

Appendix C: Proposed Regulations

Adopted and Proposed Regulations

There are two sets of regulations that relate to the management of land uses and resources in the Public Use Area. Certain of the recommendations in this plan can only be implemented through regulations. Recommendations that will require regulations are included in this appendix so that the linkage between the two are apparent.

Phase 1 regulations have been adopted for the Knik River Public Use Area. These regulations address many of the serious issues identified by the public early in the planning process.

Regulations necessary to implement the plan are summarized in the Phase 2 Regulations below. Consistent with statute, Phase 2 Regulations will be developed through a public process with an opportunity to review and provide comments on draft regulations. DNR may determine that additional regulations are necessary at some future date for management of the PUA consistent with this plan, statute, or regulation.

Phase 1 Regulations As Adopted

11 AAC 96.016. Designated public use areas

(a) This section addresses management of sites and areas of state land, or interests in land, that have been designated under AS 41.23 as public use areas. Unless otherwise provided in (b) of this section, special requirements applicable to designated public use areas are in addition to requirements applicable to state land under AS 38, AS 41.23, and this title.

(b) Within areas designated under AS 41.23 as public use areas,

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

(2) commercial recreation uses and activities involving generally allowed uses under 11 AAC 96.020 are subject to registration under 11 AAC 96.018;

(3) unless otherwise prohibited in (c) of this section, the land uses and activities listed in 11 AAC 96.020, alone or in combination, are generally allowed uses without any permit or other written authorization from the department, except that a land use or activity for a commercial recreation purpose requires prior registration under 11 AAC 96.018; and

- (4) a person may not engage in the commercial harvest of non-timber forest products without a permit under 11 AAC 96.035.
- (c) Within the Knik River public use area as described in AS 41.23.230,
 - (1) a person may not leave a vehicle unattended for more than 72 hours;
 - (2) a person may not transport a non-functional vehicle into the area;
 - (3) a person may not operate a vehicle in excess of 10,000 pounds curb weight for private or commercial activity without prior written authorization from the department;
 - (4) a person may not operate a vehicle in a manner that results in disturbance of wetlands or the organic mat to a depth greater than six inches without prior written authorization from the department; in this paragraph,
 - (A) "organic mat" has the meaning given in 11 AAC 95.900;
 - (B) "wetlands" has the meaning given "freshwater wetlands" in 11 AAC 112.990;
 - (5) an open fire is subject to the requirements of 11 AAC 95.410 and 11 AAC 95.450; a person may not have an open fire larger than four feet in diameter except on open and non-vegetated areas at least 100 feet from forested land without prior written authorization from the department;
 - (6) a person may not burn or cause to burn a wooden pallet, a vehicle, a structure, household or commercial refuse, construction debris, or non-naturally occurring materials;
 - (7) a person may not place, dump, or discard waste or refuse;
 - (8) a person may not place, dump, discard, or release hazardous substances, including those contained within appliances, batteries, automotive fluids, and electronic devices; in this paragraph, "hazardous substance" has the meaning given in AS 46.03.826;
 - (9) a person may not construct or maintain a structure other than a temporary structure authorized under this chapter, and may not abandon a structure;
 - (10) a person may not cut, collect, or harvest a dead standing or live tree without prior written authorization from the department; in this paragraph, "tree" means a woody perennial plant with a single, well-defined stem, a definite crown shape, and a diameter at breast height of five inches or greater;
 - (11) subject to 11 AAC 96.020(a) (5)(E), a person may not erect a camp, structure, or facility, whether occupied or unoccupied, for more than 14 consecutive days for private personal use without prior written authorization from the department, and must move the

camp, structure, or facility and all equipment at least two miles away at the end of the 14-day period; a person may not relocate a camp, structure, or facility to a site within two miles of the initial site for at least 96 consecutive hours;

(12) a person may not, without prior written authorization from the department, discharge a firearm for purposes of target practice at a

(A) target other than one made from wood, paper, clay, or like material; or

(B) tree or other plant, whether live or dead, or at a target affixed to or placed on a tree or other plant;

(13) a person may not discharge a firework;

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

(A) within one-quarter mile of the Maude Road extension, Old Glenn Highway, Knik River Road, or the Rippy Trail, as depicted on the department's map entitled Recreational Shooting Restrictions within the KRPUA & Knik River SUA, dated June 30, 2008 and adopted by reference;

(B) within one-quarter mile of the Knik Glacier Trail (RST 17) or the line of ordinary high water of the Knik River west of the north-south township line between Township 16 North, Range 3 East and Township 16 North, Range 4 East, Seward Meridian that corresponds to 148 degrees, 49 minutes, 8.59 seconds west longitude, as depicted on the map entitled Recreational Shooting Restrictions within the KRPUA & Knik River SUA, adopted by reference in (A) of this paragraph;

(C) on the bed of the Knik River west of the north-south township line between Township 16 North, Range 3 East and Township 16 North, Range 4 East, Seward Meridian that corresponds to 148 degrees, 49 minutes, 8.59 seconds west longitude, as depicted on the map entitled Recreational Shooting Restrictions within the KRPUA & Knik River SUA, adopted by reference in (A) of this paragraph; in this subparagraph, "bed" means the area within the lines of ordinary high water on each side of the water body;

(D) within one-quarter mile of a developed facility, unless the developed facility is specifically designated for the discharge of firearms;

(15) except for the purposes of lawful hunting, fishing, and trapping, a person may not repeatedly approach fish or wildlife in a manner that results in the animal altering its behavior;

(16) a person may not construct, develop, improve, widen, brush, or otherwise create a road or trail without prior written authorization from the department; and

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

(d) Within the Knik River public use area as described in AS 41.23.230, a person who fails to obtain or comply with the terms, conditions, or limitations of a permit required under (b)(1) or (4) of this section or registration required under (b)(2) of this section, or who engages in a use or activity prohibited under (c) of this section is subject to citation and penalty under AS 41.23.220.

Phase 2 Regulations

Phase two regulations are those regulations that are necessary to implement the plan. These draft regulations directly result from management guidelines contained in the KRPUA Management Plan. Following the adoption of the plan, these regulations will be proposed through the regulation process and will go through an additional public review process before they are adopted.

- Prohibition of vehicles (on and off-highway) with a curb weight greater than 1,500 pounds on the Rippy Trail.
- Establishment of the days and hours of operation for shooting range(s).
- Prohibition of motorized use on Manmade Lake from May 1 to September 30.
- Limit speed of motorized vehicles within 100 feet of the water of Manmade Lake to 10 mph or less May 1 to September 30.
- Restrict horsepower of boat motors to 10 horsepower from April 15 to August 9 annually for Jim Lake and associated wetlands.
- Restrictions on camping and discharge of firearms within public use sites.
- Amend regulations to allow ground disturbance and rutting in excess of 6 inches for the area managed for high use depicted on Map 2-3 of the Plan.
- Additional regulations may be developed through a public process as needed by DNR for the management of the PUA to include but not limited to unauthorized activities at public use sites, stream crossing violations, and commercial use violations.