

**CHAPTER 2.
GOALS, MANAGEMENT INTENT,
AND GUIDELINES**

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This chapter includes goals, management intent, and management guidelines that apply throughout the planning area. Guidelines are numbered for easy reference.

GOALS

The Bristol Bay Area Plan includes goals that identify the need to manage land; protect fish, wildlife, and water; and provide a diversity of commercial and noncommercial public use opportunities.

To meet these goals, state land in the Nushagak and Mulchatna planning area will be managed to:

- Provide a mix of commercial and noncommercial public use opportunities.
- Ensure availability of public use sites to meet the needs of all users.
- Protect habitat and other natural resources.
- Maintain options for future recreation management.

MANAGEMENT INTENT

These goals will be met by managing state land within management units for the following categories of management intent (management intent reflects a future condition):

Primitive Use Experience: A use experience characterized by little to no evidence of human use (little to no manmade changes to the environment from development or other human activities).

Semi-primitive Use Experience: A use experience characterized by moderate evidence of human use (moderate level of manmade changes to the environment from development or other human activities).

Semi-developed Use Experience: A use experience characterized by high evidence of human use (high level of manmade changes to the environment from development or other human activities).

(Note: "Evidence of human use" does not imply restricting use.)

The Department of Natural Resources (DNR) currently issues permits and leases for permanent and temporary facilities, personal and trapping cabins, boat storage, airstrip development, docks, and other uses that occur at one site on state land for longer than 14 days.¹ These are the uses that the plan guidelines cover for management of state land in the planning area. Permits from other agencies may also be required before land uses are approved.

In the future, plan management units may be managed for other aspects of a use experience, such as level of encounters, where a primitive use experience is characterized by a low level of encounters, a semi-primitive use experience is characterized by a moderate level of encounters, and a semi-developed use experience is characterized by a high level of encounters.

The plan identifies which units will be managed in each category of management intent. These unit categories are generally consistent with current use patterns in the planning area. In the following text, these categories will be abbreviated to "primitive," "semi-primitive," and "semi-developed" when referring to management units.

GUIDELINES

The following guidelines are specific directives that will be applied to management decisions. DNR will use criteria included in the guidelines when considering issuing permits or lease applications on state land. Guidelines also apply to state-selected land.

Because this plan addresses recreation and because other uses associated with activities not related to recreation may have an effect on recreation, the guidelines in this plan apply to recreation uses and can apply to certain other permanent or temporary uses that may affect recreational activities² unless otherwise specifically stated in the management guidelines of a unit.

Table 2.1, at the end of this chapter, summarizes the management guidelines for uses likely to occur in the planning area. However, for detailed information on the management requirements for a particular use, especially to determine if a use may be allowed on a case-by-case basis, refer to the Chapter 2 guidelines. All Chapter 2 guidelines, whether or not specifically indicated, apply to all state land in the planning area for the recreational uses identified in the RRMP. For additional guidelines, see "Other Guidelines Specific to this Unit" for each unit in Chapter 3. Policies of the Bristol Bay Area Plan may also apply.

¹ The specific requirements for the issuance of permits on state land are controlled under 11 AAC 96.020 (Generally Allowed Uses). This section of administrative code provides specific requirements for the issuance of permits and identifies when permits are to be required. Adjudicators are to consult the most recent version of 11 AAC 96.020 prior to the issuance of permits.

² Uses that are not affected by the RRMP include those related to mineral exploration and development, materials extraction, settlement (including the siting of remote cabins), utilities and transportation. It also does not apply within areas designated Minerals or Settlement in the Bristol Bay Area Plan. Municipal entitlement decisions are also controlled by the BBAP.

GENERALLY ALLOWED USES

- 1.1 There are two types of short-term uses. Generally Allowed Uses are those uses that typically take place at one site on state land for 14 consecutive days or less. These uses do not require a permit or lease. The following are examples of short-term (generally allowed) uses: hiking, backpacking and camping; light plane and helicopter landings; use of boats, rafts and canoes; and hunting, fishing and trapping (in accordance with fish and game regulations). Other uses may require a permit for authorization. Both types of uses are typically of short-term duration and do not involve the use of permanent structures. Both types will be referred to as ‘Short Term Uses’ in the RRMP.

USES THAT ARE NOT GENERALLY ALLOWED

- 2.1 By and large, uses that take place at one site on state land for longer than 14 consecutive days require a permit or lease³. Some types of uses that are of less than 14 day duration require permits for authorization. Specific guidelines are provided for the following long-term uses: permanent and temporary facilities, trapping and personal cabins, boat storage, airstrip development, docks, and ‘other’ recreational uses. These types of uses are of longer term duration and will be referred to as ‘Long Term Uses’ in the RRMP.
- 2.2 Long-term uses other than the above may be allowed if consistent with management intent and applicable guidelines. Examples of other long-term uses include trails, equipment storage, rights-of-ways, waterlines, and bulkheads.

LENGTH OF PERMITS AND LEASES/TYPE OF FACILITY AUTHORIZED

- 3.1 A temporary facility, if authorized, will occur under a permit. A permanent facility or a facility that occupies a substantial ground site will occur under a lease. Other uses, if authorized, will occur under permits or leases.
- 3.2 Leases and permits, if issued, will be for the term of use determined in the adjudication process to be appropriate to the type of use and its specific site, operating, and maintenance requirements. Issued permits will not exceed 5 years and shall be consistent with the time requirements of 11 AAC 96.040. See Glossary for "Permit."

³ The same caution applies as in footnote # 1. Adjudicators are to consult the most recent version of 11 AAC 96.020 to determine if a use is not a Generally Allowed Use and therefore requires a permit or lease for authorization.

PERMANENT FACILITIES

- 4.1 Permanent facilities will be prohibited in primitive units, Public Use Sites, and in most semi-primitive units⁴. Permanent facilities are generally inconsistent with the management intent for these units.
- 4.2 Permanent facilities may be allowed in semi-developed units if consistent with management intent and applicable guidelines.

TEMPORARY FACILITIES (INCLUDES FLOATING FACILITIES)

- 5.1 Temporary facilities will be prohibited in primitive units. Temporary facilities are inconsistent with the management intent for primitive units.
- 5.2 Temporary facilities may be allowed in semi-primitive and semi-developed units if consistent with management intent and applicable guidelines.
- 5.3 Floating facilities shall adhere to the requirements for these types of facilities in the section on Floating Facilities in Chapter 2 of the BBAP.

TRAPPING AND PERSONAL CABINS

- 6.1 Trapping cabins will be prohibited in primitive units. Trapping cabins are inconsistent with the management intent for primitive units.
- 6.2 Trapping cabins may be allowed in semi-primitive and semi-developed units if consistent with management intent, applicable guidelines, and requirements of AS 38.95.080 and 11 AAC 94.
- 6.3 Personal use cabins are prohibited in primitive, semi-primitive, and semi-developed units, except that DNR may renew valid existing personal use cabin permits on a case-by-case basis.

BOAT STORAGE

- 7.1 Long-term boat storage (storing a boat or boats at one site on state land for longer than 14 consecutive days) will be prohibited in primitive areas and at Public Use Sites. Boat storage is inconsistent with the management intent for primitive units, or Public Use Sites.

⁴ Permanent facilities may be authorized on a case-by-case basis in management units 11, 14, 19, and 25. Consult Table 2.1.

- 7.2 Long-term boat storage may be allowed in semi-primitive and semi-developed areas if consistent with management intent and applicable guidelines.

AIRSTRIP DEVELOPMENT

- 8.1 Because the Nushagak-Mulchatna area has good aircraft access, it is questionable if there is a public need for additional developed landing sites in the planning area. However, this plan does not preclude airstrip development, including airstrip development associated with facilities, if consistent with management intent and applicable guidelines.
- 8.2 Airstrips developed on public land should be made available for use by the general public.
- 8.3 If an applicant requests airstrip development associated with temporary or permanent facilities or some other use of state land, the applicant must submit the application for the airstrip with the application for the associated use.
- 8.4 Airstrip development is prohibited in primitive units except for Unit 13 (see Unit 13, Chapter 3, "Other Guidelines Specific to this Unit").
- 8.5 Airstrip development may be allowed in semi-primitive and semi-developed units if:
- there is a demonstrated significant public need for the airstrip, and
 - there are no feasible alternatives to meet the public need for increased access that would not significantly impact habitat or other uses.

CAMPING

- 9.1 Note: See Temporary Facility in the Glossary. Camping at one site on state land for longer than 14 consecutive days is considered a temporary facility.

DOCKS

- 10.1 Permanent docks (docks that do not need to be removed and the site restored to its natural state after each season, such as docks on pilings) will be prohibited in primitive and in most semi-primitive units. Permanent docks are inconsistent with the management intent for primitive and for most semi-primitive units.
- 10.2 Permanent docks may be allowed in semi-developed units and some semi-primitive units if consistent with management intent and applicable guidelines.

- 10.3 Temporary docks (docks that must be removed and the site restored to its natural state at the end of the term of use for which the dock was authorized, such as floating docks) will be prohibited in primitive units. Temporary docks are inconsistent with the management intent for primitive units. Temporary docks may be allowed in semi-primitive and semi-developed units if consistent with management intent and applicable guidelines.

NAVIGATION

- 11.1 Commercial and noncommercial public use will not impede navigation.

PUBLIC ACCESS

- 12.1 Commercial and noncommercial public use activities will not interfere with the ability of all users to use or access state land or public water. DNR will ensure that adequate access exists to adjacent public lands when issuing permits or leases for use of state land.
- 12.2 DNR will ensure that those people with valid existing rights have reasonable access.
- 12.3 The requirements of the Public Access section in Chapter 2 of the BBAP, 'Management Guideline: Public Access – General,' will apply when lease authorizations are granted by DNR.

PUBLIC USE SITES

Public use sites are any sites identified on state land that are important for public access (including important float and wheeled plane landing areas), camping, hunting, fishing, or other recreation or public use.

The management intent for these sites is to protect the opportunity for users to use the sites, and to protect the public values of the sites. Forty-nine (49) public use sites have been identified in the planning area. The state owns only the shorelands at some of these sites. See the public use site maps in Appendix C.

- 13.1 Public use sites occur in primitive, semi-primitive, and semi-developed management units. The guidelines for public use sites in this section take precedence over guidelines associated with primitive, semi-primitive, and semi-developed unit categories.
- 13.2 Permanent and temporary facilities⁵, trapping and personal cabins, and long-term boat storage (storing a boat or boats at one site on state land for longer than 14 consecutive days) will be prohibited at public use sites. Airstrip development, docks, and other long-

⁵ Camping at one site on state land for longer than 14 consecutive days is considered a temporary facility. See Temporary Facility in the Glossary.

term uses may be allowed on a case-by-case basis if consistent with the management intent for the public use site and if there is a demonstrated significant public need. See Table 2.1 at the end of this chapter for a summary of management guidelines for public use sites.

- 13.3 The list of sites is not inclusive. It is based on the best available information. As use patterns change and more information becomes available, new sites may be identified. A plan amendment will be necessary to add any additional public use sites or delete any existing ones.
- 13.4 To address increases in use, the plan may be amended to change the number of days that short-term uses (generally allowed uses that take place at one site on state land for 14 consecutive days or less) can occur in public use sites. 11 AAC 96.014 provides for this change by allowing the establishment of “special use land.” Such a change will require a plan amendment, the establishment of a ‘Special Use Land’ area, and the development and approval of regulations under 11 AAC 96.014. See Other Guidelines Specific to this Unit under each unit in Chapter 3 for special use areas. See Chapter 4, Procedures for Plan Review, Modification and Amendment, for details that would apply to adding public use sites and special use areas to the plan.

LAND BELOW ORDINARY HIGH WATER (SHORELANDS)

- 14.1 Permanent facilities, temporary facilities⁶ (except floating facilities), and trapping and personal cabins will be prohibited on land below ordinary high water. Land below ordinary high water floods periodically. Authorizing facilities in places that are likely to flood can jeopardize public safety and environmental protection. Additionally, the management intent for land below ordinary high water is to protect the opportunity for all users to use these areas and to protect the public values of these areas.
- 14.2 Floating facilities, boat storage, airstrip development, docks, and other long-term uses (uses that take place at one site on state land for longer than 14 consecutive days⁷), such as trails and waterlines, may be allowed if consistent with management intent and applicable guidelines. See Table 2.1 at the end of this chapter for a summary of management guidelines for land below ordinary high water.
- 14.3 Permit or lease applications for those other uses of land listed in #15.2 below ordinary high water will include a description of all necessary associated uses. If permits from other agencies are required (such as Department of Environmental Conservation permits for fuel storage, food service, or waste disposal), DNR will consider issuing a permit or lease contingent upon issuance of these other permits.

⁶ Camping at one site on state land for longer than 14 consecutive days is considered a temporary facility. See Temporary Facility in the Glossary.

⁷ Consult 11 AAC 96.020 prior to granting an authorization in order to determine the most current Generally Allowed Uses and those uses requiring an authorization.

- 14.4 Where uplands are in private ownership, defining the location of ordinary high water and, therefore, the boundary of state-owned shorelands is often difficult and may require technical expertise. If DNR issues a permit on shorelands, DNR will require applicants to use areas that will reduce the likelihood of possible land ownership disagreements with upland owners (such as unvegetated gravel bars).
- 14.5 DNR will consult with the upland owner and use its best professional judgment to determine if a proposed use occurs on state-owned shorelands.
- 14.6 The state constitution requires DNR to ensure that the rights of the public to use state lands and waters for navigation, commerce, recreation, and related purposes are protected. DNR will retain the right to issue a permit or lease for uses that are not prohibited over the objection of adjacent landowners. However, DNR will carefully consider comments from private landowners and others when making a decision.
- 14.7 Applications for shoreland uses that require use of private uplands will not be considered until there is a written agreement between the applicant and the upland owner(s) approving the necessary use. The term of the lease or permit should not be longer than the term of agreement between the applicant and the upland owner. If the applicant has not applied for use of the adjacent uplands, the application must show how all necessary associated uses will be accommodated on the shorelands.

SITING CRITERIA

- 15.1 Permanent facilities, temporary facilities, trapping and personal cabins, boat storage, airstrip development, docks, and other long-term uses (uses that take place at one site on state land for longer than 14 consecutive days) will be sited consistent with management intent and applicable guidelines. Consideration is to be given to the potential impacts to adjacent river corridors prior to granting an authorization for a permanent facility. Adverse impacts are to be avoided or, failing that, minimized.
- 15.2 Long-term uses (uses that take place at one site on state land for longer than 14 consecutive days) that are allowed in primitive units should be sited out of view from the main river channel.
- 15.3 Temporary facilities, trapping and personal cabins, boat storage, airstrip development, temporary docks, and other long-term uses (uses that take place at one site on state land for longer than 14 consecutive days) in semi-primitive units will be sited to minimize evidence of human use.
- 15.4 Permanent facilities, temporary facilities, trapping cabins, boat storage, airstrip development, docks, and other long-term uses (uses that take place at one site on state land for longer than 14 consecutive days) will be sited to avoid placement near identified cultural sites.

- 15.5 Applicants will site facilities in a manner that impacts the least amount of surface area consistent with the purpose and operating requirements of the facility.
- 15.6 Floating facilities will be sited so as not to block narrow waterways or impede the free passage of waterborne traffic. Floating facilities are also subject to the requirements in the Bristol Bay Area Plan. See the 'Floating Facilities' section of Chapter 2 in the BBAP to determine these requirements.

Table 2.1: Summary of Management Guidelines (See Chapter 2 for details)

	Types of Uses	Primitive Unit	Semi-primitive Unit	Semi-developed Unit	Public Use Sites (includes Special Use Areas)	Land Below Ordinary High Water (including Shorelands)
Short-term Use⁸	Short-term Use	Allowed	Allowed	Allowed	Allowed	Allowed
Long-term Use⁹	Permanent Facilities	Prohibited	Prohibited except as noted ¹⁰	May be allowed (case-by-case)	Prohibited	Prohibited
	Temporary Facilities ¹¹	Prohibited	May be allowed (case-by-case)	May be allowed (case-by-case)	Prohibited	Prohibited, except floating facilities may be allowed (case-by-case)
	Personal Use Cabins ¹²	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited
	Trapping Cabins	Prohibited	May be allowed (case-by-case)	May be allowed (case-by-case)	Prohibited	Prohibited
	Boat Storage	Prohibited	May be allowed (case-by-case)	May be allowed (case-by-case)	Prohibited	May be allowed (case-by-case)
	Airstrip Development	Prohibited, except may be allowed (case-by-case) in Unit 13	May be allowed (case-by-case)	May be allowed (case-by-case)	May be allowed (case-by-case)	May be allowed (case-by-case)
	Docks, Permanent	Prohibited	Prohibited except as noted ¹³	May be allowed (case-by-case)	May be allowed (case-by-case)	May be allowed (case-by-case)
	Docks, Temporary	Prohibited	May be allowed (case-by-case)	May be allowed (case-by-case)	May be allowed (case-by-case)	May be allowed (case-by-case)
	Other Long-term Uses	May be allowed (case-by-case)	May be allowed (case-by-case)	May be allowed (case-by-case)	May be allowed (case-by-case)	May be allowed (case-by-case)

⁸ Short-term use is use that takes place at one site on state land for 14 consecutive days or less.

⁹ Long-term use is use that takes place at one site on state land for longer than 14 consecutive days.

¹⁰ Permanent facilities ‘may be allowed’ in management units 11, 14, 19, and 25. (They are not necessarily prohibited.)

¹¹ Camping at one site on state land for longer than 14 consecutive days is considered a temporary facility.

¹² New personal use cabins are prohibited; the renewal of currently existing and authorized personal use cabins may be appropriate but is to be determined on a case-by-case basis.

¹³ Permanent docks may be allowed in managements units 11, 14, 19, and 25 (i.e., they are not necessarily prohibited.)