

1 **Chapter 3**

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# 1 Chapter 3

## 2 Issues

### 3 Introduction

4  
5 This chapter presents several of the major issues that are addressed in this plan revision. The  
6 issues are briefly discussed then followed by a brief discussion of actions taken in the plan to  
7 address the issue.

8  
9

### 10 Issues

11

#### 12 Lynx Lake Road and Butterfly Lake Trail Summer Access

13

14 There are two issues regarding access on Lynx Lake Road and Butterfly Lake Trail: the first  
15 issue focuses on access to private property and the type of access to be authorized; while the  
16 second issue centers on general public access on the Lynx Lake Road and Butterfly Lake  
17 Trail. Currently, vehicle access on Lynx Lake Road and Butterfly Lake Trail is prohibited by  
18 regulation<sup>1</sup> and a traffic control device (gate) has been installed by DPOR just inside the  
19 NLSRA boundary to restrict vehicle access<sup>2</sup>.

20

21 The Lynx Lake Road was developed prior to the legislative establishment of the NLSRA and  
22 was used to access private lands on Lynx, Butterfly, and Delyndia lakes. The 1983 Plan  
23 identified Lynx Lake Road as originating at the George Parks Highway and extending south  
24 and west toward Delyndia Lake outside of the NLSRA boundary. How this route is  
25 identified has changed in recent years and Lynx Lake Road is now addressed as two distinct  
26 features – Lynx Lake Road and Butterfly Lake Trail. Presently, Lynx Lake Road refers to  
27 the unimproved road that extends from the Parks Highway to the Anchorage Church of  
28 Christ property, located on the east shore of Lynx Lake. What is now referred to as the  
29 Butterfly Lake Trail extends from the Anchorage Church of Christ property to a bay on the  
30 northeast shore of Butterfly Lake.

31

32 Consistent with management recommendations made in the 1983 Plan, DPOR issued Special  
33 Park Use Permits (under authority of 11 AAC 18.010) to authorize access to private  
34 properties on Lynx, Butterfly, Skeetna, and Delyndia lakes via the Lynx Lake Road and  
35 Butterfly Lake Trail. But, the 1983 plan did not clearly identify the type of vehicles that  
36 could be authorized for access by existing property owners, nor did it identify the number of

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<sup>1</sup> 11 AAC 12.020(c)

<sup>2</sup> 11 AAC 12.020(b)

1 people that were “authorized and holding access permits;” that is, the number of permits that  
2 were appropriate to be authorized. Under the current policy vehicle access is authorized for  
3 people that are able to prove ownership in the area of Lynx, Skeetna, Butterfly, and Delyndia  
4 lakes. Under this current scenario, the number of authorizations allowing vehicle access on  
5 Lynx Lake Road and Butterfly Lake Trail to these waterbodies could increase significantly  
6 based on the amount of developable property on these waterbodies. As the number of people  
7 accessing private property increases, it is reasonable to expect increased impacts to the  
8 existing natural environment to accommodate that use. It is appropriate for DPOR to  
9 determine what type and level of vehicle access, if any, could be authorized at NLSRA  
10 consistent with the statutory purposes and management intent for this area.

11  
12 While much is known about vehicle access to private properties on Lynx Lake Road and  
13 Butterfly Lake Trail, some information gaps still exist. Frequency and distribution of vehicle  
14 use is not known and the impacts associated with these uses have not been quantified. This  
15 plan identifies a policy that allows vehicle access on these two routes to continue to be  
16 authorized at current levels until a study is completed and DPOR determines if the current  
17 policy needs to be changed. Essentially, this plan allows vehicle access at 2012 levels  
18 without exacerbating impacts to the natural environment until additional information is  
19 acquired and a decision is made to maintain or change the current policy. It is intended that  
20 the access study be completed within 5 years of the adoption of this plan.

21  
22 Public access on Lynx Lake Road and Butterfly Lake Trail is re-examined in this plan  
23 revision. Lynx Lake Road and Butterfly Lake Trail provide access to a large swath of land  
24 and lakes in the southern portion of NLSRA. The 1983 Plan analyzed this issue and stated  
25 that the Lynx Lake Road “... is not now, nor planned to be, a public access.” Consistent with  
26 that analysis, the 1983 Plan states, “It [Lynx Lake Road] shall remain gated at the recreation  
27 area boundary and its use restricted to existing property owners authorized and holding  
28 access permits issued by the Director or designee.” Consistent with this management  
29 direction, property owners are authorized to travel via motorized vehicle beyond the gate on  
30 Lynx Lake Road during snow free periods. Public pedestrian use beyond the gate is allowed  
31 without authorization during snow free periods. The existing policy to restrict use of this  
32 existing access route has resulted in low levels of public recreation in the southern area of  
33 NLSRA during snow free periods. Because NLSRA is intended to be managed to provide a  
34 maximum level of outdoor recreation opportunities it is appropriate to re-evaluate the need to  
35 increase public access within NLSRA. This plan recommends increased public access on a  
36 portion of Lynx Lake Road.

### 37 38 **Personal Property Storage and Boat Moorage**

39  
40 Year-round storage of private property on state uplands and moorage of boats on state waters  
41 occurs on state-owned lands and waters on Butterfly, Lynx, and Red Shirt lakes in violation  
42 of current regulations<sup>3</sup>. Most of this storage and moorage is done by private property owners  
43 to facilitate access to their private property; however, some boats and personal property may

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<sup>3</sup> 11 AAC 12.220 and 11 AAC 18.010

1 be left by people that do not own property in the area as well. DPOR estimates 100 boats and  
2 other personal property are being stored long-term (year-round) on state-owned uplands or  
3 moored long-term (year-round in some cases) on state waters<sup>4</sup>. The type of boats stored and  
4 moored range from canoes and skiffs to larger flat decked barges while the common types of  
5 personal property being stored includes vests, batteries, motors, fuel, locked boxes/lockers,  
6 and paddles among other items. Storage of boats and personal property on state uplands and  
7 moorage of boats is prohibited unless authorized by permit under 11 AAC 18.010. The  
8 majority of the storage and moorage occurs at these sites primarily for the convenience of  
9 people accessing private property. An example of this is storing life vests, fuel, oars and  
10 batteries on state uplands to avoid having to carry these items in addition to food or other  
11 items needed for the stay at their private property.

12  
13 Impacts to the natural resources associated with personal property storage are occurring and  
14 include: soil compaction, trampling and loss of riparian vegetation, and litter from discarded  
15 or no longer used items. An issue of particular concern to DPOR is the storage of fuel in  
16 high concentrations at moorage and storage sites on Butterfly, Lynx, and Red Shirt lakes.  
17 The proximity of stored fuel to waterbodies; the inadequacy or non-existence of containment  
18 for stored fuels; and in some cases, the storage of fuel within a boat moored on a waterbody  
19 substantially increases the potential for releases to aquatic and riparian environments. While  
20 the same potential for fuel release to aquatic environments and waterbodies exists where  
21 boats are moored on state waters adjacent to private properties; this plan recognizes the  
22 modified right to wharfage that exists for riparian property owners and thus only addresses  
23 moorage and storage that facilitates access to private property.

24  
25 This plan identifies areas where storage and moorage can occur to facilitate private access,  
26 establishes limits on the type of boats and property that can be stored, and requires fuel  
27 storage methods that will reduce the possibility of discharge to aquatic or riparian habitats.

## 28 29 **Snowmobile Openings**

30  
31 There are two primary issues associated with the use of snowmobiles. The first issue  
32 involves the areas that can be opened to the use of snowmobiles while the second issue is the  
33 standard that is used to determine adequate snow cover to protect underlying vegetation  
34 which triggers an opening of the area south of the Parkway to the use of snowmobiles.  
35 Under current regulation<sup>5</sup> vehicles are prohibited in state parks unless allowed by unit  
36 specific regulations. At NLSRA, more specific regulations have been adopted but those  
37 regulations only allow for the opening of the area south of the Nancy Lake Parkway when  
38 snow depth is adequate to protect underlying vegetation.<sup>6</sup> The NLSRA specific regulation  
39 lacks flexibility to open specific areas or particular trails when conditions would allow use  
40 with only minimal impacts to resources. Given recent snowfall trends, DPOR needs  
41 flexibility to open areas or trails.

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<sup>4</sup> The term “state waters” refers to all surface waters within the Nancy Lake State Recreation Area.

<sup>5</sup> 11 AAC 12.020

<sup>6</sup> 11 AAC 20.555

1 In recent years, NLSRA has not had sufficient snow depth to protect underlying vegetation in  
2 early winter and the area south of the Nancy Lake Parkway has not been open to  
3 snowmobiles during the late fall/early winter season. As a result, DPOR has received  
4 increased requests to authorize the use of snowmobiles to access private property. To  
5 provide this access, DPOR has authorized use of snowmobiles on specific trails or areas  
6 when snow conditions wouldn't allow opening the entire area south of the Parkway. Because  
7 the practice of authorizing restricted openings on these trails and areas is becoming more  
8 common, DPOR determined this issue needed to be addressed in a comprehensive manner.  
9 To do this DPOR will identify where restricted openings are appropriate and the criteria used  
10 to make the decision to open the trail or area. The standard is based on the depth of frost in  
11 the ground, ice on waterbody crossings, and enough snow to minimize impacts to the trail  
12 tread.

13  
14 The standards for opening the area south of the Parkway and the North Rolly Lake snow trail  
15 have been viewed as somewhat arbitrary in the past. A new standard has been used in recent  
16 years by NLSRA staff to determine when the area has sufficient snow cover to protect the  
17 underlying vegetation. This standard is based on the water equivalency of the snow. When  
18 the water equivalency of the snow reaches 1.5 (roughly 18 inches of snow) the area south of  
19 the parkway and the North Rolly Lake snow trail are opened. This standard is repeatable and  
20 easily measured by staff.

## 21 22 **Permitting Standards**

23  
24 The 1983 Plan did not identify the compatibility of specific uses and activities for the two  
25 land-use zones used in this plan. Nor did it include guidance for staff to use when  
26 adjudicating authorizations for many types of uses and activities. As a result, the permitting  
27 process is very cumbersome and time consuming for the public and agency staff alike.  
28 Ultimately, this plan seeks to provide a fair, efficient, and consistent permitting process.

29  
30 This plan provides guidance for staff to follow when adjudicating applications for uses and  
31 activities within NLSRA and NLSRS.

## 32 33 **Existing Unpermitted Uses**

34  
35 A recent dock survey indicates that hundreds of docks and other structures have been  
36 constructed or maintained on state waters within NLSRA. Of these, fewer than 30 received  
37 an authorization from DPOR as required by current regulation prior to their placement or  
38 construction within NLSRA.<sup>7</sup> Other than docks, common types of structures include: boat  
39 launches, decks, gabions, and shoreline revetments among other types. Based on the type  
40 and size of many of the docks or structures, many could have been authorized if the owner  
41 had applied for an authorization. Others, however, were of a size and type that are  
42 incompatible with the purpose of the land as public recreation land and would not have been  
43 authorized.

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<sup>7</sup> 11 AAC 12.140

1 This plan establishes the policy DPOR will follow to address existing unpermitted structures.

### 3 **Resource Impacts**

4  
5 Normal use of trails and roads has resulted in degradation of these routes and is impacting the  
6 adjacent natural habitats. Within the canoe trail system, portages were not originally sited  
7 and designed as sustainable trails and as a result these trails are not able to accommodate  
8 current use levels without degradation. The portages are incised for much of their length due  
9 to compacted or displaced soils. Exposed tree roots are common on these trails. Other  
10 segments of the portages are steep fall-line trails that cause sedimentation of waterbodies.  
11 Sedimentation and loss of lacustrine habitat is occurring where portage trails transition to  
12 water trails.

13  
14 Impacts associated with hiking trails are similar to the canoe portages and result from poorly  
15 sited and developed trails impacting adjacent uplands, wetlands, and waters through erosion  
16 and sedimentation. Soil compaction and the exposure of tree roots are common on many of  
17 the existing trails. Authorized use of ORV's on Butterfly Lake Trail is resulting in  
18 degradation of some segments of the trail tread making it difficult for hikers to travel on  
19 these segments. Similar to the canoe trails, impacts to these terra trails occurred because the  
20 original trails were not sited and designed as sustainable trails.

21  
22 Long-term storage of private property, including boats, on state-owned uplands and moorage  
23 of boats on state waters has resulted in impacts to riparian habitats at Lynx, Butterfly, and  
24 Red Shirt lakes. Impacts result from the repeated dragging of boats across the transition zone  
25 (from water to upland and vice versa), shading from stored property, and compaction of soils  
26 and loss of vegetation due to repeated use. Additional impacts are occurring to native soils at  
27 the storage and moorage area at Butterfly Lake as a result of loading of ORV's on boats.  
28 These impacts include soil compaction, rutting, loss of vegetation, and erosion of soil  
29 surface.

30  
31 Impacts associated with vehicle use and improper maintenance of Lynx Lake Road is  
32 contributing to the sedimentation of adjacent uplands and degradation of the road surface.  
33 Improper maintenance of the road has resulted in an incised road surface with  
34 improper/inadequate drainage. Use of highway vehicles and ORV's on this road has caused  
35 rutting, puddle development, and washboarding of the road surface. Improper disposal of  
36 excess road material has occurred on state lands adjacent to the road causing sedimentation  
37 and loss of vegetation.

38  
39 Improperly sited trails and facilities may impact cultural resources. Without site specific  
40 evaluation of a trail route or facility site, DPOR will not know if cultural resources are being  
41 impacted. Some areas that have a higher possibility of cultural resources are known,  
42 however, a comprehensive study of NLSRA and NLSRs have not been completed.

1 The final resource impact issue addressed in this plan is the degradation of resources related  
2 to camping outside of designated and hardened areas. The impacts of this use are similar to  
3 trails in that camping repeatedly in an area can lead to soil compaction, soil loss, vegetation  
4 loss, and possible impacts to fish, wildlife, and their habitats.  
5

6 This plan recommends new trails and redevelopment of existing trails to enhance use and  
7 minimize resource impacts. All trails will be developed as sustainable trails consistent with  
8 the recently adopted DPOR sustainable trails policy. Consistent with existing statutes, a  
9 cultural resource survey should be conducted before any construction or improvement project  
10 within NLSRA and NLSRS.  
11

## 12 **Boat and Personal Property Abandonment**

13  
14 Boats and other types of personal property are being stored long term without benefit of a  
15 permit or abandoned in violation of current regulations.<sup>8</sup> In addition to an estimated 100 or  
16 more boats that are left unattended; other personal property such as fuel cans, batteries, lock  
17 boxes, etc are left unattended or abandoned. Commonly, the personal property left at boat  
18 storage sites is associated with the use of boats for access to private property; however, some  
19 of the boats and personal property may not be associated with private property access and  
20 may be left by people that frequently recreate in the area. Other types of personal property  
21 found abandoned include docks or dock sections, rafts, inflatable recreation structures, and  
22 boats. This type of abandoned property is primarily found on Nancy Lake where high levels  
23 of private ownership and recreational use occur.  
24

25 This plan provides a process to differentiate between property that is properly stored for  
26 access to private land and abandoned property.  
27

## 28 **Recreational Facility Development**

29  
30 When properly sited, designed, and developed, facilities can accommodate use while at the  
31 same time minimizing impacts to the surrounding environment or neighboring private  
32 property. The type and location of facilities has a great influence on recreational opportunity  
33 and levels of use. They can change use patterns within a discrete area or can influence that  
34 use over a wide geographic area. DPOR must balance the rights and interests of inholders  
35 and other property owners in the area, with the public right to access and to recreate on state  
36 land and water. Principles that guide the site work and design of public facilities need to be  
37 included in this plan.  
38

39 This plan identifies the management orientation for NLSRA and NLSRS and recommends  
40 facilities that will meet current and future recreational needs within the 20 year planning  
41 period.  
42

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<sup>8</sup> 11 AAC 12.140 and 11 AAC 18.010

1 **Trails**

2

3 Similar to facilities, the design use, standard of development, and location of a trail  
4 influences the type and level of use that will occur on the trail. A properly sited and  
5 developed sustainable trail will facilitate use, reduce maintenance costs, and minimize  
6 impacts to the surrounding natural and cultural resources. The majority of existing trails  
7 were not originally sited or designed as sustainable trails, and as a result the tread (useable  
8 linear surface) is being degraded by current types and levels of uses.

9

10 This management plan identifies existing trails that must be upgraded to sustainable trail  
11 standards and new trails that are needed to provide a diversity of recreational opportunities.