 assess existing and projected public use needs associated with the stream corridor, in  
6 consultation with other affected agencies and the public. Depending on the context,  
7 DNR may either protect these areas through retaining land in state or public  
8 ownership or through the imposition of a reservation of an interest in land for the  
9 maintenance of riparian values and access.

10 In making determinations as to whether a riparian area should be protected and the  
11 manner of that protection, adjudicators are to consult the DMLW on-line procedures  
12 for riparian areas and Management Guidelines B, D, and H of the ‘Stream Corridors  
13 and Shorelands’ section of this chapter. These procedures emphasize retaining such  
14 areas where a significant public interest or value exists, which is often common in  
15 riparian areas.

- 16 **4. Protect and Enhance Scenic Features.** DNR will design and develop subdivisions  
17 to protect or maintain unique geologic and scenic features such as cliffs, bluffs, or  
18 waterfalls. These areas should be avoided altogether or protected in subdivision  
19 design and development through the use of reservations or plat restrictions. Where  
20 scenic views exist, lots should be oriented to this feature.
- 21 **5. Mineral Closing Orders.** There are a variety of existing mineral closing orders that  
22 affect state land within the planning area, many of which occur on state land  
23 designated for Settlement. Although the ETAP does not recommend any additional  
24 mineral closing orders, the plan includes a Leasehold Location Order that is intended  
25 to affect areas currently classified Settlement that do not now have a mineral closing  
26 order as well as all new areas of Settlement identified in this plan revision. Many  
27 state subdivisions have been staked with mineral claims, the purpose of which  
28 appears to be to prevent the development of a settlement area. This practice has  
29 significantly affected state land disposals in the Northern region and continuation of  
30 this practice will do fundamental damage to that program in this part of the state  
31 unless some action is taken. The Leasehold Location Order will permit mining to  
32 occur while precluding the issuance of nuisance claims. See Appendix C for the  
33 Leasehold Location Order. The management intent section of parcels designated  
34 Settlement should be consulted to determine if a management unit is affected by the  
35 leasehold location order recommendation.
- 36 **6. Timber Harvest in Areas of Settlement or Agriculture.** Timber harvests are  
37 considered appropriate in areas designated Settlement if intended to support the costs  
38 of subdivision development, provide access to the subdivision, or provide ancillary  
39 facilities subject to the other requirements of the Forestry standards in this Chapter.  
40 Timber harvests may also be appropriate for purposes of forest health or the clearing  
41 of rights-of-way. The elective harvesting of timber before subdivision development  
42 is considered appropriate, after consultation with the Land Sales Section and if  
43 authorized by the Regional Manager, NRO. Timber harvests are also considered

1 appropriate in areas designated Agriculture if the timber harvest is identified as an  
2 appropriate use or activity in the Farm Conservation Plan that is approved prior to  
3 agricultural production. Consult with the Division of Agriculture prior to the  
4 initiation of timber harvest in areas designated Agriculture.

5 **7. Protect and Enhance Recreational, Educational, and Cultural Opportunities.**

6 DNR should determine the need for and retain appropriate areas for outdoor  
7 recreation, hunting, fishing, trails, campsites, boat launches, historic sites, and areas  
8 for scientific study. Areas for intensive and dispersed use will be preserved.  
9

10 **D. Design.**

11  
12 **1. Provide State Land for Important Environmental and Resource Development**  
13 **Purposes.** DNR, as a general policy, should retain appropriate green belts, public-use  
14 corridors, water supply areas, riparian buffer areas, wildlife migration corridors,  
15 public access sites, material sites, roads and other public facilities, as well as other  
16 open space to create a desirable land use pattern in developing areas. Where  
17 appropriate other design and management approaches may be used; these may  
18 complement retained areas or substitute for them.

19 Generally, however, subdivision design should provide for the creation of an open  
20 space system designed to protect or maintain important uses and values. Depending  
21 on the context, DNR may either protect these areas through retaining land in state or  
22 public ownership or through the imposition of a reservation of an interest in land for  
23 the maintenance of riparian values and access or through the use of a stipulation (i.e.,  
24 ‘subject to’).

25 **2. Cost of Public Services.** In accordance with AS 38.04.010, DNR will focus year-  
26 round settlement to areas where services exist or can be provided with reasonable  
27 efficiency. State land that is located beyond the range of existing schools and other  
28 necessary public services or that is located where development of sources of  
29 employment is improbable will be sited and designed to encourage seasonal use with  
30 sufficient separation between residences so that public services will not be necessary  
31 or expected. Wildfire management costs that result from settlement will be  
32 considered and minimized to the extent feasible.

33 **3. Ensure Access.** DNR should ensure that legal, practical public access (roads, trails,  
34 or other options most appropriate to the particular situation) is identified and reserved  
35 to and within land offerings. However, the state is not legally obligated to construct  
36 roads. In instances where a subdivision or other development is to abut a major  
37 arterial, the location of driveway and main road access is to be coordinated with  
38 ADOT/PF and other approving agencies. Section line or other easements should not  
39 be relied on for access without field inspection of the practicality of such routes,  
40 where topography or other conditions might make the practicability of the section line  
41 location suspect. Identified access routes should be described in the land-offering  
42 brochure. Where needed to reduce the likelihood of conflicts with existing private  
43 owners, DNR may brush or flag public access routes to land offering projects.

1       **4. Subdivision Design.** Subdivisions will be designed to preserve and enhance the  
2       quality of the natural setting and the recreational opportunities that make an area  
3       attractive to potential buyers. State subdivision design will take account of site  
4       limitations and opportunities such as slope, drainage, soils, erosion, riparian zone and  
5       coastal buffer, and other features to ensure that sites offered are buildable and can be  
6       developed without the need for extensive public infrastructure. Riparian buffers or  
7       building setbacks shall be imposed on all disposals where important riparian areas  
8       have been determined to exist. If there is some question as to whether a riparian  
9       protection area should be imposed, consult ADF&G. DNR should review Borough  
10      subdivision requirements prior to the initiation of subdivision design. See also design  
11      requirements described in C (1 through 3) and D (1), described previously, and  
12      Management Guidelines B through F in the ‘Stream Corridors and Shorelands’  
13      section of this chapter.

14  
15      **E. Other Guidelines Affecting Settlement.** Other guidelines will affect settlement. See  
16      other sections of this chapter.

17

1  
2  
3 **Shorelands and Stream Corridors**  
4

5 **Goals**  
6

7 **Recreation.** Provide opportunities for a variety of recreational activities within publicly  
8 owned stream corridors, including both wilderness and developed recreational activities.  
9

10 **Habitat.** Protect fish and wildlife habitats along lakeshores, stream corridors and wetlands.  
11

12 **Water Quality.** Protect water quality to support domestic uses, fish and wildlife production,  
13 and recreational activities. Protect watersheds that supply community drinking water.  
14

15 **Water Dependent and Water Related Uses.** Provide for needed water dependent and water  
16 related uses.  
17

18  
19 **Management Guidelines**  
20

21 **A. Alaska Clean Water Act (ACWA).** In accordance with the ACWA program, DNR will  
22 work with ADF&G and ADEC to protect and improve water quality, water quantity and fish  
23 habitat. Any development that impacts anadromous fish bearing waters or resident fish  
24 streams will require a permit from ADF&G.  
25

26 **B. Priority of Public Uses in Stream Corridors.** DNR will place a higher priority on  
27 protecting public use values in stream corridors than on providing opportunities for private  
28 ownership or development of land. However, the department recognizes the demand for  
29 property along streams and will provide land for private purchase in some stream corridors.  
30 Prior to the disposal of stream corridor lands, DNR, in consultation with other affected  
31 agencies and the public, will assess existing and projected public use needs associated with  
32 the stream corridor. State land sales programs near streams having important recreation  
33 value will be designed to protect access to and along the stream (AS 38.05.127) for fishing,  
34 hiking, camping, and other recreational activities. Similarly, disposals near streams that have  
35 important fish or wildlife habitat or wildlife value will be designed to ensure the protection of  
36 the habitat and wildlife through the imposition of measures to ensure riparian protection.  
37

38 In making determinations as to whether a riparian area should be protected and the manner of  
39 that protection, adjudicators are to consult the DMLW on-line procedures for detail and, if  
40 there is some question as to whether a riparian area should be protected, ADF&G. These  
41 procedures emphasize retaining such areas where a significant public interest or value exists,  
42 which is often common in riparian areas. Other methods may be used depending on the  
43 specific context, including setbacks and easements.  
44

1 **C. Public Access Adjacent to Waterbodies.** Pursuant to AS 38.05.127, legal public access  
 2 will be reserved in order to protect the public’s right to travel to and along the ordinary high  
 3 water (OHW) of a waterbody without encouraging trespass. Permits, leases, and plans of  
 4 operation for commercial and industrial uses, transportation facilities, pipelines and other  
 5 water dependent uses may be authorized on state uplands adjacent to waterbodies if their  
 6 activities are consistent with the management intent for the area and if they maintain  
 7 shoreland and stream bank access, and protect important fish and wildlife habitat, public  
 8 water supplies, and public recreation. Trails and forms of non-motorized public access are  
 9 generally considered to be appropriate within these areas, if they meet the conditions listed in  
 10 11 AAC 96.025. Certain types of motorized uses may also be appropriate if consistent with  
 11 11 AAC 96.020 and 11 AAC 96.025.

12  
 13 Where feasible and prudent, there should be setbacks between these activities and adjacent  
 14 waterbodies. The width of this setback may vary depending upon the type and size of the  
 15 use, but must be adequate to maintain public access to and along riparian areas. The amount  
 16 of impervious surface created within the riparian area should be minimized.

17  
 18 **D. Protection of Land Adjacent to High Value Waterbodies.** When the management  
 19 intent for state land adjacent to waterbodies (including shorelands, streams, or lakes) is to  
 20 protect wildlife habitat, anadromous or high value resident fish streams, or provide for  
 21 intensive recreation uses associated with fishing, picnicking, hunting, camping, or other  
 22 similar uses, the state should retain ownership of the adjacent uplands. Alternatively, to  
 23 minimize on-going management responsibilities or for some other public purpose, a riparian  
 24 buffer should be imposed either through an easement or setback. See Table 2-2 for  
 25 requirements related to ‘riparian buffers’. In instances involving a land disposal, the area of  
 26 a riparian buffer may be reserved as public open space to be maintained by a common  
 27 interest association. Whichever method is chosen, they should be designed to minimize  
 28 negative impacts on visual character, habitat value, water quality, and ensure public access.  
 29 Public use sites may also be reserved during the land disposal process, along high value  
 30 water bodies to provide public access and use of the water body.

31  
 32 In making determinations as to whether a riparian area should be protected and the manner of  
 33 that protection, adjudicators are to consult the DMLW on-line procedures for detail. These  
 34 procedures emphasize retaining such areas where a significant public interest or value exists,  
 35 which is often common in riparian areas.

36  
 37 State-owned buffers or riparian buffers may be retained along the full length of the  
 38 waterbody or on segments of the waterbody determined to have high current or future use,  
 39 public use, or to require habitat protection. If the intent is to provide forested wildlife  
 40 habitat, the width and configuration of this buffer shall be determined during preliminary  
 41 subdivision design or in the preparation of the Forest Land Use Plan. Consult with ADF&G.

42  
 43 **E. Access Easements Adjacent to Navigable or Public Water Waterbodies.** A public  
 44 use easement of approximately 50 feet is to be imposed on all navigable or public water  
 45 bodies, consistent with the requirements of AS 38.05.127 and 11 AAC 51.035 and .045 for

1 all disposals of state land or interests in state land. The public rights retained in an easement  
2 shall be identified and noted in the DNR decision document and on the subdivision plat. In  
3 areas that may be sensitive to vehicular travel, the easement should be reserved for pedestrian  
4 access only. Access easements may be used in combination with state land that is to be  
5 retained for public use or for the protection of environmental resources. In these situations,  
6 easements may be used to provide access to areas of state retained sensitive land or provide  
7 access corridors between lots or parcels within the subdivision.  
8

9 **F. Protection Easements and Setbacks Adjacent to Non-Anadromous Waterbodies.**

10 Easements<sup>12</sup> or building setbacks may be used in those instances where public recreation use  
11 is moderate or where sensitive habitat or other environmental resources exist but are not of  
12 the same importance as described under Management Guideline D. See the requirements for  
13 ‘Sensitive Environmental Features Buffer’ in Table 2-2 when an easement is to be applied.  
14 The purpose of the easement or setback should be noted in the Department decision  
15 document and on the subdivision plat. Where a protection easement or setback is to be  
16 applied, vehicular use within the area of the easement is inappropriate and should not be  
17 authorized. Building setbacks may be used in lieu of a protection easement in those instances  
18 where it is not appropriate or necessary for the state to retain any easement rights *or* they  
19 may be used in combination with buffers, access easements, and protection easements.  
20 Building setbacks used in this fashion provide an added level of protection. See the  
21 requirements for ‘Building Setback’ in Table 2-2.  
22

23 **G. Lakeshore Public Access.** A portion of the lakefront on lakes greater than 10 acres that  
24 have or may be expected to have public recreation and all inlets and outlets of lakes of this  
25 size and capable of sustaining year-round natural or stocked game fish species shall remain in  
26 public ownership for habitat protection and public recreation. Adequate public access to  
27 these lakes shall also remain in public ownership or is to be provided through section line,  
28 ‘to-and-along’ easements or other types of public access easements. The amount of public  
29 ownership may vary on a site specific basis, but, at a minimum, some portion of these lakes  
30 shall remain public. The size of the public reservation shall be appropriate to its expected  
31 long range recreational use and relative to the size of the lake. A width of 150’ or more  
32 measured from OHW is to be retained or protected through an easement along inlet and  
33 outlet streams<sup>13</sup>. Public use sites, created through the land disposal program, on lakes of 10-  
34 20 acres shall have at least 4 contiguous acres reserved for public access. For lakes larger  
35 than 20 acres a public use site of at least 6 acres shall be provided.  
36

37 **H. Buffer, Easement, and Building Setback Widths.**

- 38  
39 1. The width of state retained land, access and protection easements, and building  
40 setbacks adjacent to waterbodies (lakes and streams) will vary, depending on whether  
41 the area is a retained parcel or imposed easement, and according to management

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<sup>12</sup> These areas are often referred to as ‘protection areas’ in the management units described in the Resource Allocation Tables on Chapter 3.

<sup>13</sup> As measured from each bank of the inlet/outlet stream. This requirement applies whether or not the stream is anadromous.

1 intent and the specifics of the parcel under consideration. In addition, this width may  
2 vary along the area of the stream, or lake that is to be protected. Establishing widths,  
3 especially for publicly retained lands, will be based on the following considerations:  
4 recreational activities to be accommodated, floodway and floodplain widths, habitat  
5 protection and management objectives, visual quality, use compatibility, prevention  
6 of erosion, or retention of a significant hydraulic resource (like a wetland).

- 7 **2.** Although these widths may vary, the following criteria are provided to establish the  
8 minimum width that can be expected on various types of buffers, easements, and  
9 setbacks. They are specified here in order to establish some consistency in  
10 application and ensure a minimum level of resource and habitat protection or public  
11 access. Distances are measured horizontally landward from ordinary high water  
12 along streams and other inland waterbodies and from the line of mean high water  
13 adjacent to coastal waters. Because of the linear nature of streams and certain other  
14 habitat or hydraulic features, these minimum dimensions will apply to both sides of  
15 the feature that is to be protected. For example, the total protected area along a  
16 stream with a 100 foot setback would be 200 feet (100 feet each side).

17 If state land is to be retained, it may be preferable to retain a larger width, often  
18 200 feet on each side. Widths greater than 200 feet may also be warranted,  
19 depending on the specific site characteristics and the importance of the habitat or  
20 resources to be protected.

- 21 **a.** Riparian buffers along anadromous and high value resident fish streams and  
22 waters: 100 feet along each side of the anadromous waterbody or high value  
23 resident fish stream. (Widths greater than this amount, up to 300 feet, may be  
24 authorized if, after consultation with ADF&G, it is determined that larger widths  
25 are necessary to protect fisheries, wildlife, or habitat.)
- 26 **b.** Buffers on other freshwater waterbodies on retained public land: 50 feet along  
27 each side of the stream or 50 feet along the shoreline of lakes.
- 28 **c.** Easements<sup>14</sup> used in areas of sensitive environmental features: 50 feet on each  
29 side of important environmental features, such as high value wetlands. Distances  
30 greater than 50' (up to 100') may be appropriate if the feature being protected is  
31 considered to be especially sensitive to disturbance and is considered a  
32 particularly high value resource; such features might include lacustrine and  
33 riverine wetlands, springs, salt licks, or geologic hazards requiring additional  
34 distance separation for public safety. Consult ADF&G if there is a question as to  
35 whether a width greater than 50' should be considered.
- 36 **d.** Public access easements, including 'to and along' easements required under  
37 AS 38.05.127, or utility easements adjacent to lakes and streams: 50 feet.<sup>15</sup>
- 38

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<sup>14</sup> These areas are sometimes referred to as 'protection areas' in management unit descriptions in Chapter 3.

<sup>15</sup> Other types of utility easements may be less than this width, depending on the purposes of the easement.

- 1 e. Building setbacks: 100 feet adjacent to anadromous and high value waterbodies  
2 and 50 feet adjacent to all other waterbodies. The use of a building setback is  
3 usually not required if a ‘riparian buffer’ is being imposed in an authorization.  
4 Riparian buffers preclude principal and most accessory structures within the  
5 riparian area; only water dependent uses are authorized in these areas. For more  
6 detail see ‘riparian buffer’ in Table 2-2.  
7

8 **I. Application Requirements for Easements and Buffers Along Waterbodies and**  
9 **Related Environmental Features.** Table 2-2 specifies widths and other requirements for  
10 easements, buffers and public access in order to ensure consistency between authorizations  
11 along waterbodies and related environmental features. The table captures the information  
12 provided in Management Guideline H but also provides guidance on when these  
13 requirements are to be applied as well as aspects related to types of uses that may be  
14 appropriate.  
15

16 On a case-by-case basis, widths may be wider, in order to accommodate floodplain width,  
17 bank characteristics, size of the waterbody, extent of present or expected future public use,  
18 the need to protect important environmental features, or other relevant factors. Similarly,  
19 widths can be narrower on a case-by-case basis if it is determined that the harm intended to  
20 be avoided by the requirement is not likely to occur because of site-specific circumstances.  
21 However, the strip of land must be of sufficient width to allow for public access as well as to  
22 screen the waterbody from development, where possible, with an undisturbed strip of  
23 vegetation. In all instances, requirements for easements shall be noted on the lease, patent or  
24 subdivision plat. This requirement also applies to easements described in Management  
25 Guideline H.  
26

27 **J. Other Guidelines for Shorelines and Stream Corridors.** Other guidelines will affect  
28 shorelines and stream corridors. See other sections of this chapter.  
29

1 Table 2-2: Application Requirements for Easements and Buffers Along Waterbodies and Related Environmental Features

Guideline/ Application	Minimum Width/ Measured from	Where it Applies	Primary Purpose	Guidelines
<p><b>1. Public Access (To and Along Easement)</b> Adjacent to all navigable waters or public waters as determined under 11 AAC 51.035<sup>16</sup>.</p>	<p><b>50'</b> * Landward from ordinary high water line.</p>	<p>Along: * Lakes * Streams</p>	<p>Provide public access along navigable and other waterbodies.</p>	<ul style="list-style-type: none"> <li>Prohibited: Water Dependent<sup>17</sup> or Water Related<sup>18</sup> uses or structures that would obstruct passage by the public within the area of the easement. Alternate upland access needs to be provided if access is blocked.</li> <li>Allowed: Water Dependent or Water Related structures that would not significantly obstruct passage by the public within the area of the easement.</li> <li>'Along' easement is to be continuous unless topography or land status prevents a continuous easement. See 11 AAC 51.045.</li> <li>The 'To' easement has a minimum width of 50 feet but may be increased to 60 feet or more if DNR determines that the need for increased public access to navigable and public waters may justify construction of a road along an easement.</li> <li>A section line easement under AS 19.10.010 can function as a 'To' easement to the extent that the section line easement runs on state land and if the section line easement provides a practical route to the shore or river.</li> </ul>
<p><b>2. Riparian Buffers</b> Adjacent to anadromous waterbodies and high value fish streams.</p>	<p><b>100'</b> * Landward from ordinary high water line.</p>	<p>Along: * Anadromous and high value resident fish streams and lakes that are navigable or are public waters under 11 AAC 51.035.</p>	<p>Protect riparian areas adjacent to anadromous and high value fish streams.</p>	<ul style="list-style-type: none"> <li>Allowed: Water Dependent uses or structures that do not require extensive de-vegetation and/or land clearing. This requirement applies to the first 60' measured from OHW. 'Extensive' means more than 20% of affected area within the project site. Water related uses or structures that do not de-vegetate more than 40% of the affected area are allowed in areas greater than 60' measured from OHW.</li> <li>Prohibited: Water related uses within the first 60 feet measured from OHW.</li> <li>The width of riparian buffers may be increased along navigable or public waterbodies if recreation use is heavy, a wildlife corridor needs to be provided, or if increased protection of a riparian area is warranted. Consult with ADF&amp;G on decisions to increase buffer width.</li> </ul> <p>Note: the requirements for an 'along' easement also apply within the 50' of OHW.</p>
<p><b>3. Freshwater Waterbodies Buffer</b> Adjacent to waterbodies that are not protected under #2 but where a significant public use</p>	<p><b>100'</b> * Landward from ordinary high water line along streams and lakes that are not covered in item #2 but are considered to have public</p>	<p>Along freshwater waterbodies that are determined to have public significance but where the requirements of #2 do not</p>	<p>Protect areas adjacent to freshwater waterbodies that are important riparian areas or may be important for other public purposes.</p>	<ul style="list-style-type: none"> <li>Allowed: Water Dependent uses or structures that do not require extensive de-vegetation and/or land clearing. This requirement applies to the first 60' measured from OHW. 'Extensive' means not more than 20% of affected area within the project site. Water related uses or structures that do not de-vegetate more than 40% of the affected area are allowed in</li> </ul>

<sup>16</sup> See 11 AAC 51.035 for determination of Navigable and Public Water. See also 11 AAC 51.045 for easements 'To and Along Navigable and Public Water'. Other waters may be considered on a case-by-case basis.

<sup>17</sup> Water Dependent: means a use or an activity that can be carried out only on, in, or adjacent to a water body because the use requires access to the water body.

<sup>18</sup> Water Related: means a use or activity that is not directly dependent upon access to a waterbody, but which provides goods or services that are directly associated with water-dependent and which, if not located adjacent to a waterbody, would result in a public loss of quality in the goods or services offered.

Guideline/ Application	Minimum Width/ Measured from	Where it Applies	Primary Purpose	Guidelines
or resource is determined to exist.	significance or from the edge of the waterbodies, including wetlands, that are to be protected.	apply.		areas greater than 60' measured from OHW. <ul style="list-style-type: none"> <li>Prohibited: Water related uses within the first 60 feet measured from OHW.</li> <li>The width of riparian buffers may be increased along navigable or public waterbodies if recreation use is heavy, a wildlife corridor needs to be provided, or if increased protection of a riparian area is warranted. Consult with ADF&amp;G on decisions to increase buffer width.</li> </ul>
<b>4. Sensitive Environmental Features Buffer</b>	<b>50'</b> *** Measured from edge of sensitive environmental feature.	Areas of important environmental features. These may include hydrologic features (wetlands, marshes), sensitive habitat areas, or areas subject to geotechnical constraints.	Protect sensitive environmental features not otherwise protected under Public Access, Riparian Buffers, or Freshwater Waterbodies.	<ul style="list-style-type: none"> <li>Sensitive environmental features may include wetlands, important upland habitat, prominent scenic features, and the like.</li> <li>The imposition of this requirement is discretionary and depends on the type and value of the area or resource that is to be protected.</li> <li>Prohibited: Residential (or other) structures and associated out buildings but not including utilities or minor accessory structures.</li> <li>Buffers can be created through the use of easements or building setbacks, or both.</li> <li>Where this easement is imposed as part of a municipal entitlement action, this width is also 50 feet.</li> <li>Areas greater than 50 feet (up to 100') may be imposed on a case-by-case basis.</li> </ul>
<b>5. Building setback</b> Adjacent to all waters <u>except</u> anadromous and high-value resident fish waters (see guideline 6 below).	<b>50'</b> * Landward from ordinary high water.	Non-anadromous and non-high-value resident fish: * Lakes * Streams	Protect riparian habitat including access, recreation, and water quality along all waterbodies.	<ul style="list-style-type: none"> <li>This requirement is imposed where feasible and prudent, and necessary to protect public values along the stream.</li> <li>Does not apply to exceptions listed at bottom of table.</li> <li>The imposition of this requirement is discretionary and depends on the type and value of the area or resource that is to be protected.</li> <li>It is intended that the area of the setback remain vegetated to maintain habitat values or protect riparian areas.</li> <li>Areas greater than 100 feet may be imposed on a case-by-case basis. Consult with ADF&amp;G.</li> </ul>
<b>6. Building setback</b> Adjacent to anadromous and high-value resident fish waters.	<b>100'</b> * Landward from ordinary high water.	Anadromous and high-value resident fish: * Lakes * Streams	Protect riparian fish habitat, water quality, and recreation values along anadromous and high-value resident fish waters.	<ul style="list-style-type: none"> <li>This requirement may be imposed if necessary to achieve or protect riparian areas or other sensitive environmental features.</li> <li>The imposition of this requirement is discretionary and depends on the type and value of the area or resource that is to be protected.</li> <li>Does not apply to exceptions listed at bottom of table.</li> <li>It is intended that the area of the setback remain vegetated to maintain habitat values or protect riparian areas.</li> <li>Areas greater than 100 feet may be imposed on a case-by-case basis. Consult with ADF&amp;G.</li> </ul>

Where widths apply:      \* Freshwater areas      \*\* Tidally-influenced areas      \*\*\* Sensitive Environmental Features

For the definition of *anadromous waters* and *high-value resident fish waters* (derived from AS 41.17.950) see the Glossary in Appendix A. Exceptions that apply to items 5 and 6 above: a) Structures such as docks, bridges, and culverts whose purpose is access to or across the stream or lake; b) Water-dependent or water-related uses such as placer mining, fish culturing, and water supply intakes will be evaluated for exception on a case specific basis in consultation with ADF&G.

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## Subsurface Resources

### Goals

**Opportunities for Mineral Exploration and Development.** Provide opportunities through state land management for the exploration and development of mineral resources.

**Economic Opportunities.** Provide economic opportunities and stability by managing state lands for the efficient and environmentally sound:

- disposal of tailings;
- development of state land and submerged land mining sites; and,
- siting of infrastructure to support development of mineral resources.

**Environmental Quality and Cultural Values.** When developing subsurface resources, protect the integrity of the environment and affected cultural features to the extent feasible and prudent.

### Management Guidelines

**A. Mineral Exploration.** By statute, exploration for locatable minerals is allowed on all state lands. A land use permit is required under most circumstances. Hand prospecting and exploration activities generally do not require a permit. DNR may determine that some forms of access will not be allowed in specific areas to avoid resource damage.

**B. Open to Mineral Location.** By statute, all state lands are open to mineral location unless specifically closed. Where an area is open to mineral location, a miner has the right to stake a mining location regardless of the surface use designation or classification. Any adverse effects of mining on surface resources or uses will be managed through compliance with state laws and regulations and the management guidelines in this plan. Except for areas designated Settlement, Public Facilities, or Water Resources, all other state land is considered appropriate for mineral exploration and development consistent with applicable state law, administrative regulation, and management intent and guidelines. Areas designated Settlement, Public Facilities, or Water Resources may be appropriate for mining activity but will likely require the use of stipulations to avoid or mitigate impacts to important public facilities, settlement areas, and large wetland complexes. Reclamation activities are directed by the Mining Reclamation Act (AS 27.19) and regulations (11 AAC 97). (Note: Mineral entry on Alaska Mental Health Trust Land is not authorized

1 without the prior approval of the Trust Land Office of DNR in accordance with 11 AAC 99.  
2 Mineral entry on land owned by the University of Alaska is not authorized without the prior  
3 approval of the University of Alaska, Land Management office.)  
4

5 **C. Reclamation of Mined Land.** The reclamation of mining operations, including placer  
6 mining, must meet the reclamation standards given in AS 27.19. The reclamation law  
7 provides a standard that miners must meet during and after mining. The mining operation  
8 must be conducted in a manner that prevents unnecessary and undue degradation of land and  
9 water resources and requires that reclamation occur “contemporaneously” with the mining  
10 operation. Regulation 11 AAC 97 (Mining Reclamation) details the specific requirements  
11 that must be followed. In designated habitat areas, annual reclamation will be required  
12 concurrent with mining. Reclamation will be required to restore degraded fish and wildlife  
13 habitat and prevent hazards to navigation.  
14

15 **D. Access for Mineral Development.** Existing roads should be used for access to mine  
16 sites wherever feasible. Access across tundra, wetlands, and other environmentally sensitive  
17 areas will be managed in a manner that minimizes damage and must be consistent with the  
18 requirements of applicable administrative regulations, including 11 AAC 96.010 and  
19 11 AAC 96.025.  
20

21 **E. Mining in Fish Habitat.** When DNR issues a permit for mining in or adjacent to  
22 designated fish habitat, conditions of the permit will require any necessary measures, such as  
23 levees, berms, seasonal restrictions, and settling ponds that will allow the operation to meet  
24 water quality standards and statutes and regulations governing the protection of fish<sup>19</sup>.  
25 Because less than 50% of all anadromous streams are listed within the ADF&G Anadromous  
26 Waters Catalog (AWC), and documentation of resident fish streams is not centralized, DNR  
27 should consult with ADF&G prior to the issuance of an authorization where stream channels  
28 are present and the likelihood of anadromous or high value resident fish is high, at least  
29 seasonally.  
30

#### 31 **F. Mineral Closures.**

32  
33 **1. Background.** The decision to apply mineral location closures will be made by the  
34 Commissioner of DNR within the standards set by Alaska Statutes. AS 38.05.185(a)  
35 requires that the Commissioner determines that mining is incompatible with a  
36 significant surface use before an area can be closed to mining. The same section of  
37 the statute requires that the Commissioner determine that a potential use conflict  
38 exists before imposing leasing requirements for development of locatable minerals.  
39 The fact that an area is closed to new mineral location will not be cause for denying  
40 access across state land. Mineral closures do not affect valid existing mineral  
41 locations.

42 **2. Land Closed to Mineral Entry.** State mining law stipulates that mining must be  
43 determined to be in conflict with significant surface uses before an area can be closed

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<sup>19</sup> Note: Mining in fish habitat requires additional permits from ADEC and ADF&G.

1 to mineral entry (AS 38.05.300). There is relatively little correspondence between  
2 the location of state upland parcels designated Settlement and historical or potential  
3 mining activity in the planning area and specifically in areas designated Minerals.  
4 Since little potential conflict is expected to exist, this plan only recommends one  
5 mineral closing order, although the current mineral closing orders will be retained  
6 since these occur within streams and land disposal areas. A mineral closing order  
7 (MO 1145) affecting 4,576 acres is recommended (Appendix D) to protect a utility  
8 and transportation corridor in the Delta region. A leasehold location order is  
9 recommended (Appendix C) within areas designated Settlement but not now closed to  
10 mineral entry, and all new settlement areas are so designated in this plan revision.  
11 Approximately 102,383 acres are affected by the Leasehold Location Order  
12 (LLO 34). The purpose of the leasehold location order is to prevent the creation of  
13 'nuisance claims' in areas of land disposal. Appendix C lists these management units  
14 in Table C-1 and depicts the management units affected by the LLO on Map C-1.  
15 The management intent section of parcels designated Settlement should be consulted  
16 to determine if a management unit is affected by the leasehold location order or  
17 Mineral Order 1145. To determine the location of areas closed to mineral entry in the  
18 planning area consult the DNR Alaska Mapper, available on-line at:  
19 <http://dnr.alaska.gov/MapAK>.

20  
21 **G. Oil and Gas Resources.** It is probable that oil and gas resources are present within the  
22 planning area. The potential for petroleum reserves within the planning area are believed to  
23 be high in the Nenana River Basin and exploration is underway (2012) in that area and within  
24 the Lower Tanana and Kantishna regions, including lands within the Minto Flats State Game  
25 Refuge<sup>20</sup>. The planning and decision making processes for oil and gas development occur  
26 under a separate section of Alaska Statutes (AS 38.05.180) and these processes are not  
27 included as part of area plans. For this reason, the area plan does not make any development  
28 decisions related to these resources, and defers all decisions regarding licensing or leasing of  
29 oil and gas to DNR's existing licensing and leasing processes.

30  
31 Oil and gas sales are not subject to the regional planning process; instead they follow the  
32 planning process identified under AS 38.05.180. The land use designations of the plan are  
33 multiple use in character and do not preclude oil and gas development.

34  
35 **H. Geothermal Resources.** The presence of geothermal resources, to support renewable  
36 energy development, may be likely within the planning area. Access and development of  
37 geothermal deposits at Circle Hot Springs, in the vicinity of Fairbanks, shows that there are  
38 known resources, and potential for location and use of geothermal resources for renewable  
39 energy in the area.

40  
41 The exploration and development of geothermal resources follows the planning processes  
42 under AS 41.06, and 38.05.181. The land use designations of the plan are multiple use in  
43 character and do not preclude geothermal leasing and resources development.

---

<sup>20</sup> These areas are actually located in the YTAP planning area. This is where exploration is now occurring.

1 The exploration and development of geothermal resources follows the planning process  
2 under AS.41.06 and 38.05.181. The land designations of the plan are multiple use in  
3 character and do not preclude geothermal leasing and resource development.  
4

5 **I. Coal Resources.** The coal potential within the planning area is generally considered to  
6 be low to moderate, with deposits occurring at the Jarvis Creek Coal Field, which is situated  
7 to the east of the Richardson Highway south of Delta Junction. However, most coal  
8 resources are situated in the coal producing area near and east of the community of Healy,  
9 located in the YTAP planning area. Although not considered a significant resource in the  
10 planning area, it possible that such resources may be exploited in the future, and it is  
11 therefore appropriate to identify current regulatory requirements that effect coal extraction.  
12 Coal exploration, development, and extraction are governed by a mix of statutory  
13 (AS 38.05.150 and AS 27.21.010-.260) and administrative (11 AAC 85) requirements, which  
14 must be followed for exploration and for subsequent extraction to be authorized. This plan  
15 does not impose additional requirements of coal exploration and extraction to those cited in  
16 statute and regulation. All areas, except within areas closed to such activity in legislatively  
17 designated areas, are open to coal exploration, development, and extraction.  
18

19 **J. Mining in Areas Co-Designated Minerals and Habitat.** In a number of management  
20 units in the Fairbanks and Alaska Range East regions, co-designations of Minerals and  
21 Habitat apply. If this co-designation is used, it means that either high mineral and habitat  
22 values exist within all or portions of the management unit. Mineral exploration and  
23 development are considered appropriate uses within units affected by this co-designated,  
24 although there may be sites within a management unit that may not be appropriate for  
25 mineral development. Determinations of this type are to be made as part of the  
26 regulatory/permitting processes related to the authorization of these uses. Although mineral  
27 exploration and development within the planning area are considered appropriate or may be  
28 appropriate with stipulations, mining or authorizations granted by DNR shall carefully  
29 consider the effects of a proposed development on the area's fish and wildlife and their  
30 associated habitats within the management unit, and the short and long term effects on  
31 human access to those resources. Those habitats considered significant within a management  
32 unit are identified in the Resource Allocation Table in Chapter 3. Some of these habitat areas  
33 are used on a seasonal basis and activities that occur at other times of the year than these  
34 periods may be appropriate. Consult the Fish and Wildlife Habitat section of this chapter for  
35 the specific periods that these seasonal use periods occur. In all instances, consult ADF&G  
36 prior to issuing an authorization for mineral or coal exploration or development.  
37

38 **K. Leaseable Mineral Development.** State land within the planning area may be leased or  
39 opened for mineral or coal exploration and development if the department determines it is in  
40 the best interest of the state to enter into a lease for such resources. Before authorization of a  
41 lease, the department will determine if the surface values are significant enough to warrant  
42 restricting surface entry. The surface impacts of proposed underground mining shall be fully  
43 considered as part of the permitting process.  
44

- 1 **L. Other Guidelines Affecting Subsurface Resources.** Other guidelines will affect
- 2 subsurface resources. See other sections of this chapter.