

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

Chapter 2

Areawide Land Management Policies

Introduction..... 1
 Definitions..... 1
 Goals 1
 Management Intent 2
 General Framework of the Plan 2
 Management Guidelines by Activity or Resource Value 3
 General Guidelines..... 3
 Other State Land 4
Agriculture 5
 Management Guidelines 5
Coordination and Public Notice..... 8
 Management Guidelines 8
Cultural Resources 10
 Management Guidelines 10
Fish and Wildlife Habitat..... 12
 Management Guidelines 12
Forestry 20
 Management Guidelines 21
 Map 2-1: Lands to be Considered for Legislative Designation as a State Forest 26
Instream Flow 27
 Management Guidelines 27
Material Sites 28
 Management Guidelines 28
Recreation and Scenic Resources 30
 Management Guidelines 30
Settlement 33
 Management Guidelines 35
Shorelands and Stream Corridors 40
 Management Guidelines 40
 Table 2-1: Application Requirements for Easements and Buffers Along Waterbodies and
 Related Environmental Features 45
Subsurface Resources 47
 Management Guidelines 47
Public Access 50
 Management Guidelines: General Public Access 50
 Management Guidelines: Trails Within and Between Developing Areas 52
 Management Guidelines: Iditarod and Iditarod Trail System..... 53

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, shoreline and stream corridor management, and
10 public access. These policies apply to state land throughout the planning area regardless of
11 the land use 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.

16

17

18 **Definitions**

19

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

21

22

23 **Goals**

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.

40

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 and the character
7 and lifestyle of the community.

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

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

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

18 19 20 **Management Intent**

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

27 28 29 **General Framework of the Plan**

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

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

39
40 **C.** State land will remain open to mineral entry unless specifically closed. This plan does
41 not recommend any areas to be closed to mineral entry nor to be managed under a leasehold
42 location order. Consequently, all land within the planning area is open to entry, except for
43 those scattered areas closed in previous mineral closing orders by DNR.

1 **D.** In management units where a primary use has been designated, activities and
2 authorizations pertaining to that primary designated use may take precedence over other uses.
3 Although there may be a priority for use in certain parcels, other uses may also be allowed if
4 they do not preclude the primary use assigned to a management unit. This plan emphasizes
5 minimizing land use conflicts through plan guidelines and intent rather than through
6 prohibitions, although prohibitions are sometimes identified. All other uses are initially
7 presumed compatible with the primary use. However, if DNR determines that a use conflict
8 exists and that the proposed use is incompatible with the primary use, the proposed use shall
9 not be authorized or it shall be modified so that the incompatibility no longer exists
10 (11 AAC 55.040 (c)).

11
12 **E.** This plan designates state lands in categories that are generally consistent with current
13 use patterns and reflect the significant resources in the planning area.

14
15 **F.** This plan honors the intent of existing settlement agreements with the Mental Health
16 Trust Authority and the University of Alaska. These settlement agreements as well as
17 pertinent sections of state law shall prevail over the area plan, if inconsistencies exist.

18
19 **G.** DNR, in its consideration of resources and in the management of state land, shall
20 consider the impacts of such use upon fish and wildlife, habitat and soil degradation, and
21 upon other forms of use, including recreation, which may occupy the area that is under
22 consideration in an authorization. Uses that are not compatible with these uses and resources
23 are, if the use is nonetheless determined appropriate, to be made compatible through the use
24 of stipulations. The ability of the Department to manage the subsequent activities that may
25 result from the issuance of an authorization is to be taken into consideration in the
26 adjudication of an application that requires a written determination by DNR.

27
28
29 **Management Guidelines by Activity or Resource Value**

30
31 The remainder of this chapter specifies guidelines that are specific directives to apply to
32 management decisions. DNR will use these guidelines when considering issuing
33 authorizations and conveyances or making management decisions on state lands. These
34 guidelines will also apply to lands that are currently state-selected and ANILCA-filed when
35 they are tentatively approved or patented into state ownership.

36
37 Chapter 2 guidelines apply to all state land covered by the SMAP unless the plan explicitly
38 exempts some parcels or designations from a guideline or the resource or use for which a
39 guideline is intended does not exist in the parcel in question. There are few such exemptions.
40

41
42 **General Guidelines**

43
44 **A.** All authorizations for use of state land within the planning area will be consistent with
45 the management intent in this plan.

1 **B.** In considering authorizations for use of state land, DNR will adjudicate applications to:
2

3 1) avoid, and if not possible, minimize damages to streambeds, fish and wildlife habitat,
4 vegetation, trails, anchorages, and other resources;

5 2) minimize conflicts between resources and uses; and

6 3) protect the long-term value of the resource, public safety, and the environment.
7

8 **C.** If authorizations from other agencies are required, DNR will consider issuing a permit or
9 lease contingent upon issuance of these other authorizations.
10

11
12 **Other State Land**

13
14 Parcels that are donated or acquired after the plan is adopted will be designated for the uses
15 for which they were acquired or donated without an amendment to the plan. Lands that come
16 into state ownership through other means will be designated and classified consistent with
17 the designation identified in the applicable management unit or, if not so identified,
18 according to the standards of the section, ‘Applicability of Plan Designations and
19 Classifications’, in Chapter 4 without an amendment to the plan.
20

1
2 **Agriculture**

3
4
5 **Goals**

6
7 **Economic Development.** Diversity and strengthen the state’s economy by increasing the
8 availability of Alaska food products by:

- 9
10 • Encouraging expanded production and availability of competitively priced farm
11 products from existing agricultural lands;
12 • Increasing the acreage available as demand and market opportunities warrant;
13 • Preserving the ability to produce agricultural products as a future option.

14
15 **Agrarian Lifestyle.** Provide the opportunity for Alaskans to pursue an agricultural lifestyle.

16
17 **Conservation of Agricultural Resources.** Agricultural land disposals shall be designed to
18 maintain or enhance the productivity of the soil.

19
20 **Protection of Environment.** Agricultural land disposals shall be designed to protect or
21 enhance the quality of the natural environment.

22
23
24 **Management Guidelines**

25
26 The following management guidelines derive, in large part, from AS 38.05.321 (sale or
27 disposal of agricultural land) and 11 AAC 67.162 (title and interest conveyed) and
28 11 AAC 67.177 (farm conservation plan).

29
30 **A. Agricultural Sales: Location.** Agricultural land disposals under AS 38.05.321 may only
31 occur within areas designated Agricultural Land. Other forms of land disposal are not
32 appropriate within such areas.

33
34 **B. Agricultural Sales: Type and Size.** Within the planning area, agricultural sales shall be
35 limited to those authorized under 11 AAC 67.160. Such sales must have a minimum area of
36 160 acres.

37
38 **C. Agricultural Land Disposals.** Agricultural land disposals shall be consistent with the
39 following requirements. All such disposals are to convey only that portion of the state’s title
40 which constitutes the agricultural interest in the tract being conveyed. The sale of the
41 agricultural interest constitutes conveyance of the Land Estate subject to the conditions and
42 covenants relating to agricultural use as set out in 11 AAC 67.162(a).

- 1 • Land conveyed under this authority may only be used for agricultural purposes or for
2 purposes that do not conflict with the future option to use the land for agricultural
3 purposes.
- 4 • Farm Conservation Plans shall be provided shall as a condition of the sale.
- 5 • Land designated in Farm Conservation Plans as to be retained in their natural
6 conditions or undeveloped state shall be retained for that purpose unless modified
7 thorough modification of a Farm Conservation Plan.
- 8 • Timber sales may be authorized if this activity is necessary to bring agricultural land
9 into production and if authorized in an approved Farm Conservation Plan.
- 10 • Gravel sales are not to be authorized, although in situ gravel may be extracted if
11 necessary to bring the agricultural land into production (or to maintain production).
- 12 • Grazing leases may be authorized if grazing is identified as an appropriate use in a
13 Farm Conservation Plan, impacts to habitat and sensitive species are avoided or
14 reduced to acceptable levels, and if the transmission of disease to wildlife populations
15 is considered unlikely or insignificant.

16
17 **D. Site Specific Requirements.** Agricultural land sales within the planning area are subject
18 to the following additional requirements:

- 19
20 • A riparian buffer of undisturbed vegetation of 100 to 150', the width depending on
21 FRPA standards, shall be retained in state ownership adjacent to all anadromous
22 streams and high value resident fish streams. See the standards for riparian areas in
23 the On-line DMLW Procedural Manual and those in the section 'Shorelands and
24 Stream Corridors' in this Chapter.
- 25 • Areas of reported historic, archaeological, or paleontological sites should not be
26 disturbed. Agricultural operations shall not be authorized within 300 feet of the
27 boundaries of known sites unless OHA determines, in coordination with the Division
28 of Agriculture, that agricultural activities can occur without significant impact to the
29 cultural resource. OHA shall work with the Division of Agriculture to develop site-
30 specific mitigation measures to protect known cultural sites while allowing
31 agricultural operations. A buffer (or setback) of 50' or greater shall be established
32 around significant cultural resources identified by OHA as part of agency review.
- 33 • Agricultural land disposals shall not occur within mapped floodways and may only
34 occur in mapped floodplains where it is determined in the Farm Conservation Plan
35 that agricultural uses are appropriate within and are generally compatible with these
36 areas. The Preliminary Decision that precedes the agricultural land sale is required to
37 make a finding of compatibility of the proposed agricultural use within a floodplain
38 location.
- 39 • Timber salvage may be authorized subject to the requirements of Section C and
40 management guideline F in the Forestry section of this Chapter.

- 1 • Legal, practical access shall be identified and reserved to and within areas of
2 agricultural sales.

3

4 **E. Grazing on Important Habitat Lands.** Grazing leases may be issued on land
5 designated Agriculture, General Use, or Habitat. The appropriateness of this use shall be
6 assessed on a on a case-by-case basis by DNR, in consultation with ADF&G, so that impacts
7 can be mitigated through the application of specific management guidelines in the Fish and
8 Wildlife section of this chapter.

9

10 **F. Other Guidelines Affecting Agriculture.** Several other guidelines may affect
11 agriculture. See other sections of this chapter.

12

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

Coordination and Public Notice

Goals

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

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

Management Guidelines

A. Notice for Decisions Requiring Public Notice (Under AS 38.05.945). As required by statute, public notice will be given for decisions involving the sale, lease, or disposal of (or interests in) land, property, or resources. Actions not involving a disposal of interest will require public notice in accordance with Division of Mining, Land and Water (DMLW) procedures and with the requirements of AS 38.05.945. Notice will be given to parties known or likely to be affected by an action proposed by the state or an applicant to the state.

B. Coordination with Local Plans and Zoning Ordinance. The comprehensive plan and zoning map/ordinance as well as the Coastal Management Plan of the Matanuska-Susitna Borough are to be reviewed by DNR prior to issuing permits, leases, or other forms of use authorizations.

C. Avoiding Conflicts with Adjacent Upland Owners. Before DNR issues a land use authorization on shorelands, DNR will require applicants to use areas that will reduce the likelihood of possible land use disagreements with upland owners. DNR will consider comments from private landowners and others before making a decision. DNR will retain the right to issue a land use authorization over the objection of adjacent landowners.

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

The MSB has developed and will continue to develop local comprehensive plans for specific parts of the Borough. These are intended to identify preferred land use patterns and development stipulations. DNR reviews these plans in the course of developing management plans or area plans, and often makes use of their recommendations. However, while

1 community comprehensive plans can make recommendations for state lands within their
2 planning areas, they cannot establish land use designations or other planning requirements
3 for state land. State land use designations are decided on a regional basis through the state
4 planning process and local plans do not supersede state plans for the use of state lands.

5

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

8

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40

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) Consult with the certified local government sources (MSB Cultural Resources Specialist) where appropriate.
- 4) Require the establishment of buffers (50’ or greater) around significant cultural resources¹ as part of the overall protection process when subdividing or otherwise using state lands.

¹ Cultural resources, for the purposes of this management guideline, do not include trails or routes.

1 **C. Cultural Resource Surveys Prior to Land Offerings.** If determined by OHA during an
2 agency review of a proposed land disposal that a cultural survey may be required, further
3 coordination between OHA and DMLW prior to the land disposal is warranted. Cultural
4 surveys should be considered where OHA reported sites exist or where there is a high
5 potential for such sites to exist. The extent and type of the cultural survey within the area of
6 the proposed land disposal shall be determined by OHA in consultation with DMLW.
7 Detailed procedures exist governing when a survey is required and extent of the cultural
8 resource survey and are to be consulted by DNR adjudicators.
9

10 **D. Cultural Resources in Timber Management Areas.** The Office of History and
11 Archaeology (OHA) will review proposals for timber management activities through the
12 interagency review process for the Five-Year Schedule of Timber Sales and Forest Land Use
13 Plans for individual sales and provide comments and information about areas of concern
14 within the review deadline. OHA will recommend archaeological surveys in timber sale
15 areas with a high potential for cultural resources. Areas of reported historic, archaeological,
16 or paleontological sites that retain historic integrity should not be disturbed. Timber
17 operations shall not occur within 300 feet of the boundaries of known sites unless the OHA
18 determines, in consultation with the Division of Forestry, that certain activities can occur
19 without significant adverse impacts to the cultural resource. The OHA shall assess the extent
20 and significance of the cultural resource and work with Division of Forestry to develop site-
21 specific mitigation measures to protect the cultural sites while allowing timber management.
22

23 **E. Cultural Resources Adjacent to Recreation Facilities.** Recreation facilities that might
24 subject cultural sites to vandalism because of the increased public use should not be placed
25 adjacent to the cultural sites.
26

27 **F. Heritage sites should be reported when found.** The Alaska Heritage Resources Survey
28 (AHRS) is an inventory of all reported historic and prehistoric sites within the State of
29 Alaska and is maintained by the Office of History and Archaeology (OHA). The AHRS is
30 used to protect cultural resource sites from unwanted destruction. By knowing of possible
31 cultural remains prior to construction, efforts can be made to avoid project delays and
32 prevent the destruction of cultural sites. While over 22,000 sites have been reported within
33 Alaska, this is probably only a very small percentage of the sites which may actually exist
34 but are as yet unreported. The AHRS is not complete or static, so heritage sites, when found,
35 should be reported to the OHA.
36

37 **G. Other Guidelines Affecting Cultural Resources.** Other guidelines will affect cultural
38 resources. See other sections of this chapter.
39

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

Fish and Wildlife Habitat

Goals

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, sport and non-consumptive uses.

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

Manage for Sustained Yield. The management of state land and resources shall be consistent with the requirements of sustained yield, as written in the State Constitution under Article VIII (Natural Resources).

Manage to Maintain and Enhance the Natural Environment. DNR shall 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 all habitat areas throughout the planning area, with emphasis on Dall sheep, moose, and caribou seasonal habitats; anadromous streams and high value resident fish streams; and other uses listed in Guideline B where alternation of the habitat and/or human disturbance could result in a permanent loss of a population or sustained yield of a species.

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.

8
9 DNR and ADF&G will enforce permit stipulations and measures appropriate to their agency.
10 Mitigation will be required of any significant damage to fish, wildlife, or their habitats that
11 may occur as a direct result of the party's failure to comply with applicable law, regulations,
12 or the conditions of the permit or lease.

13
14 When determining appropriate stipulations and measures, the departments will apply, in
15 order of priority, the following steps. Mitigation requirements listed in other guidelines in
16 this plan will also follow these steps:

- 17
18 1) Avoid anticipated, significant adverse effects on fish, wildlife, or their habitats
19 through siting, timing, or other management options.
- 20
21 2) When significant adverse effects cannot be avoided by design, siting, timing, or other
22 management options, the adverse effect of the use or development will be minimized.
- 23
24 3) If significant loss of fish or wildlife habitat occurs, the loss will be rectified by
25 repairing, rehabilitating, or restoring the affected area to a useful state.
- 26
27 4) DNR shall consider replacement or enhancement of, fish and wildlife habitat when
28 steps 1 through 3 cannot avoid substantial and irreversible loss of habitat. The
29 ADF&G will identify the species affected, the need for replacement or enhancement,
30 and the suggested method for addressing the impact. Replacement with or
31 enhancement of similar habitats of the affected species in the same region is
32 preferable. DNR will consider only those replacement and enhancement techniques
33 that have either been proven to be, or are likely to be, effective and that will result in
34 a benefit to the species impacted by the development. Replacement or enhancement
35 will be required by DNR if it is determined to be in the best interest of the state either
36 through the AS 38.05.035(e) or permit review process.

37
38 **B. Allowing Uses in Fish and Wildlife Habitats (Ha).** These habitats are defined as areas
39 that serve as concentrated use areas for fish and wildlife species during a sensitive life history
40 stage where alteration of the habitat and/or human disturbance could result in a permanent
41 loss of a population or sustained yield of the species. Fish and wildlife categories used, in
42 part, to identify Habitat (Ha) designations in this plan include the following:

- 43 • Anadromous fish spawning, rearing, and overwintering migration areas.
- American peregrine falcon and trumpeter swan nesting and molting concentrations.
- Waterfowl nesting and molting areas.

- 1 • Fish streams frequented by bears (including concentrations by season).
- 2 • Moose wintering and calving areas.
- 3 • Caribou wintering and calving areas.
- 4 • Dall sheep wintering and lambing areas.
- 5 • Important wildlife migration corridors.

6
7 The areas designated Habitat (Ha) in Chapter 3 of the plan were defined using the best
8 available information when the plan was written. In the granting of authorizations within
9 areas designated Habitat, DNR adjudicators should attempt to acquire more detailed and
10 more recent information pertaining to habitat resources and values if there is some question
11 as to the appropriateness of the use that is under consideration for authorization.

12
13 The resource that was used to make the determination that an area should be designated “Ha”
14 is identified in the parcel descriptions contained in Resource Allocation Tables in Chapter 3
15 under the column, “Resources and Uses”. In some cases, there is only a single resource but
16 in other instances, several resources exist, with these resources sometimes occupying
17 differing portions of the parcel. The spatial distribution of habitat resources is described in
18 the management intent language, if known. Units are to be managed to protect the
19 resource(s) identified in these tables. The fish and wildlife associated with the Habitat
20 designation are listed in the Glossary under the term ‘Habitat’.

21
22 There is a distinct seasonality associated with the critical life periods of certain species;
23 seasonality shall be taken into consideration during project review and approval. Seasonality
24 and critical life cycle stages are identified in various publications.² Thus, it may be possible,
25 through consultation with ADF&G and other agencies, that uses and facilities be found
26 appropriate within areas designated Habitat if the seasonality criteria are satisfied by
27 including mitigating measures in project design.

28
29 Uses not consistent with a plan designation or not authorized in a management intent
30 statement and that, if permitted would result in the degradation of the resource(s) within
31 areas designated “Ha”, are to be considered incompatible and are not to be authorized.
32 Degradation of the resource might result from actions involving one or more of the following
33 factors: dredging, filling, significant compaction of vegetation and sediment, alteration of
34 flow patterns, discharge of toxic substances, or disturbance during sensitive periods. If there
35 is a question as to whether a use would be appropriate or whether it would degrade a listed
36 resource, DNR shall consult with ADF&G in making the determination of initial
37 incompatibility.

38

² These publications include, but are not limited to the following: ADF&G Regional Habitat Guides and NOAA's Oil Spill Response Atlas. Note to DNR adjudicators: In the event that information is not contained in these publications, consult pertinent publications and coordinate with ADF&G and federal agencies with jurisdiction over species in question to determine seasonal windows and use patterns.

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

- 3
- 4 • DNR determines that the management unit in question does not possess those
5 attributes characteristic of a Habitat designation as defined in the plan; or
- 6 • If DNR in consultation with ADF&G determines that the non-designated use can be
7 made compatible and significant adverse impacts to the “Ha” area avoided with
8 appropriate design, siting, and operating stipulations; or
- 9 • The project is found consistent under the ACMP or necessary (in the best interest of
10 the state) under state disposal decisions under AS 38.056.035(e) and significant
11 adverse impacts are mitigated under Management Guideline A³.
- 12

13 **C. Allowing Uses Outside of Designated Fish and Wildlife Habitat Areas.** Habitat-
14 altering uses will be sited consistent with the management guidelines in this chapter, and the
15 management intent and guidelines in Chapter 3.

16

17 **D. Habitat Manipulation: General Requirements.** Habitat restoration through water
18 control, timber management practices, removal of pollution sources, or other measures may
19 be used to improve habitat for fish and wildlife species where ADF&G determines that it is
20 beneficial to the species or habitat and DNR determines that it is compatible with other
21 primary uses.

22

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

32

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

36

37 **G. Water Intake Structures.** When issuing water rights for waters providing fish habitat,
38 DNR and ADF&G will require that practical water intake structures be installed that do not
39 result in entrainment or impingement of fish and will maintain instream flows needed to
40 sustain existing fish populations. The simplest and most cost-effective technology may be
41 used to implement this guideline.

³ Authorizations involving uses that have been determined to be necessary in the best interest finding but are inconsistent with plan designations and management intent or management guidelines require a plan amendment. See 11 AAC 55.030(f).

1 Water intake structures should be screened, and intake velocities will be limited to prevent
2 entrapment, entrainment, or injury to fish. The structures supporting intakes should be
3 designed to prevent fish from being led into the intake. Other effective techniques may also
4 be used to achieve the intent of this guideline. The DMLW (Water Section) and ADF&G
5 Division of Habitat should be consulted to determine screen size, water velocity, and intake
6 design if the intake structure is in fish habitat.

7
8 **H. Alteration of the Riverine Hydrologic System.** To the extent feasible, channelization,
9 diversion, or damming that will alter the natural hydrological conditions and have a
10 significant adverse impact on important riverine habitat will be avoided. If projects like this
11 are proposed they will require a review and permit from the ADF&G Division of Habitat and
12 other agencies.

13
14 **I. Threatened and Endangered Species.** All land use activities will be conducted
15 consistent with state and federal Endangered Species Acts to avoid jeopardizing the
16 continued existence of threatened or endangered species of animals or plants, to provide for
17 their continued use of an area, and to avoid modification or destruction of their habitat.
18 Specific mitigations recommendations should be identified through interagency consultation
19 for any land use activity that potentially affects threatened or endangered species. One
20 species (Cook Inlet Beluga whales) has been identified as Endangered within the planning
21 area. The U.S. Fish and Wildlife Service (USFWS), Division of Ecological Services, or the
22 National Marine Fisheries Service (NMFS) should be consulted on questions that involve
23 endangered or threatened species. In the instance of the Beluga whale, NMFS is the
24 responsible federal agency.

25
26 **J. Eagles.** Authorizations or disposals that potentially affect bald eagles will be consistent
27 with the state and federal Endangered Species acts and the Bald Eagle Protection Act of 1940
28 as amended. Applicable standards are drawn from a cooperative agreement signed by the
29 U.S. Forest Service and the USFWS or such subsequent standards that may be promulgated.
30 These standards, however, may not be adequate in all circumstances, and the USFWS may
31 determine that additional measures are necessary. In addition, meeting the guidelines does
32 not absolve the party from the penalty provisions of the Bald Eagle Protection Act; therefore,
33 the USFWS should be consulted when activities may affect bald or golden eagles.

34
35 **1) Siting Facilities to Avoid Eagle Nests.** Facilities determined by the U.S. Fish and
36 Wildlife Service to cause significant disturbance to nesting eagles will not be allowed
37 within 330 feet and up to one-half mile of any bald eagle nest site, whether the nest is
38 currently active or not.

39 **2) Activities Disturbing Nesting Eagles.** Activities the U.S. Fish and Wildlife Service
40 determines likely to cause significant disturbance to nesting eagles will be prohibited
41 within 330 feet of active bald eagle nests between March 15 and August 31.
42 Temporary activities and facilities that do not alter eagle nesting habitat or disturb
43 nesting eagles, as determined by the USFWS, may be allowed at other times.
44

1 **K. Dall Sheep Wintering and Lambing Areas, Moose and Caribou Wintering and**
2 **Calving Areas.**

3
4 Dall Sheep. The planning area encompasses important concentration areas for Dall sheep in
5 the Alaska Range near and within Denali National Park, and the Talkeetna and Chugach
6 Mountains. Windswept ridges 2000'-5000' in elevation within the plan area are considered
7 prime wintering habitat for Dall sheep. The upper valleys between these ridges provide
8 protected lambing habitat from May through June as well as movement corridors between
9 winter concentration areas.

10
11 Dall sheep move seasonally along the north facing slopes of the Chugach Mountains on the
12 south side of the Lower Matanuska River and the Glenn Highway, a corridor which provides
13 critical access to important wintering areas depending on winter severity conditions. Also
14 vital is the 30,000 acre Sheep Mountain Closed Area adjacent to the Glenn Highway, which
15 serves as a year-round refuge for Dall sheep, as well as a historically important viewing area.
16 The narrow Upper Matanuska River drainage between Sheep Mountain and the Chugach
17 Mountains to the south also provides a passageway between sheep ranges, essential to the
18 long-term viability of Dall sheep in this region. ADF&G should be consulted prior to issuing
19 an authorization in an area suspected to contain moderate concentrations of Dall sheep in
20 order to better determine: 1) the location of lambing and wintering areas; 2) when activities
21 within these areas should be avoided; and 3) identify appropriate mitigation measures if no
22 feasible or prudent alternative site exists.

23
24 Moose. Many portions of the planning area are important for moose calving and rutting, or
25 are used as winter concentration areas. Calving typically occurs from May through June,
26 depending upon location. Uses that are likely to produce levels of acoustical or visual
27 disturbance sufficient to disturb calving, rutting, or post-calving aggregations that cannot be
28 seasonally restricted should not be authorized in these areas. Uses may be authorized in
29 these areas at other times of the year. DNR authorizations should include seasonal
30 restrictions on activities that would produce significant acoustical or visual disturbance
31 during sensitive periods.

32
33 Moose calving and rutting areas change over time. ADF&G should be consulted prior to
34 issuing an authorization in an area suspected to contain such concentrations in order to better
35 determine: 1) the location of calving and rutting areas; 2) when activities within these areas
36 should be avoided; and 3) identify appropriate mitigation measures if no feasible or prudent
37 alternative site exists. Refer to a management unit's 'Uses and Resources' section in the
38 Resource Allocation Tables to determine whether the presence of a rutting or calving area is
39 likely or if it is a winter concentration area.

40
41 Caribou. A portion of the planning area in the Talkeetna Mountains region, generally the
42 easternmost area, provides habitat for the Nelchina Caribou herd. Generally, caribou
43 concentrations occur within the Nelchina Public Use Area and therefore are not subject to the
44 requirements of this plan. However, a portion of the Talkeetna Mountains regions that abuts
45

1 the Nelchina PUA is also part of the herds range. Authorizations in these areas are to use the
2 same management requirements as those for moose calving and winter concentration areas,
3 described above.
4

5 **L. Protection of Mineral Licks.** Mineral licks identified within specific management units
6 are used by significant numbers of wildlife primarily during the spring and early summer.
7 The regular use of these areas suggests that the licks play an important role in the life history
8 of the animals that use them. These same areas may also have significant mineral values.
9 Management Intent should protect the area around the licks for their wildlife value.
10 Stipulations should be developed on a case-by-case basis, in consultation with ADF&G, for
11 specific leases or permits. The stipulations should address the following: 1) The avoidance
12 of direct and indirect impact on the mineral licks, the animal tracks leading to them and other
13 areas of concentrated animal use that is associated with the mineral lick; 2) Methods for
14 compensating for the destruction or loss of a lick; 3) the method and routing of mining-
15 related access to these areas.
16

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

31 **N. Activities in Important Waterfowl Habitat.** In important waterfowl habitat, activities
32 requiring a lease, permit, or development plan, and producing habitat disturbance or high
33 levels of acoustical or visual disturbance from sources such as boat traffic, vegetation
34 clearing, construction, blasting, dredging, and seismic operations, will be avoided during
35 sensitive periods such as nesting, staging, or brood-rearing periods. Where it is not feasible
36 and prudent to avoid such activities, other mitigation measures may be required to avoid
37 significant adverse impacts and the activity may be denied. If it is likely that a waterfowl
38 concentration exists within the area affected by a potential project, consult with ADF&G and
39 USFWS to identify areas of important waterfowl in addition to those identified in the
40 management units in this plan and to determine appropriate mitigation or avoidance
41 measures.
42

43 **O. Fish and Wildlife Enhancement on State Lands.** Fish and wildlife enhancement
44 activities on state lands, whether by ADF&G or other parties, will be consistent with the
45 management intent for those lands. Enhancement activities likely to attract significant public

1 use, including sport fishing use, will be designed and located to minimize the impact of
2 additional public use on the existing recreation resources, including anchorages, campsites,
3 and existing and intended wilderness values.
4

5 **P. Protection of Fish and Wildlife Resources - Transportation Routes and Facilities.**

6 Important fish and wildlife habitats in riparian areas, fish and wildlife movement corridors,
7 important wintering areas, and threatened or endangered species habitat should be avoided in
8 siting transportation routes unless no other feasible and prudent alternatives exist. Location
9 of routes and timing of construction should be determined in consultation with ADF&G.
10

11 **Q. Protection of Riverine Areas.** Riverine areas perform a variety of important functions
12 related to recreation, habitat protection, and water quality/quantity maintenance. The
13 protection of these areas is essential and DMLW and DOAg authorizations are to ensure the
14 maintenance of these areas in any authorizations that may be issued. See Management
15 Guidelines B, D, H, and I in the ‘Shorelands and Stream Corridors’ section in this Chapter
16 for guidance and standards pertaining to riverine areas. These standards are to apply to
17 authorizations issued by DMLW and the Division of Agriculture.⁴
18

19 **R. Protection of Resources.** DNR, in its consideration of resources and in the management
20 of state land, shall consider the impacts of such use upon fish and wildlife, habitat and soil
21 degradation, and upon other forms of use that may occupy the area that is under
22 consideration in an authorization. Uses that are not compatible with these uses and resources
23 are to be made compatible through the use of stipulations. The ability of the Department to
24 manage the subsequent activities that may result from the issuance of an authorization is to
25 be taken into consideration in the adjudication of an application that requires a written
26 determination by DNR.
27

28 **S. Other Guidelines Affecting Fish and Wildlife Habitat.** Other guidelines may affect
29 the protection and management of fish and wildlife habitat. See other sections of this
30 chapter.
31

⁴ Separate riparian standards under AS 41.17.115 and .118 apply to timber sales conducted by the Division of Forestry on state land. The riparian standards followed by DMLW and DOAg are similar to those followed by DOF.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

Forestry

The forest resources of the Susitna planning area are a mixture of White spruce and Paper birch in the upland areas with cottonwood and Balsam poplar in the lowland areas. Paper birch is the dominant species in this boreal forest type. White spruce has commercial value for sawlogs, biomass, fiber, and woodchips. The commercial value of the Paper birch is for biomass, fiber, and wood chips with some sawlog value in birch which contains little or no defect. Most of the birch within the Southeast Susitna is over 70 years old and contains a high percentage of rot or defect. There are some specialty markets for the cottonwood and Balsam poplar but for the most part these species have little commercial value at the present time in this area.

A unique aspect of forest management within the Susitna Valley is the application of specific standards that affect forest operations and management. Normally, areawide management guidelines are not provided at this level of specificity. Rather, the area plan provides forest management recommendations, but these are necessarily generalized and the specifics of forest stand management and harvest layout are deferred to the Forest Land Use Plan(ning) process conducted by the Division of Forestry (DOF) for specific tracts at the time of timber sale. Within the SMAP planning area, the document, ‘Susitna Forestry Guidelines’ provides the basis for the interim management of forest resources and timber layouts pending the preparation and adoption of the new forest resources management plan described below in Management Guideline J. The Guidelines control the method for calculating sustained yield and establish general and specific design and siting requirements that affect timber harvest layout and operation logging requirements within the Susitna Valley. They complement the requirements for forest management contained in this section. The relationship between the Guidelines and the area plan is described in more detail, following.

This plan also recommends that consideration be given to the creation of a state forest as a mechanism to manage the significant state forestry resources within the planning area. State Forests, besides providing a strong basis for forest stand management, provide areas for public recreation and are important for the protection of key wildlife and fisheries resources and their associated habitat. This recommendation affects those parcels that are designated or co-designated Forestry or General Use where the management intent statement indicates that the parcel is appropriate for timber harvest. See Management Guideline H for more detail. Also recommended is the preparation of a forest resources management plan within areas designated Forestry, to provide more detailed management guidance to the several resources and uses that occur within these areas. See Management Guideline J for more detail on this recommendation.

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,

1 utilization, and replenishment of timber resources while allowing other beneficial uses of
2 public lands and resources. Forestry designated lands are to be managed by DNR as a
3 ‘working forest’ consistent with the constitutional mandate to encourage the use and
4 development of state’s resources, including renewable resources. A ‘working forest’ refers
5 to actively managed forest lands that provide wood for personal and commercial use, while
6 protecting fish and wildlife habitat, providing the public with recreation and other multiple
7 use of state land, and maintaining public benefits such as clean air, land, and water.

8
9 **Personal Use Timber.** Provide timber to meet the needs of Alaskans. This program will be
10 provided on a demand basis when the operational costs of administering this program are
11 satisfactory.

12
13 **Economic Opportunities.** Provide for economic opportunities and stability in the forest
14 products industry by allowing the use of state uplands in areas designated Forestry. Also, to
15 benefit the state’s and borough’s economies by providing royalties to the state from
16 stumpage receipts, and adding to the state’s economy through wages, purchases, jobs, and
17 business.

18
19 **Support Timber Industry.** Continue to perform reviews of private timber harvests for
20 adherence to the Alaska Forest Resources and Practices Act and provide the timber industry
21 with information, technical expertise, and management guidance for utilizing forest
22 resources.

23
24 **Wildland Fire Suppression.** DOF shall continue to provide wildland fire suppression
25 within the planning area consistent with the requirements of the Alaska Interagency Fire
26 Management Plan.

27
28 **Forest Health.** To improve forest health and vigor by harvesting and replacing mature birch
29 stands with healthy new stands of regrowth, while protecting and maintaining other resource
30 values.

31
32 **Wildlife Habitat Management.** DNR will seek to create, enhance and maintain wildlife
33 habitat consistent with forest management by providing a mosaic of forest stand areas,
34 including some early-successional stages, for the variety of wildlife species that live in the
35 planning area.

36 37 38 **Management Guidelines**

39
40 A systematic program of scheduled timber harvests is appropriate within the planning area.
41 Timber management activities are subject to the following management guidelines.
42 Another important component of the state forestry program within the planning area is fire
43 management. A management guideline is included that describes the broad aspects of this
44 program. The implementation of the state fire management program is identified and
45 controlled in detail by the Alaska Interagency Fire Management Plan.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40

A. Timber Harvest Guidelines

- 1) All timber harvest activities must be compatible with the general management guidelines of this section and with the management intent statements and land use designations identified in specific management units of this plan found in Chapter 3. Systematic timber harvest programs are to be conducted in areas designated Forestry. Forest harvest operations conducted on a parcel of state land intended for subdivision development by DNR can precede actual construction. However, these operations must be consistent with the subdivision plan for the parcel; consultation with DMLW is required before commencing operations.
- 2) Timber harvest operations will be conducted in accordance with the stipulations in the Forest Land Use Plan, the Five Year Schedule of Timber Sales, the Alaska Forest Resources and Practices Act (AS 41.17 & 11 AAC 95), the Alaska Land Act (AS 38.05 & 11 AAC 71), Susitna Forest Guidelines⁵, and other pertinent state guidelines and laws. The Forest Practices Act provides statewide policy and regulatory authority for managing forestry related activities. The Susitna Forestry Guidelines provide specific management guidance for timber harvest layout in the Susitna Valley, which are in addition to the requirements of the Forest Resources and Practices Act. The specific layout and other site-specific requirements of a timber sale is addressed through a Forest Land Use Plan (FLUPs), which is prepared prior to any commercial timber harvest or sale (AS 38.05.112).

FLUPs developed for timber sale or harvests in the planning area are to be consistent with the Forestry Management Guidelines of this Chapter and the Management Guidelines specified for particular parcels in Chapter 3. FLUPs shall consider, in their preparation, the sensitive resources and wildlife, or any other significant factors, identified in the Management Guidelines for a parcel.
- 3) This area plan establishes the geographic areas to which the Susitna Forest Guidelines apply. The Guidelines apply to those management units in this plan that are designated Forestry or co-designated Forestry in the SMAP. If there is inconsistency between the requirements of this plan and the specifics of timber harvest and harvest layouts, the Guidelines apply. The Susitna Matanuska Area Plan, however, shall be used as the basis for the determination of the areas appropriate for timber harvest within the planning area and for the calculation of sustained yield estimates within the Susitna Valley.

B. Timber Salvage From Rights-of-Way. Timber with commercial or personal use value should be salvaged from lands that are to be cleared for other uses such as roads, transmission lines, material sites, mining, and habitat enhancement projects (AS 41.17.083). The DMLW Regional Manager shall determine the amount and kind of material that is to be

⁵ Or successor management plans. Note: This comment applies to all other references to Susitna Forest Guidelines made in this section.

1 salvaged and shall coordinate with DOF on timber salvage operations having commercial
2 value.

3
4 **C. Personal Use Wood Harvest.** When forested lands are available near communities and
5 where personal use harvest is consistent with other purposes for which the land is being
6 managed, DOF may provide wood products for personal use. This program will only be
7 undertaken, however, if it can be effectively and efficiently administered by DOF. In areas
8 designated for settlement, personal use forestry permits may be issued by Division of
9 Forestry after consultation with DMLW's Land Sales Section to assure compatibility with
10 future land sales

11
12 **D. Sustained Yield of Forest Resources.** Forestland will be managed to guarantee
13 perpetual supplies of renewable resources to serve the needs of all Alaskans for the many
14 products, benefits, and services obtained from them. The annual allowable harvest will be
15 calculated using the area control method and will be based on the guidelines in Susitna
16 Forestry Guidelines. Only areas designated or co-designated 'Forestry' are to be included in
17 the sustained yield calculation for stands within the SMAP planning area.

18
19 **E. Salvage of Damaged Trees.** Trees damaged due to fire, wind throw, insects or disease,
20 or other causes may be salvaged on all land use designations unless management intent
21 statements for specific management units in Chapter 3 specifically prohibit salvage harvest.
22 A Forest Land Use Plan, if required, will provide the rationale for conducting the salvage
23 harvest and describe how the action will not conflict with the management intent for each
24 management unit.

25
26 **F. Fire Disturbance.** The intent of fire management is to identify where wildland fire can
27 be allowed or managed fires can be used to reduce costs of fire suppression, reduce the risk
28 of damaging fires, and maintain the natural diversity and productivity of forest stands. Fire
29 suppression will be a priority near residential areas or other forms of active land use, high
30 value recreation use areas, and areas with infrastructure development. Consistent with
31 AS 41.15.010 and AS 41.15.020, DOF will protect forest resources from destructive agents
32 commensurate with the values needing protection. However, where feasible, wildland fires
33 will be allowed to burn and suppression will be limited to decreasing the long-term risk of
34 damaging fires and to maintaining the natural diversity of forest stands, stand ages, and
35 habitat types. Where soil erosion is not a concern, habitat enhancement techniques that may
36 be appropriate. Ground scarification to ensure exposure of mineral soil, a substrate essential
37 to the natural regeneration of early successional browse species, may be appropriate for use.
38 Specific fire suppression levels are identified in the Alaska Interagency Fire Management
39 Plan.

40
41 **G. Wildlife Habitat.** Forest management is an important tool for improving wildlife
42 habitat. DOF will consult with ADF&G's local biologist during the planning stage of timber
43 harvest layout and in the preparation of the Forest Land Use Plan in order to receive guidance
44 on wildlife habitat enhancement opportunities. Trees and vegetation may be manipulated by
45 cutting, crushing, harvesting, or burning to provide or improve wildlife habitat.

1
2 **H. Creation of a State Forest.** This plan recommends that consideration be given to the
3 establishment of a state forest within the Susitna Valley as a Legislatively Designated Area.
4 This recommendation encompasses the forest resources that are identified in this plan (see
5 Map 2-1) but also in the recently adopted Southeast Susitna Area Plan, where extensive
6 forest resources also exist. State forests are multiple use in terms of overall management,
7 providing for areas of public recreation and the protection of key habitat areas, while
8 providing a more vigorous approach to the management of forest stand resources as ‘working
9 forests’ within the Susitna Valley. This recommendation applies to those management units
10 in both plans that are designated or co-designated Forestry and those units that are designated
11 General Use in SSAP where the management intent for the unit identifies timber harvest as
12 an appropriate use.

13
14 **I. Maintenance of State Land Base.** Land designated or co-designated Forestry is to be
15 retained by the state and is not to be converted to another designation. If the latter is
16 considered necessary, a public hearing is to accompany the plan amendment. It is the policy
17 of this plan that such conversions not be considered until the plan is revised through a
18 comprehensive plan revision process.

19
20 **J. Coordination with Borough Forest Management Plans and Programs.** Prior to the
21 preparation of the (annual) Five Year Schedule of Timber Sales and the development of a
22 Forest Land Use Plan, DNR should coordinate with the Borough’s forest management
23 program and plan to obtain maximum efficiencies and avoid management conflicts over the
24 harvesting of timber and land use.

25
26 **K. Development of Forest Resources Management Plan.** A substantial portion of the
27 planning area, totaling approximately 685,000 acres, in the Susitna Valley is classified
28 Forestry in this plan. This area mostly occupies the more central parts of the Susitna Valley.
29 These lands, under Title 38, are required to be managed in a sustained manner while
30 providing for multiple uses and protection of the environment. Multiple uses include public
31 recreation, water resources, and wildlife/fisheries resources and their associated habitat.
32 While this plan assigns a Forestry designation to this area and provides some management
33 for timber harvest, it is largely silent on other aspects of the management of this large area.
34 Given the importance of this area’s varied resources, DOF and DMLW, in consultation with
35 ADF&G, will jointly prepare a forest resources management plan for this area in order for its
36 resources to be more comprehensively and effectively managed, consistent with the concept
37 of a ‘working forest’. The development of a forest resources management plan is consistent
38 with the recommendation in this plan to establish, through legislation, a Susitna State Forest;
39 the backbone of which would be those areas designated Forestry in this plan and in the
40

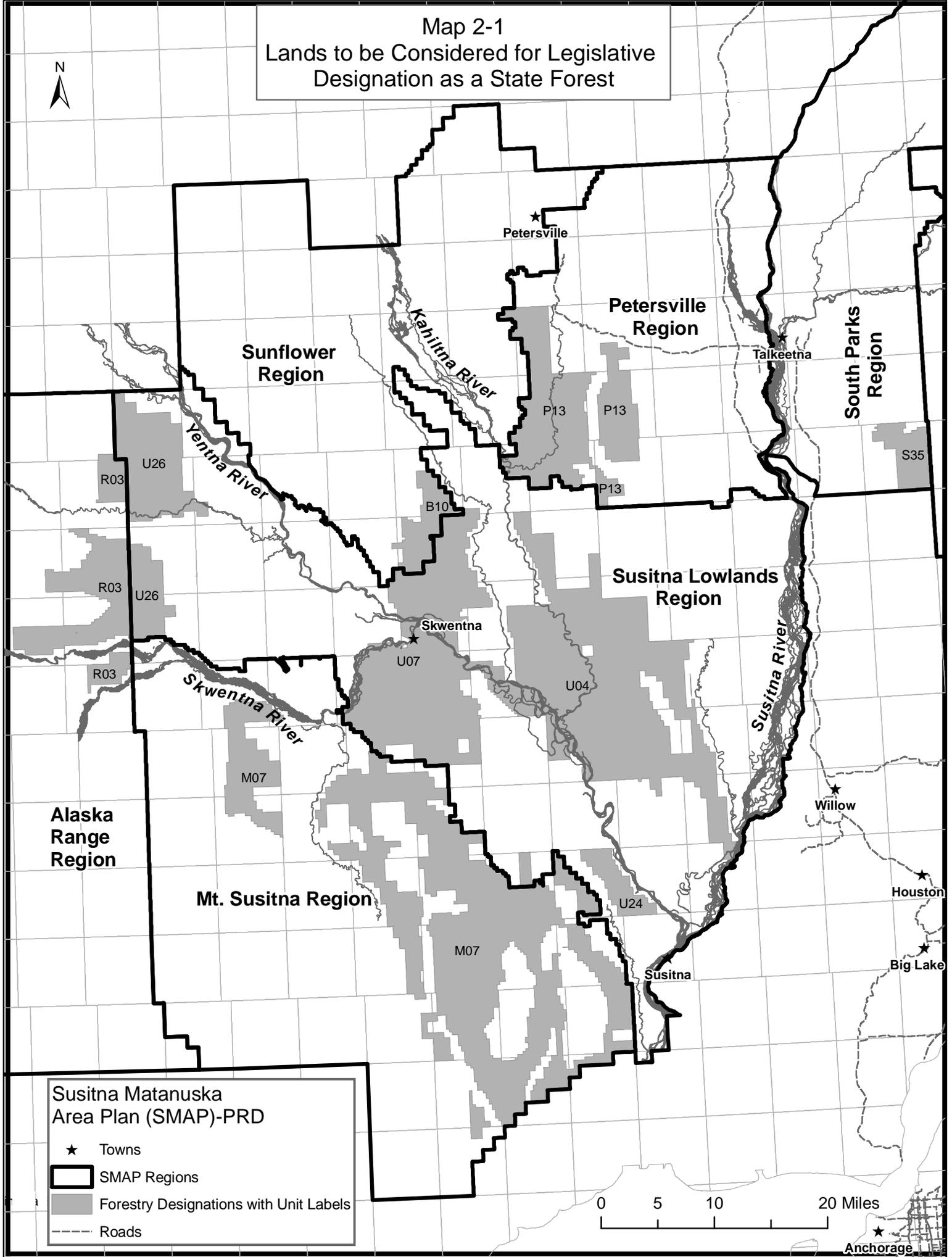
1 recently adopted Southeast Susitna Area Plan. However, such a plan is considered
2 appropriate whether or not a state forest is legislatively designated within the areas
3 designated Forestry in this plan. When adopted, the forest resources management plan will
4 supersede the Susitna Forest Guidelines.

5

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

9

Map 2-1
Lands to be Considered for Legislative Designation as a State Forest



Susitna Matanuska Area Plan (SMAP)-PRD

- ★ Towns
- ▭ SMAP Regions
- Forestry Designations with Unit Labels
- - - Roads

0 5 10 20 Miles

★ Anchorage

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39

Instream Flow

Goal

In-stream Flow. 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 In-stream Flow Reservation (General). Streams, lakes, and other waterbodies may be considered for in-stream flow reservations under AS 46.15.145. Such reservations are intended to maintain a specified in stream flow or level of water at a specified point on a stream or body of water, or a specified part of a stream, throughout the year or for specified times. The purposes of the reservation, defined in statute, include: 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. In-stream flow reservations have been established on portions of the Susitna and Talkeetna Rivers, Kroto Creek, and most of the mainstem of the Yenta River. (see 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 in-stream flows needed to produce fish, sustain water quality, provide for navigation, and/or recreation, should include an evaluation of the need for an in-stream water reservation or other forms of in-stream flow protection.

C. Process for Determining Reservations. Applications for in-stream 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 in-stream flows or levels of water for the purposes to be protected.

D. Other Guidelines Affecting In-stream Flow. Several other guidelines will affect in-stream flow. See other sections of this chapter.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

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 meet long-term economic needs of the area for material resources.

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

Management Guidelines

A. Preferred Material Sites. When responding to a request for a material sale or identifying a source for materials, the highest priority should be given to using existing upland material sources. Using materials from wetlands, lakes, tidelands, and active or inactive floodplain rivers or streams should be avoided unless no feasible public upland alternative exists. As a general policy, sales or permits for gravel extraction will not be permitted in known fish spawning areas or within 150 feet of known spawning areas. 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.

B. Maintaining Other Uses and Resources When Siting, Operating or Closing Material Sites. Before materials are extracted, the adjudicator will ensure that the requirements of the permit or lease adequately protect other important resources and uses. 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 account for the probable 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 pit area should be identified during subdivision design and retained in state ownership for future use.

1 **D. Screening and Rehabilitation.** Material sites shall be screened from roads, residential
2 areas, recreational areas, and other areas of significant human use. Sufficient land should be
3 allocated to the material site to allow for such screening. Material extraction sites adjacent to
4 the Parks Highway shall provide a vegetation buffer of 75' or more. Rehabilitation of the
5 site shall follow the requirements of AS 27.19.020 and 11 AAC 97.250.
6

7 **E. Protection Area Adjacent to Anadromous Waterbodies.** A riparian buffer of at least
8 150' shall be provided adjacent to anadromous waterbodies. The adjudicator is to review the
9 DMLW on-line procedures pertinent to riparian buffers and Management Guidelines G and
10 H in the 'Shorelands and Stream Corridors' section of this chapter prior to issuing an
11 authorization or disposing of an interest in state land.
12 .

13 **F. Coordination with Matanuska-Susitna Borough.** Prior to granting authorizations for
14 material sales, the DNR should coordinate with the Matanuska-Susitna Borough to determine
15 applicable local land use requirements.
16

17 **G. Other Guidelines Affecting Materials.** Other guidelines will affect the use of material
18 resources. See other sections of this chapter.
19

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

Recreation and Scenic Resources

Goal

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

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

Management Guidelines

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

B. Roles of Different Public Land Owners in Providing Public Recreational Opportunities. Generally, the state’s role is to retain and manage land supporting recreational opportunities of regional or statewide significance. The state and federal 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 SMAP, the determination of particular sites is
39 impractical, although such uses are generally appropriate within most plan designations,
40 except Agriculture and Water Resources. Authorizations under AS 38.05.073 must evaluate
41 the adequacy of the proposed recreation facility, and a final site determination and best
42 interest finding must support this determination. Any amendments to the SMAP 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. Consultation with ADF&G.** Consult with ADF&G in the siting of facilities where fish
15 and wildlife species or important habitats are likely to occur.
16
- 17 **I. Other Guidelines that Affect Recreation, Tourism, and Scenic Resources.** Other
18 guidelines will affect recreation, tourism, and scenic resources. See other sections of this
19 chapter.
20

Settlement

Background

The development of the Susitna Valley over the past 25 years has been accompanied by extensive residential development, with much of it occurring along and near the Parks Highway. Most of this development has taken place in that part of the Parks Highway south of the Parks Highway-Talkeetna Spur Road intersection, most of which is outside of the planning boundary. However, considerable growth has also characterized those areas within the planning boundary that are served by road access or, less frequently, float plane or ORV access. Residential growth has been particularly marked within the planning area along the Talkeetna Spur Road, the Parks Highway along and near Trapper Creek, and along and adjacent to the Petersville Road, and the Glenn Highway between Sutton and Chickaloon. Areas lacking immediate road access have experienced much less growth and, where it has occurred, it often has coincided with lakefront and stream front property or with areas having scenic views.

It is likely that the next 25 years will see the further development of residential uses in the Susitna Valley, with the location and density of such uses the result of road access, favorable soils and terrain, and Borough platting requirements. It is likely that much of this growth will occur in those regions that have or will have ready access to the Parks Highway, Talkeetna Spur Road, or the Alaska Railroad. Therefore, the North Parks Highway, South Parks Highway, Glenn Highway, and Petersville regions are more likely to experience such growth.

The Settlement designations in this revision of the Southeast Susitna Area Plan total approximately 686,212 acres or about 13% of the total state land inventory within the plan boundary. This is about the same amount of land in the Settlement designation as in the original 1985 Susitna Area Plan. Settlement areas primarily occur in the more accessible and better drained uplands in the South Parks Highway, Petersville, Glenn Highway, and North Parks Highway regions. Although other regions, especially those west of the Susitna River, contain significant concentrations of Settlement, the amount of growth is less likely and will occur at lower levels of density than in the more accessible areas.

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

1 It should be noted that the Matanuska-Susitna Borough (MSB) has developed and will
2 continue to develop local comprehensive plans for specific parts of the Borough. These are
3 intended to identify preferred land use patterns and development stipulations. DNR reviews
4 these plans in the course of developing management plans or area plans, and often makes use
5 of their recommendations. However, while community comprehensive plans can make
6 recommendations for state lands within their planning areas, they cannot establish land use
7 designations or other planning requirements for state land. State land use designations are
8 decided on a regional basis through the state planning process and local plans do not
9 supersede state plans for the use of state lands.

12 **Goals**

14 **Private Land Ownership.** Provide suitable public land for transfer to private ownership for
15 settlement purposes. DNR will attempt to satisfy three settlement categories within the
16 planning area:

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

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

41 **Protection of Critical Recreational Areas, Environmental Resources, and Habitats.**
42 Sensitive environmental features, habitat resource areas, and areas (or corridors) used by
43 local residents for recreation purposes will be taken into consideration in subdivision design
44 and subdivisions should be developed to protect or maintain these features. Vegetated

1 wildlife migration corridors, riparian buffers, and retained open space should also be
2 considered when there is also a high value for fish and wildlife resources in the areas.
3 Subdivisions should be developed to protect or maintain these features. Refer to the
4 ‘Shorelands and Stream Corridors’ section of this chapter for guidance on the management of
5 riparian areas.

6
7 **Fiscal Impacts.** Land disposals should be sited and planned to minimize the costs of
8 infrastructure and other services resulting from settlement. Disposals should be focused on
9 areas of existing settlement; areas along the road system or a waterway that can be easily
10 accessed by water transport; or areas where service requirements may be provided by local
11 government or community organizations.

12
13 **Coordination with Local Governments and Landowners.** Where state land adjoins
14 Borough land and where both areas are designated for Settlement, consideration should be
15 given to the coordination of land disposal programs in order to achieve economies of scale
16 and reduce infrastructure costs. Coordinate state land offering programs with similar
17 programs of local governments and major landowners to best achieve common objectives.

18 19 20 **Management Guidelines**

21 22 **A. Planning and Coordination.**

- 23
24 1) **Competition.** The state may compete with the private sector or local governments if
25 necessary to satisfy demand, provide market choice, or moderate unreasonably high
26 prices.
- 27 2) **Local Plans.** DNR will comply with provisions of the Borough comprehensive plan
28 and zoning ordinance (if applicable) regarding the location and density of land
29 development except to the extent that local requirements are inconsistent with a major
30 overriding state interest.
- 31 3) **Coordination with Local Governments.** Where state land adjoins Borough land
32 and where both areas are designated for Settlement, consideration should be given to
33 the coordination of land disposal programs in order to achieve economies of scale and
34 reduce infrastructure costs.
- 35 4) **Pacing.** Settlement offerings may be phased over 20 years, the life of this plan. The
36 timing and extent of disposals will depend upon anticipated demand, availability of
37 funding, the rate of community expansion, the availability of or costs to provide
38 necessary infrastructure, and the particular land requirements of such expansion.
39 Another factor may be whether the disposal will generate a demand for services that
40 cannot be reasonably expected to be met by local government or community
41 organizations.

42

1 **5) Areas Designated General Use.** The large areas of state land that are designated
2 General Use (about 1,324,600 acres) are generally not suitable for development
3 during the planning period. Most General Use areas are remote and generally
4 unsuitable for residential development because of the presence of adverse
5 topography, drainage, and extensive areas of wetlands that adjoin these areas. This
6 makes the uplands within the General Use areas difficult to develop because of the
7 costs and difficulty of road construction in the adjacent wetlands. For these reasons,
8 residential development during the planning period in areas designated General Use is
9 considered generally inappropriate except in those areas that adjoin parcels
10 designated Settlement, where road access has been provided to adjoining properties,
11 or for remote land disposals that are not dependent upon access.

12 **6) Ensure Access to Remote Settlements.** Because of the scale of area plans, it is not
13 practicable to identify access corridors to Settlement areas adjoined by state land.
14 This plan intends that access be available and provided to state land disposals across
15 state land. This access is to be provided even if the plan designation may differ from
16 that of Settlement.

17 The state should continue to coordinate with the MSB on the identification and
18 dedication of trailheads and trail easements that provide access to remote/recreational
19 parcels off the road system. As part of the development of remote settlement areas,
20 DNR should consider the provision of staging areas, parking areas, and/or trailheads
21 in order to accommodate landowners parking vehicles and other equipment while
22 accessing their remote parcels. ADF&G should be consulted to ensure there will be
23 no habitat associated impacts from parking areas or trailheads.

24 **7) Maintenance of State Land Base.** Areas designated Settlement in the area plan are
25 intended to provide a land base for DNR's long term land disposal program and are
26 not to be converted to other land use classifications. Departures from this standard
27 will require a plan amendment and a public meeting.

28
29 **B. Types of Settlement Land and Land Offerings.** The nature of state land available for
30 private ownership is influenced by both the characteristics of land designated for settlement,
31 and the type of land sales program that makes it available. The Susitna Matanuska Area Plan
32 designates certain lands for settlement and provides guidelines for land sales and, in certain
33 instances, will designate certain management units for remote staking. The designation of
34 remote staking areas in this plan is made when an established pattern of this settlement form
35 has already occurred; for this reason, additional development, to achieve compatibility in
36 land use type, is appropriately the remote staking type. In other instances, the plan does not
37 provide a recommendation for a particular form of settlement. This situation exists when it is
38 equally probable that one or the other, or both forms, of settlement can be developed within a
39 management unit. Many management units are quite large and could accommodate both
40 types of settlement. In these instances the plan is silent as to type of settlement and the
41 decision on type is to be made in the context of the Preliminary Decision.

1 **C. Protection, Management, and Enhancement of Other Resources.**

2
3 **1) Protect Life and Property.** DNR should design and develop subdivisions to protect
4 life and property. Sensitive areas such as wetlands or potentially dangerous areas
5 such as areas with unstable soil, riverbanks subject to active stream erosion, or within
6 floodways or floodplains, should be avoided in subdivision design or protected by
7 retaining these areas in state ownership or restricting their use through developmental
8 reservations or restrictions. Wildland fire risks in areas with heavy fuels such as
9 black spruce need to be considered during early decision-making on subdivision
10 development. Easements or plat notes can be used for this purpose in lieu of retaining
11 land in state ownership.

12 **2) Protect and Manage Valuable Environmental Areas.** The state will provide, in its
13 design of land disposals, an open-space system to preserve important fish and wildlife
14 habitats and natural areas such as shorelands, freshwater wetlands, and riparian lands.
15 Where appropriate other design and management approaches may be used; these may
16 complement an open space system or substitute for it, although preference should be
17 given to the provision of an open space system.

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

21 **3) Priority of Public Uses in Stream Corridors.** Within stream corridors, DNR will
22 set a higher priority on protecting public use values than on providing opportunities
23 for private ownership of land. Disposals near streams with important recreation value
24 will be designed to protect riparian habitat and protect access to and along the stream
25 for fishing, hiking, camping, and other recreational activities. Disposals near streams
26 that have important fish or wildlife habitat or wildlife value will be designed to insure
27 the protection of the habitat or wildlife. In certain limited cases, it may be
28 appropriate to provide land for private use, but such an action must be in the overall
29 best interests of the state. Before lands are disposed of in stream corridors, DNR will
30 assess existing and projected public use needs associated with the stream corridor, in
31 consultation with other affected agencies and the public. Depending on the context,
32 DNR may either protect these areas through retaining land in state or public
33 ownership or through the imposition of a reservation of an interest in land for the
34 maintenance of riparian values and access.

35 In making determinations as to whether a riparian area should be protected and the
36 manner of that protection, adjudicators are to consult the DMLW on-line procedures
37 for riparian areas and Management Guidelines G and h of the 'Stream Corridors and
38 Shorelands' section of this chapter. These procedures emphasize retaining such areas
39 where a significant public interest or value exists, which is often common in riparian
40 areas.

41

1 **4) Protect and Enhance Scenic Features.** DNR will design and develop subdivisions
2 to protect or maintain unique geologic and scenic features such as cliffs, bluffs, or
3 waterfalls. These areas should be avoided altogether or protected in subdivision
4 design and development through the use of reservations or plat restrictions. Where
5 scenic views exist, lots should be oriented to this feature.

6 **5) Mineral Closing Orders.** Generally, state upland parcels designated Settlement do
7 not coincide with patterns of historical or potential mining activity in the planning
8 area. Since little potential conflict is expected to exist, this plan does not create any
9 new Mineral Closing Orders or Leasehold Location Orders. However, Mineral
10 Closing Orders are recommended for use at the time that an area is being considered
11 for disposal for purposes of settlement or other forms of development that would be
12 inconsistent with mining activity. The timing of the closure is at the discretion of the
13 Department, but should be early enough in the process to avoid the inadvertent
14 staking of mining claims. The current Mineral Closing Orders affecting existing
15 areas of settlement or proposed settlement will be retained.

16 **6) Timber Harvest.** Timber harvests are considered appropriate in areas designated
17 Settlement if intended to support the costs of subdivision development, provide
18 access to the subdivision, or provide ancillary facilities subject to the other
19 requirements of the Forestry standards in this Chapter. Timber harvests may also be
20 appropriate for purposes of forest health or the clearing of right-of-way. The elective
21 harvesting of timber before subdivision development is considered appropriate, after
22 consultation with the Land Sales Section and if authorized by the Regional Manager,
23 SCRO.

24 **7) Protect and Enhance Recreational, Educational, and Cultural Opportunities.**
25 DNR should determine the need for and retain appropriate areas for outdoor
26 recreation, hunting, fishing, trails, campsites, boat launches, historic sites, and areas
27 for scientific study. Areas for intensive and dispersed use will be preserved.

28 29 **D. Design.**

30
31 **1) Provide State Land for Important Environmental and Resource Development**
32 **Purposes.** DNR, as a general policy, should retain appropriate green belts, public-use
33 corridors, water supply areas, riparian and coastal buffer areas, wildlife migration
34 corridors, public access sites, material sites, roads and other public facilities, as well
35 as other open space to create a desirable land use pattern in developing areas. Where
36 appropriate other design and management approaches may be used; these may
37 complement retained areas or substitute for them.

38 Generally, however, subdivision design should provide for the creation of an open
39 space system designed to protect or maintain important uses and values. Depending
40 on the context, DNR may either protect these areas through retaining land in state or
41 public ownership or through the imposition of a reservation of an interest in land for
42 the maintenance of riparian values and access.

- 1 **2) Cost of Public Services.** In accordance with AS 38.04.010, DNR will focus year-
2 round settlement to areas where services exist or can be provided with reasonable
3 efficiency. State land that is located beyond the range of existing schools and other
4 necessary public services or that is located where development of sources of
5 employment is improbable will be sited and designed to encourage seasonal use with
6 sufficient separation between residences so that public services will not be necessary
7 or expected. Wildfire management costs that result from settlement will be
8 considered and minimized to the extent feasible.
- 9 **3) Ensure Access.** DNR should ensure that legal, practical public access (roads, trails,
10 or other options most appropriate to the particular situation) is identified and reserved
11 to and within land offerings. However, the state is not legally obligated to construct
12 roads. In instances where a subdivision or other development is to abut a major
13 arterial, the location of driveway and main road access is to be coordinated with
14 ADOT/PF and other approving agencies. Section line or other easements should not
15 be relied on for access without field inspection of the practicality of such routes,
16 where topography or other conditions might make the practicability of the section line
17 location suspect. Identified access routes should be described in the land-offering
18 brochure. Where needed to reduce the likelihood of conflicts with existing private
19 owners, DNR may brush or flag public access routes to land offering projects.
- 20 **4) Subdivision Design.** Subdivisions will be designed to preserve and enhance the
21 quality of the natural setting and the recreational opportunities that make an area
22 attractive to potential buyers. State subdivision design will take account of site
23 limitations and opportunities such as slope, drainage, soils, erosion, riparian zone and
24 coastal buffer, and other features to ensure that sites offered are buildable and can be
25 developed without the need for extensive public infrastructure. Riparian buffers and
26 building setback shall be imposed on all disposals. DNR should review Borough
27 subdivision requirements prior to the initiation of subdivision design. See also design
28 requirements described in C(1) and D(1), described previously, and Management
29 Guidelines G and H in the ‘Stream Corridors and Shorelands’ section of this chapter.

30
31 **E. Other Guidelines Affecting Settlement.** Other guidelines will affect settlement. See
32 other sections of this chapter.
33

Shorelands and Stream Corridors

Goals

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

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

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

Water Dependent and Water Related Uses. Provide for needed water dependent and water related uses.

Management Guidelines

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

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

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

C. Public Access Adjacent to Waterbodies. Pursuant to AS 38.05.127, legal public access will be reserved in order to protect the public's right to travel to and along the ordinary high water (OHW) of a waterbody without encouraging trespass. Permits, leases, and plans of

1 operation for commercial and industrial uses, transportation facilities, pipelines and other
2 water dependent uses may be authorized on state uplands adjacent to waterbodies if their
3 activities are consistent with the management intent for the area and if they maintain tideland
4 and stream bank access, and protect important fish and wildlife habitat, public water supplies,
5 and public recreation. Trails and other forms of non-motorized public access are generally
6 considered to be appropriate within these areas, if they meet the conditions listed in
7 11 AAC 96.025.

8
9 Where feasible and prudent, there should be setbacks between these activities and adjacent
10 waterbodies. The width of this setback may vary depending upon the type and size of the
11 use, but must be adequate to maintain public access to and along riparian areas. The amount
12 of impervious surface created within the riparian area should be minimized.

13
14 **D. Protection of Land Adjacent to High Value Waterbodies.** When the management
15 intent for state land adjacent to waterbodies (including shorelands, streams, or lakes) is to
16 protect wildlife habitat, anadromous or high value resident fish streams, or provide for
17 intensive recreation uses associated with fishing, picnicking, hunting, camping, or other
18 similar uses, the state should retain ownership of the adjacent uplands. Alternatively, to
19 minimize on-going management responsibilities or for some other public purpose, a riparian
20 buffer should be imposed. See Table 2-1 for requirements related to ‘riparian buffers’. In
21 instances involving a land disposal, the area of a riparian buffer may be reserved as public
22 open space to be maintained by a common interest association. Whichever method is chosen,
23 they should be designed to minimize negative impacts on visual character, habitat value,
24 water quality, and ensure public access.

25
26 In making determinations as to whether a riparian area should be protected and the manner of
27 that protection, adjudicators are to consult the DMLW on-line procedures for detail. These
28 procedures emphasize retaining such areas where a significant public interest or value exists,
29 which is often common in riparian areas.

30
31 State owned buffers or riparian buffers may be retained along the full length of the water
32 body or on segments of the water body determined to have high current or future use, public
33 use, or to require habitat protection. If the intent is to provide forested wildlife habitat, the
34 width and configuration of this buffer shall be determined during preliminary subdivision
35 design or in the preparation of the Forest Land Use Plan. Consult with ADF&G.

36
37 **E. Retention of Access Easements Adjacent to Waterbodies.** For waterbodies that are
38 not anadromous and where the primary management intent is to protect the public’s right to
39 travel or provide access for utilities, a public use easement under AS 38.05.127 (‘to and
40 along’) should be imposed. The public rights retained in an easement shall be identified and
41 noted in the DNR decision document and on the subdivision plat. In areas that may be
42 sensitive to vehicular travel, the easement should be reserved for pedestrian access only.
43 Access easements may be used in combination with state land that is to be retained for public
44

1 use or for the protection of environmental resources. In these situations, easements may be
2 used to provide access to areas of state retained sensitive land, or provide access corridors
3 between lots or parcels within the subdivision.
4

5 In making determinations as to whether a riparian area should be protected and the manner of
6 that protection, adjudicators are to consult the DMLW on-line procedures manual for detail.
7 These procedures emphasize retaining such areas where a significant public interest or value
8 exists, which is often common in riparian areas.
9

10 **F. Protection Easements and Setbacks to Non-Anadromous Waterbodies.** Easements⁶
11 or building setbacks⁷ may be used in those instances where public recreation use is moderate
12 or where sensitive habitat or other environmental resources exist but are not of the same
13 importance as described under Management Guideline D. See the requirements for
14 ‘Sensitive Environmental Areas’ in Table 2-1 when an easement is to be applied. The
15 purpose of the easement or setback should be noted in the Department decision document,
16 and on the subdivision plat. Where a protection easement or setback is to be applied,
17 vehicular use within the area of the easement is inappropriate and should not be authorized.
18 Building setbacks may be used in lieu of a protection easement in those instances where it is
19 not appropriate or necessary for the state to retain any easement rights *or* they may be used in
20 combination with buffers, access easements, and protection easements. Building setbacks
21 used in this fashion provide an added level of protection. See the requirements for ‘Building
22 Setbacks’ in Table 2-1.
23

24 **G. Lakeshore Public Access.** A portion of the lakefront on lakes greater than 10 acres that
25 have or may be expected to have public recreation and all inlets and outlets of lakes of this
26 size and capable of sustaining year-round natural or stocked game fish species shall remain in
27 public ownership for habitat protection and public recreation. Adequate public access to
28 these lakes shall also remain in public ownership or is to be provided through section line or
29 ‘to and along’ easements. The amount of public ownership may vary on a site specific basis,
30 but, at a minimum, some portion of these lakes shall remain public. The size of the public
31 reservation shall be appropriate to its expected long range recreational use and relative to the
32 size of the lake. A width of 150’ or more measured from OHW is to be retained or protected
33 through an easement along inlet and outlet streams⁸. Public use sites on lakes of 10-20 acres
34 shall have at least 4 contiguous acres reserved for public access. For lakes larger than
35 20 acres a public use site of at least 6 acres shall be provided.
36
37

⁶ These areas are often referred to as ‘protection areas’ in the management units described in the Resource Allocation Tables on Chapter 3.

⁷ The Borough applies a setback of 75’. Setbacks applied to state land shall at least be this width.

⁸ As measured from each bank of the inlet/outlet stream. This requirement applies whether or not the stream is anadromous.

H. Buffer, Easement, and Building Setback Widths.

- 1) The width of state retained land, access and protection easements, and building setbacks adjacent to waterbodies (tidelands, lakes, streams) will vary, depending on whether the area is a retained parcel or imposed easement, and according to management intent and the specifics of the parcel under consideration. In addition, this width may vary along the area of the tideland, stream, or lake that is to be protected. Establishing widths, especially for publicly retained lands, will be based on the following considerations: recreational activities to be accommodated, floodway and floodplain widths, habitat protection and management objectives, visual quality, use compatibility, prevention of erosion, or retention of a significant hydraulic resource (like a wetland).
- 2) Although these widths may vary, the following criteria are provided to establish the minimum width that can be expected on various types of buffers, easements, and setbacks. They are specified here in order to establish some consistency in application and ensure a minimum level of resource and habitat protection or public access. Distances are measured landward from ordinary high water along streams and other inland waterbodies and from the line of mean high water adjacent to coastal waters. Because of the linear nature of streams and certain other habitat or hydraulic features, these minimum dimensions will apply to both sides of the feature that is to be protected. For example, the total protected area along a stream with a 100 foot setback would be 200 feet (100 feet each side).

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

 - a) Riparian buffers on retained⁹ public land along anadromous and high value resident fish streams and waters: 150 feet along each side of the anadromous waterbody or high value resident fish stream. (Widths greater than this amount, up to 300 feet, may be authorized if, after consultation with ADF&G, it is determined that larger widths are necessary to protect fisheries, wildlife, or habitat).
 - b) Buffers on other freshwater waterbodies on retained public land: 50 feet along each side of the stream or 50 feet along the shoreline of lakes.
 - c) Easements¹⁰ used in areas of sensitive environmental features: 50 feet on each side of important environmental features, such as high value wetlands. Distances greater than 50' (up to 100') may be appropriate if the feature being protected is considered to be especially sensitive to disturbance and is considered a

⁹ In those instances where state land adjacent to an anadromous is not to be retained by the state, a non-development easement or buffer should be applied. Uses within these easements shall be as noted in the following table or as specified in regulation.

¹⁰ These areas are sometimes referred to as 'protection areas' in management unit descriptions in Chapter 3.

1 particularly high value resource; such features might include lacustrine and
2 riverine wetlands, springs, salt licks, or geologic hazards requiring additional
3 distance separation for public safety. Consult ADF&G if there is a question as to
4 whether a width greater than 50' should be considered.

5 d) Public access easements, including 'to and along' easements required under
6 AS 38.05.127, or utility easements adjacent to tidelands, lakes, and streams:
7 50 feet.¹¹

8 e) Building setbacks: 150 feet adjacent to anadromous and high value waterbodies
9 and 75 feet adjacent to all other waterbodies. The use of a building setback is
10 usually not required if a 'riparian buffer' is being imposed in an authorization.
11 Riparian buffers preclude principal and most accessory structures within the
12 riparian area; only water dependent uses are authorized in these areas. For more
13 detail see 'riparian buffer' in Table 2-1.
14

15 **I. Application Requirements for Easements and Buffers Along Waterbodies and**
16 **Related Environmental Features.** Table 2-1 specifies widths and other requirements for
17 easements, buffers and public access in order to ensure consistency between authorizations
18 along waterbodies and related environmental features. The table captures the information
19 provided in Management Guideline H but also provides guidance on when these
20 requirements are to be applied as well as aspects related to types of uses that may be
21 appropriate.
22

23 On a case-by-case basis, widths may be wider, in order to accommodate floodplain width,
24 bank characteristics, size of the waterbody, extent of present or expected future public use,
25 the need to protect important environmental features, or other relevant factors. Similarly,
26 widths can be narrower on a case-by-case basis if it is determined that the harm intended to
27 be avoided by the requirement is not likely to occur because of site-specific circumstances.
28 However, the strip of land must be of sufficient width to allow for public access as well as to
29 screen the waterbody from development, where possible, with an undisturbed strip of
30 vegetation. In all instances, requirements for easements shall be noted on the lease, patent or
31 subdivision plat. This requirement also applies to easements described in Management
32 Guideline H.
33

34 **J. Other Guidelines for Shorelines and Stream Corridors.** Other guidelines will affect
35 shorelines and stream corridors. See other sections of this chapter.
36

¹¹ Other types of utility easements may be less than this width, depending on the purposes of the easement.

1 **Table 2-1: 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>1. Public Access (To and Along Easement) Adjacent to all navigable waters or public waters as determined under 11 AAC 51.035¹².</p>	<p>50feet * Landward from ordinary high water line. ** Landward and seaward from mean high water line.</p>	<p>Along: * Lakes * Streams ** Tidelands</p>	<p>Provide public access along navigable and other waterbodies.</p>	<ul style="list-style-type: none"> Prohibited: Water Dependent¹³ or Water Related¹⁴ 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. Allowed: Water Dependent or Water Related structures that would not significantly obstruct passage by the public within the area of the easement. 'Along' easement is to be continuous unless topography or land status prevents a continuous easement. See 11 AAC 51.045. 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. 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.
<p>2. Riparian Buffers Adjacent to anadromous water bodies and high value fish streams.</p>	<p>100' to 150' * Landward from ordinary high water line. ** Landward and seaward from mean high water line.</p>	<p>Along: * Retained public land * 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"> 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 areas greater than 60' measured from OHW. Prohibited: Water related uses within the first 60 feet measured from OHW. <p>Note: the requirements for an 'along' easement also apply within the 50' of OHW.</p>
<p>3. Freshwater Waterbodies Buffer Adjacent to waterbodies that are not protected under #2 but where a significant public use or resource is determined to exist.</p>	<p>100 feet * Landward from ordinary high water line along streams and lakes that are not covered in item #2 but are considered to have public significance or from the edge of the waterbodies, including wetlands, that are to be protected.</p>	<p>Along freshwater waterbodies that are determined to have public significance but where the requirements of #2 do not apply.</p>	<p>Protect areas adjacent to freshwater waterbodies that are not important riparian areas but that may be important for other public purposes.</p>	<ul style="list-style-type: none"> Prohibited: Water Related structures and uses. Allowed: Water Dependent structures and uses. Can be imposed in instances where the To and Along Easement is not applicable if necessary to meet the 'Primary Purpose' of protecting a significant public use or resource. Areas greater than 100 feet may be imposed on a case-by-case basis.

¹² 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.

¹³ 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. 11 AAC 112.990(31).

¹⁴ 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 water body, would result in a public loss of quality in the goods or services offered. 11 AAC 112.990(32).

Guideline/ Application	Minimum Width/ Measured from	Where it Applies	Primary Purpose	Guidelines
4. Sensitive Environmental Features Buffer	50 feet *** 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"> • Sensitive environmental features may include wetlands, important upland habitat, prominent scenic features, and the like. • The imposition of this requirement is discretionary. • Prohibited: Residential (or other) structures and associated out buildings but not including utilities or minor accessory structures. • Imposed as a public easement with the previous prohibitions or those prohibitions that may be set by state regulation. • Where this easement is imposed as part of a municipal entitlement action, this width is also 50 feet. • Areas greater than 50 feet (up to 100') may be imposed on a case-by-case basis.
5. Building setback Adjacent to all waters <u>except</u> anadromous and high-value resident fish waters (see guideline 6 below).	75-150 feet * Landward from ordinary high water. ** Landward from mean high water.	Non-anadromous and non-high-value resident fish: * Lakes * Streams ** Tidelands	Protect riparian habitat including access, recreation, and water quality along all waterbodies.	<ul style="list-style-type: none"> • This requirement is imposed where feasible and prudent, and necessary to protect public values along the stream. • Does not apply to exceptions listed at bottom of table. • The imposition of this requirement is discretionary. • Areas greater than 100 feet may be imposed on a case-by-case basis.
6. Building setback Adjacent to anadromous and high-value resident fish waters.	150-200 feet * Landward from ordinary high water. ** Landward from mean high water.	Anadromous and high-value resident fish: * Lakes * Streams ** Tidelands	Protect riparian fish habitat, water quality, and recreation values along anadromous and high-value resident fish waters.	<ul style="list-style-type: none"> • This requirement may be imposed if necessary to achieve or protect riparian areas or other sensitive environmental features. • Applies only to Water Related uses. Does not apply to exceptions listed at bottom of table. • It is intended that the area of the setback remain vegetated to maintain habitat values or protect riparian areas.

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) Uses that must be in or adjacent to the waterbody in order to function, such as placer mining activities, fish culturing, water supply intakes, and similar uses.

1

2 Subsurface Resources

3

4

5 Goals

6

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

9

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

12

- 13 • transfer of minerals from uplands to transport vessels;
- 14 • disposal of tailings;
- 15 • development of state land and submerged land mining sites; and,
- 16 • siting of infrastructure to support development of mineral resources.

17

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

21

22

23 Management Guidelines

24

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

30

31 **B. Open to Mineral Location.** By statute, all state lands are open to mineral location
32 unless specifically closed. Where an area is open to mineral location, a miner has the right to
33 stake a mining location regardless of the surface use designation or classification. Any
34 adverse effects of mining on surface resources or uses will be managed through compliance
35 with state laws and regulations and borough ordinances and management intent and
36 guidelines in this plan. Reclamation activities are directed by the Mining Reclamation Act
37 (AS 27.19) and regulations (11 AAC 97). (Note: Mineral entry on Alaska Mental Health
38 Trust Land is not authorized without the prior approval of the Trust Land Office of DNR in
39 accordance with 11 AAC 99.) Similar requirements apply to land owned by the University
40 of Alaska.

41

42

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

10
11 **D. Mining in Fish Habitat.** When DNR issues a permit for mining in or adjacent to
12 designated fish habitat, conditions of the permit will require any necessary measures, such as
13 levees, berms, seasonal restrictions, and settling ponds that will allow the operation to meet
14 water quality standards and statutes and regulations governing the protection of fish¹⁵.
15 Because less than 50% of all anadromous streams are listed within the ADF&G Anadromous
16 Waters Catalog (AWC), DNR should consult with ADF&G prior to the issuance of an
17 authorization where stream channels are present and the likelihood of anadromous or high
18 value resident fish is high.

19 20 **E. Mineral Closures**

21
22 1) **Background.** The decision to apply mineral location closures will be made by the
23 Commissioner of DNR within the standards set by Alaska Statutes. AS 38.05.185(a)
24 requires that the Commissioner determines that mining is incompatible with a
25 significant surface use before an area can be closed to mining. The same section of
26 the statute requires that the Commissioner determine that a potential use conflict
27 exists before imposing leasing requirements for development of locatable minerals.
28 The fact that an area is closed to new mineral location will not be cause for denying
29 access across state land. Mineral closures do not affect valid existing mineral
30 locations.

31 2) **Land Closed to Mineral Entry.** State mining law stipulates that mining must be
32 determined to be in conflict with significant surface uses before an area can be closed
33 to mineral entry (AS 38.05.300). There is little correspondence between the location
34 of state upland parcels designated Settlement and historical or potential mining
35 activity in the planning area. Since little potential conflict is expected to exist, this
36 plan does not create any new mineral closing orders or leasehold location orders. The
37 current Mineral Closing Orders will, however, be retained. These affect extensive
38 areas within the planning boundary, including most legislatively designated areas¹⁶,
39 many areas designated settlement (current and proposed) areas designated forestry and
40 wildlife habitat, and anadromous streams. To determine the location of areas closed
41 to mineral entry in the planning area consult the DNR Alaska Mapper, available on-
42 line at: <http://mapper.landrecords.info/>

¹⁵ Note: Mining in fish habitat requires additional permits from ADEC and ADF&G.

¹⁶ The Nelchina PUA and the Matanuska Moose Range both allow subsurface activity.

1 Mineral Closing Orders are recommended for use at the time that an area is being
2 considered for disposal for purposes of settlement or other forms of development that
3 would be inconsistent with mining activity. The timing of the closure is at the
4 discretion of DNR but should be early enough in the process to avoid the inadvertent
5 staking of mining claims. (Note: Mineral entry on Alaska Mental Health Trust Land
6 is not authorized without the prior approval of the Trust Land Office of DNR in
7 accordance with 11 AAC 99. Similar requirements apply to land owned by the
8 University of Alaska.)
9

10 **F. Oil and Gas Resources.** It is probable that oil and gas resources are present within the
11 planning area. The planning and decision making processes for oil and gas development
12 occur under a separate section of Alaska Statutes (AS 38.05.180) and these processes are not
13 included as part of area plans. For this reason, the area plan does not make any development
14 decisions related to these resources, and defers all decisions regarding licensing or leasing of
15 oil and gas to DNR's existing licensing and leasing processes.
16

17 Oil and gas sales are not subject to the regional planning process; instead they follow the
18 planning process identified under AS 38.05.180. The land use designations of the plan are
19 multiple use in character and do not preclude oil and gas development.
20

21 **G. Coal Resources.** The coal potential within the planning area is generally considered low
22 to moderate, although recent advances in technology and changes in the economics of
23 extraction may increase this level to high in those areas where coal is buried at depth. Most
24 of the areas considered to have a better potential occur outside the planning area or are
25 situated within Public Use Areas which have separate management plans¹⁷ that direct how
26 coal exploration and development shall occur. Coal exploration, development, and extraction
27 are governed by a mix of statutory (AS 38.05.150 and AS 27.21.010-.260) and administrative
28 (11 AAC 85) requirements, which must be followed for exploration and for subsequent
29 extraction to be authorized. This plan does not impose additional requirements of coal
30 exploration and extraction to those cited in statute and regulation. All areas, except within
31 areas closed to such activity in legislatively designated areas, are open to coal exploration,
32 development, and extraction.
33

34 **H. Other Guidelines Affecting Subsurface Resources.** Other guidelines will affect
35 subsurface resources. See other sections of this chapter.
36

¹⁷ The management plan for the Nelchina Public Use Area does not yet exist.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

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.

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://www.dnr.state.ak.us/mlw/trails/index.htm>.

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.

Information regarding ANCSA 17(b) easements can be found at the DNR web site: <http://www.dnr.state.ak.us/mlw/trails/index.htm>.

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

13
14 **F. Limiting Access.** Access to state lands may be curtailed at certain times to protect public
15 safety, provide for the remediation of public use areas, allow special uses, and prevent harm
16 to the environment, fish and wildlife. Public access may be limited because of the presence
17 of fire management operations, timber harvest, high soil moisture content when vehicular
18 traffic may cause damage to the base or sub-base, or sensitive populations of fish or wildlife.

19
20 **G. Coordination with Borough Recreational Trails Plan.** DNR, in its review of
21 authorizations, material sales, timber sales, or land disposals shall review the MSB
22 Recreational Trails Plan to assist in determining if local or regional routes exist within or
23 near the area of the proposed authorization or disposal. Provision should be made for either
24 the continued use of existing trails or their realignment to a site that is equally effective in
25 providing access. See also management guideline H.

26
27 **H. Consultation with SCRO, DMLW.** Proposed trails, easements, and RS 2477 routes
28 shall be reviewed by SCRO prior to authorization. SCRO determines if the routes or trails
29 are required, consistent with applicable sections of statute and administrative code.

30
31 **I. Siting and Constructing Temporary and Permanent Roads or Causeways.**
32 Temporary and permanent roads or causeways will, to the extent feasible and prudent, be
33 routed to avoid vegetated tide flats, avoid streams and minimize alteration of natural drainage
34 patterns, and avoid long-term adverse effects on fish and wildlife, water quantity or water
35 quality. If a temporary road is routed through vegetated tidelands, clean fill will be required
36 and construction methods, which facilitate removal of the fill, will be required. Temporary
37 roads should be obliterated when no longer needed for their original purpose.

38
39 **J. Protection of the Environment.** In the siting of public access facilities, consideration is
40 to be given to the effect of the proposed project or improvement on the natural environment,
41 fish and wildlife species, and habitats identified in this plan as significant. If significant
42 impacts to fish or wildlife species or their associated habitats are anticipated, ADF&G should
43 be consulted prior to the issuance of an authorization.

44

1 **K. 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 so¹⁸. Surface access also should be sited and designed to accommodate future development
4 and avoid unnecessary duplication.
5
6

7 **Management Guidelines: Trails Within and Between Developing Areas**

8

9 **A. General.** The following guidelines pertain to the siting and development of trails within
10 developed or developing areas and between these areas. This is a more specific application
11 of the general public use easement. These types of facilities provide movement areas for
12 people and, if appropriate, wildlife. The width and siting of trail corridors depends upon
13 their function and location. General precautions should be taken when developing new trails
14 to avoid critical wildlife concentration areas. Easements are used to create an access
15 corridor, similar to the more general public use easements described previously.
16

17 **B. Requirement for Trails.** The Department shall assess the need for public access before
18 selling, leasing, or otherwise disposing of the land estate. If local access needs are identified
19 through the adjudication and agency or public review process, access trails may be reserved.
20 This will occur through the retention of state land in public ownership or through the creation
21 of a public use easement. Under either approach, the public is to have the right of access
22 within the area of state land or the public use easement
23

24 **C. Ownership.** The following factors shall be considered by DNR in making the decision
25 to retain the access corridor under state ownership or to provide for public access through a
26 public use easement:
27

- 28 1) If the access (usually a trail within a developed or developing area) is used as a
29 neighborhood collector trail that connects to a public open space system or a trail of
30 regional significance, access should be retained in public ownership.
- 31 2) If a trail is used as access by neighborhood residents, it should be dedicated to local
32 government or established as an easement to an entity willing to accept maintenance
33 and management responsibility. This would typically occur when the purpose is to
34 establish access between lots or to improve pedestrian circulation within subdivision.
- 35 3) If the access provides a connection to other areas and is considered of regional or
36 statewide significance, it should be retained in public ownership.
37
38

¹⁸ 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 **D. Width of Trail Corridors.** The width of the access corridor¹⁹ shall be determined
2 according to its function and location:
3

- 4 1) Within developed or developing areas, access corridors shall not be less than 25 feet
5 in width for pedestrian movement and not less than 40 feet if motorized movement
6 (other than car or truck) can be expected in addition to pedestrian travel. In areas
7 where topographic conditions restrict development, widths less than 40 feet may be
8 considered.²⁰
- 9 2) In all other areas, the width shall vary with terrain, function, and the need for
10 separation from other uses, but shall not be less than 50 feet.
- 11 3) Trails or other access facilities of statewide or regional significance shall not be less
12 than 100 feet in width.
13

14 **E. Trail Rerouting.** Standards for the vacation and modification of trails are identified in
15 11 AAC 51.065. Rerouting of trails may be permitted to minimize land use conflicts, reduce
16 duplication in trail routings, or minimize habitat destruction. If trails are rerouted, provision
17 should be made for construction of new trail segments if warranted by type and intensity of
18 use. Rerouting trails shall be done in consultation with affected private users and public
19 agencies. Rerouted trails should allow the same uses and activities as the original trail.
20 Reroutes should not interrupt access, and reroutes should be established, open and usable
21 for the intended uses before the original route is closed. Closed routes should be blocked off
22 and restored. The development of new trails should not displace current methods of access
23 without providing alternative routes.
24

25 **F. Alignment with Crossings.** When it is necessary for power lines, pipelines or roads to
26 cross trails, crossings should be at a 90-degree angle. Vegetative screening should be
27 preserved at trail crossings.
28
29

30 **Management Guidelines: Iditarod and Iditarod Trail System**

31

32 **A. Iditarod Race Trail.** Where the Iditarod Race Trail passes through an area that is to be
33 offered for settlement or other development, the trail will be located and protected by a
34 publicly owned corridor 200 feet wide (100 feet on either side of the centerline). The
35 corridor width may be expanded to minimize potential land use conflicts, reduce impacts of
36 the trail on adjacent land uses, or to incorporate authorized safety cabins and cultural and
37 historic sites. Rerouting of the trail corridor may be permitted with the consultation of the
38 State Office of History and Archaeology and the Iditarod Trail Committee or similar body in
39 place at the time. No permanent structures or equipment should be placed in the trail

¹⁹ An access corridor includes the tread of the trail and an area immediately adjacent to the tread.

²⁰ 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 corridor if they could adversely affect the trail experience or access along the trail. Where
2 necessary, trail crossings may be permitted to allow access to lands on both sides of the trail.
3 Crossings should be limited to a few discrete areas rather than scattered crossings in many
4 places along the trail. In areas where the trail has been used previously for transporting
5 heavy equipment to mining claims, this use will not be restricted unless there is significant
6 potential for damaging the trail. If damage to the trail cannot be avoided, a feasible and
7 prudent alternative route should be used and/or the activity should be permitted at a time that
8 does not interfere with the race or trail conditions. The presence of the Iditarod Race Trail is
9 noted in the Resource Allocation Tables.

10
11 **B. The Iditarod National Historic Trail System (INHTS).** There are several trails and
12 historic sites within the planning area that were identified as part of the INHTS. Some of
13 these trails and sites are well defined while others are not. Minimum trail widths are
14 generally wider than those established for regional trails. For permits and leases along the
15 INHTS, the State Office of History and Archaeology will be consulted in addition to other
16 notice requirements. The State of Alaska and the U.S. Department of the Interior have
17 signed a memorandum of agreement covering management of the INHTS under terms of the
18 Comprehensive Management Plan for the trail system. The trail will be managed in a
19 manner consistent with the agreement. The presence of the INHTS is noted in the Resource
20 Allocation Tables.

21
22 **C. Other Guidelines Affecting Public or Trail Management.** A number of other
23 guidelines may affect public and trail access management. See other sections of this chapter.
24