Erosion control adjacent to and upland from anadromous fish streams. Stipulations in mining permits or in plans of operations associated with leases will ensure that anadromous fish streams are protected from siltation that may be caused by mining activities. On a case-by-case basis, with the consultation of the DFG, stipulations should be prepared to address

1. location of tailings and overburden,
2. alteration of natural vegetation and natural contours,
3. impacts on non-anadromous fish tributaries that affect water quality downstream,
4. revegetation of disturbed areas, and
5. maintenance of a buffer of undisturbed vegetation adjacent to streams.

Reclamation. The Miscellaneous Land Use Permit or plan of operations associated with a lease will specify that land must be returned to a useful state. The type of reclamation will be determined in consultation with the agency responsible for the primary land use values in the affected area. Reclamation also must comply with AS 29.17 and regulations adopted to implement this statute.

Control of visual impacts. Guidelines will be developed as necessary through the Miscellaneous Land Use Permit or leasing process to minimize the adverse visual impacts of mining in settled areas, recreation areas, and in areas viewed from roads. In such areas guidelines will address, at a minimum, the following items: control of solid wastes; removal of vegetation; siting of mining structures, tailings, and overburden; roads; and rehabilitation of mining sites.

Access for mineral development. The method and timing of access to tundra, wetlands, and other environmentally sensitive areas should minimize damage to these areas. (See also Roads, Trails, and Public Access section in this chapter). Existing roads and trails should be used to provide access to mine sites wherever possible.

WETLANDS

Definition. For purposes of inventory and regulation of wetlands, DNR will use the definition adopted by the State of Alaska under the regulations of the Coastal Management Program (6 AAC 80.900(19)):

> Freshwater wetlands means those environments characterized by rooted vegetation which is partially submerged either continuously or periodically by surface freshwater with less than 0.5 parts per thousand salt content and not exceeding three meters in depth.

For purposes of these management guidelines, wetlands are divided into three classes:

> Class I, wetlands larger than 100 acres and all wetlands with a locatable stream outlet (the stream shall be considered part of the wetland);
>
> Class II, wetlands between 40 and 100 acres with no outlet; and
>
> Class III, wetlands less than 40 acres with no outlet.

Wetlands management. The Army Corps of Engineers regulates all activities that result in discharge or placement of dredged or fill material in wetlands. Corps permits for these activities are reviewed by the Department of Environmental Conservation, DFG, and the Division of Governmental Coordination in the Governor's office. National wetlands policy is currently being reviewed, under the lead of the federal Domestic Policy Council. The State of Alaska, through the Governor's office, is participating in this review.

Wetlands buffers. Wetlands help protect water quality and stabilize water supply, provide important feeding, rearing, nesting, and breeding grounds for wildlife, provide for winter recreation, and add to landscape diversity. Buffers adjacent to wetlands will, to the extent feasible and prudent, protect these important wetland functions. Buffers should include public lands within 100 feet of Class I wetlands or within 60 feet of Class II wetlands. See also Wetlands guideline in the Forestry section of this chapter and Agricultural Development Adjacent to Wetlands in the Agriculture section.

Restrictive use covenants and public access easements. Class I and II wetlands (including outlet streams) and associated buffers should remain in public ownership whenever feasible. Restrictive use covenants and public access easements may be used rather than public ownership under the following conditions:

1. **Where the configuration of the wetland is such that survey along the meander of the wetland would be excessively expensive.** In this case, an aliquot part (rectangular) survey rather than a meander survey may be used along the edge of the wetland. This may result in portions of the wetland being conveyed to private ownership. Restrictive use covenants and public access easements shall be applied to ensure that those portions of the wetland and associated buffer conveyed to private ownership remain in a natural state and that public access and use are maintained.

2. **Where the wetland is entirely included within a parcel of land to be sold for private use.** In this case, the wetland and associated buffer may be conveyed to private ownership with restrictive use covenants which ensure that the wetland and associated buffer remain in a natural state. If there is a stream outlet from such a wetland, public access easements shall also be applied to both the outlet and the wetland.