

Chapter 2

Areawide Land Management Policies

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CHAPTER 2

Areawide Land Management Policies

Introduction

This chapter presents land management policies for each of the major resources affected by the plan: fish and wildlife, forestry, materials, mineral resources, recreation and tourism, and water. It also presents management policies for several specific land management concerns: cultural resources; protection of fish and wildlife habitat and harvest areas; grazing; instream flows; public and private access; timber harvest; settlement; and shoreline and stream corridor management. These policies apply to state land throughout the planning area regardless of the land use designation.

This chapter consists of goals and management guidelines. Goals are the general condition the department is trying to achieve, and guidelines are specific directives that will be applied to land and water management decisions as resource use and development occurs.

Definitions

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

Goals

The following goals are for state lands in the planning area. Goals are general conditions that DNR attempts to achieve through management actions. The goals are listed alphabetically. No single goal has a priority over the others.

Economic Development. Provide opportunities for jobs and income by managing state land and resources to support a vital, self-sustaining local economy.

Fiscal Costs. Minimize the need for, and the fiscal cost of, providing government services and facilities such as schools and roads.

Public Health and Safety. Maintain or enhance public health and safety for users of state land and resources.

Public Use. Provide and enhance diverse opportunities for public use of state lands, including uses such as hunting, fishing, boating and other types of recreation.

Quality of Life. Maintain or enhance the quality of the natural environment including air, land and water, and fish and wildlife habitat and harvest opportunities; and protect heritage resources and the character and lifestyle of the community.

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

Sustained Yield. Maintain the long-term productivity and quality of renewable resources including fish and wildlife, and timber.

Management Intent

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

General Framework of the Plan

- A.** State land within the planning area will be managed to allow for multiple use unless legislatively designated or a parcel of state land is less than 640 acres and managed under a management agreement by another state agency.
- B.** State land will also be managed to protect access and public resources. Types of resources to be protected include, but are not limited to habitat, recreation, water quality, anchorages, watersheds, scenery and trails.
- C.** State land will remain open to mineral entry unless specifically closed. This plan does not recommend any areas to be closed to mineral entry nor to be managed under a leasehold location order. Consequently, all land within the planning area is open to entry, except for those scattered areas closed in previous mineral closing orders by DNR.
- D.** In management units where a primary use has been designated, activities and authorizations pertaining to that primary designated use may take precedence over other uses. Although there may be a priority for use in certain parcels, other uses may also be allowed if they do not preclude the primary use assigned to a management unit. This plan emphasizes minimizing land use conflicts through plan guidelines and intent rather than through prohibitions. All other uses are initially presumed compatible with the primary use. However, if DNR determines that a use conflict exists and that the proposed use is incompatible with the primary use, the proposed use shall not be authorized or it shall be modified so that the incompatibility no longer exists (11 AAC 55.040 (c)).

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

Management Guidelines by Activity or Resource Value

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

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

General Guidelines

A. All authorizations for use of state land within the planning area will be consistent with the principles of multiple use¹ and sustained yield and with the management intent in this plan.

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

1. minimize damages to streambeds, fish and wildlife habitat, vegetation, trails, anchorages, and other resources;
2. minimize conflicts between resources and uses; and
3. protect the long-term value of the resource, public safety, and the environment.

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

D. Authorizations issued by the Department are to be consistent with the principles of multiple use and sustained yield and, if fish and wildlife resources are involved, with the public trust doctrine.

¹ The concept of multiple use means that authorizations must take into account short-term and long-term public needs for both renewable and nonrenewable resources. Although the general thrust of the Alaska Constitution (Article VIII) is to utilize state land for the benefit of the people of Alaska, this does not mean that every use can be authorized in an area. The general guidelines also include the concept that minimizing conflicts between resources and uses includes the ability to deny a particular use on a particular site.

Other State Land

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

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. 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, including upland property owners adjoining state tidelands or submerged lands.

B. Coordination with Local Comprehensive Plan and Zoning Ordinance. The comprehensive plan, coastal zone plan, and zoning map/ordinance of the Northwest Arctic and North Slope Boroughs are to be reviewed by DNR prior to issuing permits, leases, or other forms of use authorizations. The boroughs should also be consulted when such authorizations may affect subsistence activities². Note: also see discussion of Alaska Coastal Management Program, p. 4-8. Uses authorized on state land by DNR must, in addition to the management guidelines in this Chapter, also conform to the ACMP enforceable policies of the program, including the statewide standards under 11 AAC 112 and the enforceable policies of approved district plans.

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.

² Note: Both boroughs maintain information on a variety of cultural, environmental, social, as well as other considerations related to DNR authorizations and should be reviewed prior to issuing a decision. Consultation with the Borough may also be appropriate.

D. Other Guidelines Affecting Coordination or Public Notice. Other guidelines may affect coordination or public notice. See other sections of this chapter.

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. The intention of this plan is to implement the purposes of this Act through the identification of cultural, archeological, and historic resources prior to project development and to preserve and protect these resources either through avoidance or the use of stipulations in authorizations issued by the Department.

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 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.

C. Cultural Resource Surveys Prior to Land Offerings. If determined by OHA during an agency review of a proposed land disposal that a cultural survey may be required, further coordination between OHA and DMLW prior to the land disposal is warranted. Cultural surveys should be considered where OHA reported sites exist or where there is a high

potential for such sites to exist. The extent and type of the cultural survey within the area of the proposed land disposal shall be determined by OHA in consultation with DMLW. Detailed procedures exist governing when a survey is required and extent of the cultural resource survey and are to be consulted by DNR adjudicators.

D. Cultural Resources Adjacent to Recreation Facilities. Recreation facilities that might subject cultural sites to vandalism because of the increased public use should not be placed adjacent to the cultural sites.

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

F. Other Guidelines Affecting Cultural Resources. Other guidelines may affect cultural resources. See other sections of this chapter.

Fish and Wildlife Habitat and Harvest Areas

Background

Although all lands serve as fish or wildlife habitat and harvest areas to some degree, the most important habitat and public use lands will be retained in public ownership and managed to maintain fish and wildlife production and related public uses. State land in the planning area provides habitat for a variety of species including marine mammals, birds, moose, caribou, bear, Dall sheep, furbearers and other animals. Within the planning area, lands with the high values for fish and wildlife habitat and harvest generally occur along the coast, along the major river systems, and within important habitat areas for marine mammals, moose, bear, caribou, and furbearers. A dominant ecological attribute within the planning area is the Western Arctic Caribou Herd (WACH). At almost 500,000 (July 2003 estimate) this is the largest caribou population in Alaska. It occupies the northwestern quarter of the state, an area of about 140,000 square miles, and all of the planning area of the NWAP. These fish and wildlife resources are used extensively by local area residents as well as people throughout the state and outside of Alaska. The guidelines below apply to particularly important habitat areas throughout the planning area, such as marine mammal haulouts, sea bird rookeries, waterfowl concentration areas, moose and caribou seasonal habitats, anadromous and high value resident fish streams, lagoons and estuaries.

Goals

Ensure Access to Public Lands and Waters. Ensure access to public lands and waters to promote or enhance the responsible public use and enjoyment of fish and wildlife resources.

Mitigate Habitat Loss. When resource development projects or land disposals occur, avoid or minimize reduction in the quality and quantity of fish and wildlife habitat.

Contribute to Economic Diversity. Contribute to Alaska's economy by protecting the 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. Protect and maintain in public ownership and protect habitat for fish and wildlife resource protection to supply sufficient populations or a diversity of species to support commercial, recreational, or traditional uses on an optimum sustained yield basis; and protect unique or rare assemblages of a single or multiple species of regional, state, or national significance.

Manage for Sustained Yield. DNR management of state land and resources is to be consistent with the requirements of sustained yield, as expressed in the State Constitution.

Avoid the Introduction of and Reduce the Spread of Invasive Plant and Animal Species. State lands are to be managed to avoid or reduce the spread of non-native invasive animals and plants. This management shall be consistent with the applicable requirements of 11 AAC 34.

Manage to Maintain and Enhance the Natural Environment. DNR, in its management of habitat on state lands, shall attempt to maintain and enhance the natural environment in areas known to be important as habitat for fish and wildlife.

Management Guidelines

The management guidelines that follow apply to all habitat areas throughout the planning area, with special consideration given to marine mammal haulouts, sea bird rookeries, waterfowl concentration areas, moose and caribou seasonal habitats, anadromous fish and high value resident fish streams, lagoons and estuaries, and other areas listed in Guideline B where alteration of the habitat and/or human disturbance could result in a permanent loss of a population or sustained yield of a species.

A. Mitigation. When issuing permits and leases or otherwise authorizing the use or development of state lands, DNR will recognize the requirements of the activity or development and the effects to habitat when determining stipulations or measures needed to protect fish, wildlife, or their habitats. The costs of mitigation relative to the benefits to be gained will be considered in the implementation of this policy.

All land use activities will be conducted with appropriate planning and implementation to avoid or minimize adverse effects on fish, wildlife, or their habitats.

DNR and ADF&G may require the mitigation of any significant damage to fish, wildlife, or their habitats that may occur as a result of a project or proposal. DNR and ADF&G will enforce stipulations and measures appropriate to their agency, and will require the responsible party to remedy any significant damage to fish, wildlife, or their habitats that may occur as a direct result of the party's failure to comply with applicable law, regulations, or the conditions of the permit or lease.

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

1. Avoid anticipated, significant adverse effects on fish, wildlife, or their habitats through siting, timing, or other management options.
2. When significant adverse effects cannot be avoided by design, siting, timing, or other management options, the adverse effect of the use or development will be minimized.

3. If significant loss of fish or wildlife habitat occurs, the loss will be rectified by repairing, rehabilitating, or restoring the affected area to a useful state.
4. DNR shall consider requiring replacement with, or enhancement of, fish and wildlife habitat when steps 1 through 3 cannot avoid substantial and irreversible loss of habitat. The ADF&G will identify the species affected, the need for replacement or enhancement, and the suggested method for addressing the impact. Replacement with or enhancement of similar habitats of the affected species in the same region is preferable. DNR will consider only those replacement and enhancement techniques that have either been proven to be, or are likely to be, effective and that will result in a benefit to the species impacted by the development. Replacement or enhancement will only be required by DNR if it is determined to be in the best interest of the state either through the AS 38.05.035(e) or permit review process.

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

- Anadromous fish spawning rearing and overwintering areas in fresh water or brackish intertidal waters.
- Estuaries important for the rearing, overwintering or schooling of anadromous fish, waterfowl and shorebird concentration areas, or marine mammal concentration and feeding areas.
- Eel grass or kelp beds covering large areas that are important marine nurseries.
- Pacific herring spawning and rearing concentration areas.
- Lagoons important for feeding or migration of whales, rearing and overwintering of anadromous fish, waterfowl and shorebird concentration areas, or marine mammal concentration and feeding areas.
- Arctic peregrine falcon and American peregrine falcon nest sites and known concentrations.
- Waterfowl and/or shorebird concentration areas.
- Seabird breeding habitat within each colony area of 1,000 birds and a two-mile radius around major breeding colonies (more than 20,000 birds).
- Sea lion, walrus, and seal haulouts, rookeries and feeding areas.
- Bear concentration areas (particularly seasonal concentrations along the coast or along streams).
- Moose winter range, calving and rutting areas.
- Caribou seasonal habitats (winter range, calving areas, insect relief areas, concentration areas, etc).

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- Important caribou migration corridors.
- Important wildlife movement corridors, including marine migration routes.
- Muskox seasonal habitats (winter range, calving areas, concentration areas, etc).

The areas designated Habitat (Ha) in Chapter 3 of the plan were defined using the best available information when the plan was written. These data sources were of a generalized nature. Thus, the wildlife and fishery information identified for specific management units in Chapter 3 may occupy either part or all of the area of a unit, or it is possible that part of a management unit designated Habitat may not contain the resource or habitat that identified as requiring protection. Additionally, due to widespread distributions and lack of detailed surveys, not all the important fish and wildlife and harvest areas have been identified within the planning area. Hence, important fish and wildlife habitat areas may exist within units with designations other than Ha. In the granting of authorizations, DNR adjudicators should consult with the ADF&G and the appropriate federal management agency (USFWS and NMFS) to acquire more detailed and more recent information pertaining to fish and wildlife use and habitat values if there is some question as to the appropriateness of the use that is under consideration for authorization. Adjudicators may also find it useful to consult with local communities and boroughs since they often possess useful information that may not otherwise be available.

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

Since there is an often distinct seasonality associated with the critical life periods of certain species, seasonality should be taken into consideration during project review and approval. Seasonality and critical life cycle stages are identified in ADF&G publications. Thus, it may be possible that uses and facilities may be appropriate within areas designated Habitat if the seasonality criteria are satisfied by including mitigating measures in project design. Seasonality and critical life cycle stage information are identified in various ADF&G publications, however, the ADF&G should be consulted to determine life cycle and seasonality requirements.

Upland and tideland uses that are not consistent with the types of uses associated with the approved designation or are not authorized in the management intent statement for a specific unit and that, if permitted, would result in the degradation of the resource(s) associated with areas designated “Ha”, are to be considered incompatible with the plan's management intent and, specifically, with the “Ha” designation. Degradation of the resource might result from variety of actions including but not limited to: dredging, filling, significant compaction of

vegetation and sediment, alteration of flow patterns, discharge of toxic substances, or disturbance during sensitive periods. If there is a question as to whether a use would be appropriate or whether it would degrade a listed resource, DNR shall consult with ADF&G in making the determination of initial incompatibility.

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

- DNR determines through new information or a more detailed analysis that the management unit in question does not possess those attributes characteristic of a Habitat designation as defined in the plan; or
- If DNR in consultation with ADF&G determines that the non-designated use can be made compatible and significant adverse impacts to the “Ha” area avoided with appropriate design, siting, and operating stipulations; or
- The use (project) is found consistent under the ACMP or with this plan in a DNR best interest finding (AS 38.05.035) and significant adverse impacts are mitigated under Management Guideline A.

C. Allowing Uses Outside of Designated Fish and Wildlife Habitat Areas. Important fish and wildlife habitat or harvest areas may exist within units designated other than Ha. In the granting of authorizations, DNR adjudicators should consult with the ADF&G and the appropriate federal management agency (USFWS and NMFS) to acquire more detailed and more recent information pertaining to fish and wildlife habitat and harvest values.

D. Habitat Manipulation: General Requirements. Fish and wildlife enhancement or manipulation activities on state lands, whether by ADF&G or other parties, may be used to improve habitat for certain fish and wildlife species where ADF&G determines that it is beneficial to the species or habitat and DNR determines that it is compatible with the management intent for those lands. Habitat manipulation through controlled burning, water control, timber management practices, removal of pollution sources, or other measures may be allowed. Enhancement activities likely to attract significant public use, including sport fishing use, will be designed and located to minimize the impact of additional public use on the existing recreation resources, including anchorages, campsites, and existing and intended wilderness values.

E. Habitat Manipulation: Management of Invasive Plant and Animal Species. The state will manage its lands and waters to avoid the introduction of and reduce the spread of invasive non-native species, consistent with the requirements of 11 AAC 34. Although the strategic management plan for noxious and invasive plant species recognizes this as a statewide issue, this problem is typically best handled at the local level. The local Soil and Water Conservation District has a program in place that currently concentrates on surveying areas of infestation and providing landowners with treatment options and Best Management Practices in an effort to control these species. The ADF&G has management authority over invasive fish and wildlife species. The ADF&G, Division of Sport Fish, has developed the

Alaska Aquatic Nuisance Species Management Plan (2002) and the Management Plan for Invasive Northern Pike in Alaska (2007) to provide management options for aquatic invasive species. Contact the S&WCD or ADF&G for more information.

F. Hatchery and Aquatic Farm Source Waters. To preserve the quality of an existing hatchery's water supply, uses should not be located on state land where they would risk reducing water quality or quantity below that needed by an existing or proposed hatchery.

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

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

H. Alteration of the Riverine Hydrologic System. To the extent feasible, channelization, diversion, or damming that will alter the natural hydrological conditions and have a significant adverse impact on important riverine habitat will be avoided.

I. Threatened and Endangered Species. All land use activities will be conducted consistent with state and federal Endangered Species Acts to avoid jeopardizing the continued existence of threatened or endangered species of animals or plants, to provide for their continued use of an area, and to avoid modification or destruction of their habitat. Specific mitigation recommendations should be identified through interagency consultation for any land use activity that potentially affects threatened or endangered species. Ten species are identified by the federal government as either Threatened (T) or Endangered (E) within the planning area, while the state identifies four of these ten as Endangered. These species are under the jurisdiction of the U.S. National Marine Fisheries Service, U.S. Fish and Wildlife Service, or ADF&G. The table, below, identifies the species identified by the federal government as Threatened or Endangered. The four species identified as Threatened or Endangered by the state are noted.

Species	Status
Short-tailed albatross (<i>Diomedea albatros</i>)*	E
Spectacled eider (<i>Somateria fishcheri</i>)	T
Stellar's eider (<i>Polysticta stelleri</i>)	T
Humpback whale (<i>Megaptera novaeangliae</i>)*	E
Blue whale (<i>Balaenoptera musculus</i>)*	E
Fin whale (<i>Balaenoptera physalus</i>)	E

North Pacific right whale (<i>Eubalaena japonica</i>)*	E
Sperm whale (<i>Physeter macrocephalus</i>)	E
Bowhead whale (<i>Balaena mysticetus</i>)	E
Stellar sea lion (<i>Eumetopias jubatus</i>)	E (western population)

* Also included on the State's Threatened and Endangered list.

The U.S. Fish and Wildlife Service, Division of Ecological Services, or the National Marine Fisheries Service should be consulted on questions that involve endangered species.

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

- 1. Siting Facilities to Avoid Eagle Nests.** Facilities determined by the U.S. Fish and Wildlife Service to cause significant disturbance to nesting eagles will not be allowed within 330 feet of any bald eagle nest site, whether the nest is currently active or not.
- 2. Activities Disturbing Nesting Eagles.** Activities the U.S. Fish and Wildlife Service determines likely to cause significant disturbance to nesting eagles will be prohibited within 330 feet of active bald eagle nests between March 15 and August 31. Temporary activities and facilities that do not alter eagle nesting habitat or disturb nesting eagles, as determined by the USFWS, may be allowed at other times.

K. Moose Winter Concentration, Calving and Rutting Areas. Portions of the planning area are important for moose calving and rutting, or are used as winter concentration areas. Calving typically occurs from May through June, depending upon location. Rutting typically occurs from late September through mid October. Uses that are likely to produce levels of acoustical or visual disturbance sufficient to disturb calving, rutting, or post-calving aggregations that cannot be seasonally restricted should not be authorized in these areas. Uses may be authorized in these areas at other times of the year. DNR authorizations should include seasonal restrictions on activities that would produce significant acoustical or visual disturbance during sensitive periods.

Moose calving and rutting areas change over time. ADF&G should be consulted prior to issuing an authorization in an area suspected to contain such concentrations in order to better determine: 1) the location of calving and rutting areas; 2) when activities within these areas should be avoided; and 3) identify appropriate mitigation measures if no feasible or prudent

alternative site exists. Refer to a management unit's 'Uses and Resources' section in the Resource Allocation Tables to determine whether the presence of a rutting or calving area is likely or if it is a winter concentration area.

L. Caribou Calving Areas, Winter Range, Summer Range and Insect Relief Areas.

The Western Arctic Caribou Herd (WACH) is the dominant herd within the planning area, however other caribou herds are occasionally present in the planning area. The WACH occupies the northwestern quarter of the state, an area of about 140,000 square miles, and all of the planning area of the NWAP. The most significant habitats include calving grounds, summer range (including insect relief habitat), migratory area (including identified travel corridors) and winter range. Where these areas exist, they are identified within specific management units in the Resource Allocation Tables (RAT) of Chapter 3. The RAT and the applicable guidelines under this Chapter are to be consulted to determine management intent and the level of protection accorded the WACH within each unit. Other management requirements pertain to the 'Subsurface Resources' component of Chapter 2 and should be consulted prior to authorizing locatable, leasing, or licensing activities. Many of the areas used by the WACH are designated Habitat and in those areas not so designated, specific management requirements exist and are noted in the Resource Allocation Table.

Uses that are likely to produce levels of acoustical or visual disturbance sufficient to disturb calving, rutting, or post calving aggregations that cannot be seasonally restricted should not be authorized in these areas. Uses may be authorized in these areas at other times of the year. DNR authorizations should include seasonal restrictions on activities that would produce significant acoustical or visual disturbance during sensitive periods.

M. Reindeer Herd Management and Overwintering Moose and Caribou. Authorizations for reindeer herding will be reviewed by ADF&G to address limitations on herding activities in riparian moose winter habitats and important caribou habitats. The intent is to avoid conducting winter activities that will disturb moose and cause them unnecessary energy expenditures and reduce conflicts with the WACH.

N. Tundra Swan Nesting Areas. In tundra swan nesting areas, uses that would disturb nesting swans or detrimentally alter the nesting habitat should be avoided. The siting of permanent facilities, including roads, material sites, storage areas, and other forms of permanent structures should be avoided within one-quarter mile of known nesting sites. Surface entry should also be avoided within one-quarter mile of nesting sites between April 1 and August 31. Leases or permits may require seasonal restrictions on activities to avoid disturbance to swans. Consult with ADF&G and USFWS to identify current or potential nesting habitat and to determine guidelines to follow and activities to avoid. The standards of Guideline P, 'Activities in Important Waterfowl Habitat', also apply. Refer to an upland/tideland management unit's 'Resources and Uses' section in the Resource Allocation Tables to determine if the presence of a nesting area is likely.

O. Seabird Colonies and Marine Mammal Rookeries and Haulouts. Seabird colonies and walrus, sea lion, and seal haulouts and rookeries shall not be physically altered. Structures or activities that would preclude or significantly interfere with the continued use of these areas should not be authorized and should be situated at least one-half mile distant from haulouts or seabird colonies. Uses with high levels of acoustical or visual disturbance should not be allowed within: one mile of seabird colonies from April 15 through August 31; one-half mile of walrus haulouts from May 1 through December 1; and one-half mile of seal or sea lion haulouts from May 1 through July 31. Consult with the U.S. Fish and Wildlife Service, National Marine Fisheries Service, and ADF&G prior to granting authorizations to identify marine mammal haulout, rookery and seabird colony locations more specifically and to define minimum distance separation requirements and specific use restrictions. Consult the 'Resources & Uses' section of tideland management units in the Resource Allocation Tables to determine haulouts, rookeries, or seabird colonies likely to be present within areas of an identified tideland unit. Also consult the plan maps and ADF&G to determine the location of these sensitive features.

Individual marine mammal haulouts and rookeries and seabird colonies³ not contained within specific tideland management units or state protected tideland areas⁴ are designated Habitat (Ha) and are to be managed according to Management Guideline B, 'Allowing Uses in Fish and Wildlife Habitats (Ha)' and the restrictions described above.

P. Activities in Important Waterfowl Habitat. In important waterfowl habitat, activities requiring a lease, permit, or development plan, and producing habitat disturbance or high levels of acoustical or visual disturbance from sources such as boat or vehicle traffic, vegetation clearing, construction, blasting, dredging, and seismic operations, will be avoided during sensitive periods such as nesting, staging, or brood-rearing periods. Where it is not feasible and prudent to avoid such activities, other mitigation measures may be required to avoid significant adverse impacts. Consult with ADF&G to identify areas of important waterfowl in addition to those identified in the tidelands management units in this plan and to determine appropriate mitigation or avoidance measures.

Q. Grizzly and Polar Bear Denning Sites. Exploration and production activities shall not be conducted within one-half mile of occupied grizzly bear dens, unless alternative mitigation measures are approved by ADF&G. Operations must avoid known polar bear dens by one mile. If a polar bear should den within an existing area of development, off-site activities shall be restricted to minimize disturbance. Known den sites can be obtained from the ADF&G Division of Wildlife Conservation. ADF&G should be consulted prior to issuing authorizations near existing or possible denning sites.

³ Defined as 1000 or more seabirds.

⁴ The term 'state protected areas' includes state game refuges, state game sanctuaries, and state critical habitat areas.

R. Arctic Peregrine and American Peregrine Falcon. The Arctic peregrine and American peregrine falcon are listed as a species of special concern by the ADF&G. Arctic peregrine falcons occur on the coastal perimeter and in suitable habitat along rivers in tundra areas of the planning area. American peregrine falcons are found in boreal forest habitats south of the Brooks Range where suitable cliff nesting habitat occurs. Authorizations or disposals should take into consideration any effects on nest sites of these species. Consult with ADF&G and USFWS to identify current or potential nesting habitat and to determine guidelines to follow and activities to avoid.

S. Fish and Wildlife Enhancement on State Lands. Fish and wildlife enhancement activities on state lands, whether by ADF&G or other parties, will be consistent with the management intent for those lands. Enhancement activities likely to attract significant public use, including sport fishing use, will be designed and located to minimize the impact of additional public use on the existing recreation resources, including anchorages, campsites, and existing and intended wilderness values.

T. Protection of Fish and Wildlife Resources – Transportation and Utility Facilities. Important fish and wildlife habitats such as those described as anadromous streams, riparian areas, important seasonal habitats for moose or caribou, fish and wildlife movement corridors, important wintering areas, and threatened or endangered species habitat should be avoided in siting transportation routes unless no other feasible and prudent alternatives exist. Where transportation or utility facilities intersect these habitats, and where no feasible and prudent alternative exists, fish and wildlife movement corridors and habitats will be maintained through the use of alternative designs. Location of routes and timing of construction should be determined in consultation with the ADF&G.

U. Anadromous Stream Mouths within Tidelands. Anadromous stream mouths⁵ shall be protected by a management zone. Only activities compatible with the protection or maintenance of anadromous fish resources are to be authorized in a zone occurring within a 300' radius measured seaward from MHW at the mouth of these streams. Leases, disposals, and other authorizations should not be approved within this zone unless consultation with ADF&G determines that the proposal is compatible with the intent of protecting anadromous fish resources.

V. Avoidance of Conflicts with Traditional Users of Fish and Game. Surface activities authorized under permit, lease, or have the potential to impact local harvest activities, are to avoid significant conflicts with local subsistence harvests and other traditional uses of fish and wildlife resources. The impact of surface activities upon local harvest is to be evaluated in DNR authorizations. These evaluations are to determine the degree of impact and, where

⁵ As identified in the Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fishes and its associated Atlas.

significant impact is likely to occur, either deny the activity or impose seasonal/ temporal restrictions. Prior to issuing an authorization that may have a significant effect upon habitat or local harvests, DNR is to consult with ADF&G, the borough, and local communities to ascertain their interests and concerns.

W. Other Guidelines Affecting Fish and Wildlife Habitat. Other guidelines may affect the protection and management of fish and wildlife habitat. See other sections of this chapter.

Forestry

Background

Most of the area within the NWAP plan boundary has little timber value. Timbered lands are located primarily along river valleys in the upper Kobuk River area and the southeastern portion of Seward Peninsula. Most harvested wood comes from land owned by Native corporations. Most state land is located some distance from Native villages and is only used as a source of timber when there is a demand for higher quality timber, such as house logs.

Given the fairly dispersed nature of state timber resources, their remoteness, and their distance to any market, there are no planned timber sales in the planning area. The Division of Forestry (DOF) is responsible for the implementation of the Forest Practices Act on any harvest on private lands including Native corporations. Very little commercial harvest has occurred in the area and little is expected in the future.

Forested lands will continue to be available for public use. Harvesting may take place on any land use designation within the planning area if it is compatible with the primary designated use.

Goals

Personal Use Timber. Provide timber to meet the needs of Alaskans. This program will be limited in scope and provided on a demand basis when the operational costs of administering this program are satisfactory.

Economic Opportunities. Provide for economic opportunities and stability in the forest products industry by allowing the use of state tidelands and submerged lands for log storage and transfer sites, and beach log salvage.

Support Timber Industry. Perform reviews of private timber harvest should they occur for adherence to the Forest Practices Act. Provide information and technical expertise in the management of forest resources if and when it may be needed by the industry.

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

Management Guidelines

A systematic program of scheduled timber harvests is not appropriate within the planning area at the present time; however, a few sales may be possible on an opportunistic basis. Should this occur they are likely to be small, isolated sales associated with the development of a subdivision, disposal of state land, or some other form of intensive land use. Harvest for personal use or salvage from disease or other destructive agents is likely at some time during the planning period. Timber management activities are subject to the following management guidelines in addition to the requirements of the state Forest Practices Act and any Forest Land Use Plan (FLUP) for a specific area.

The central focus of the state forestry program within the planning area is fire management. A management guideline is included that describes the broad aspects of this program. The implementation of the state fire management program is identified and controlled in detail by the Alaska Interagency Fire Management Plan.

A. Timber Harvest Guidelines

1. All timber harvest activities must be compatible with the 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. Most of the management units of state land are designated Habitat, General Use, Minerals, Minerals/Habitat, Transportation Corridor, Public Recreation-Dispersed, or Settlement. Forest harvest/management may be an appropriate use within any of these designations, consistent with the management intent and management guidelines of specific management units. Forest harvest operations conducted on a management unit of state land⁶ intended for subdivision development by DNR can precede actual construction. However, these operations must be consistent with the subdivision plan for the management unit. Consultation with DMLW is required before commencing operations.
2. All timber harvest operations will be conducted in accordance with the stipulations in the Forest Land Use Plan, the Alaska Forest Resources and Practices Act (AS 41.17 & 11 AAC 95), the Alaska Land Act (AS 38.05 & 11 AAC 71), and other pertinent state guidelines and laws. The Forest Practices Act provides statewide guidance and policy for managing forestry related activities. The specific layout and other site-specific requirements of a timber sale are addressed through a FLUP, 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 management units in Chapter 3. FLUPs shall consider sensitive resources, wildlife, or any other significant factors identified in the Management Guidelines for a management unit.

⁶ Because of the scarcity of forest resource within the planning area, this requirement only applies to a few possible subdivision areas.

3. Land conveyed out of state ownership for the purpose of settlement, or another form of active land use, shall not be used for commercial timber harvest and sale. Such disposals of state land by DNR shall preclude the sale of merchantable timber harvested on lots or management units conveyed out of state ownership. The format used to impose this restriction is at the discretion of the Regional Manager, Southcentral Office. This guideline is not intended to preclude the cutting of trees or other vegetation as part of the process of land clearing or site development.

B. Beach Log Salvage. Although beach log salvage may be categorically consistent with the Alaska Coastal Management Program, a license is required from the Department before salvage commences. Beach log salvage administered under the provisions of AS 45.50 and 11 AAC 71 shall be consistent with standards developed by the DOF and GC-10 (General Permit) of the ACMP.

C. 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 Regional Manager of the Southcentral Region of DMLW shall determine the amount and kind of material that is to be salvaged.

D. Personal Use Wood Harvest. When forested lands are available near communities and where personal use harvest is consistent with other purposes for which the land is being managed, DOF may consider providing wood products for personal use. This program will only be undertaken, however, if it can be effectively and efficiently administered by DOF. Only limited use of this program is expected given the relatively low demand for personal use wood, the absence of a good supply, the high administrative costs of a small personal use wood supply program, and the difficulty of managing such a program from a distance.

E. Sustained Yield of Forest Resources. Forestland will be managed to guarantee perpetual supplies of renewable resources to serve the needs of all Alaskans for the many products, benefits, and services obtained from them. The annual allowable harvest will be calculated using the area control method.

F. Salvage of Damaged Trees. Trees damaged due to wind throw, insect, or disease conditions may be salvaged on all land use designations unless management intent statements for specific management units in Chapter 3 specifically prohibit salvage harvest. A FLUP, if required, will provide the rationale for conducting the salvage harvest and describe how the action will not conflict with the management intent for each management unit.

G. Fire Disturbance. The intent of fire management is to identify where wildland fire can be allowed or management ignited fires can be used to reduce costs of fire suppression, reduce the risk of damaging fires, and maintain the natural diversity and productivity of forest stands. Fire suppression will be a priority near residential areas or other forms of active land use, high value recreation use areas, and areas with infrastructure development. Consistent with AS 41.15.010 and AS 41.15.020, DOF will protect forest resources from destructive agents commensurate

with the values needing protection. However, where feasible, wildland fires will be allowed to burn and suppression will be limited to decrease the long-term risk of damaging fires and to maintain the natural diversity of forest stands, stand ages, and habitat types. Where allowing wildland fire is not feasible, timber harvest, management ignited fires, and habitat enhancement techniques will be used to disturb the forest and maintain a natural range of forest types and stand ages. Specific fire suppression levels are identified in the Alaska Interagency Fire Management Plan.

H. Other Guidelines Affecting Forestry. Other guidelines will affect management practices for timber development support facilities and forestry. See other sections of this chapter.

Grazing

Background

The raising and herding of domesticated reindeer within the Seward Peninsula has occurred since their introduction in 1892. Historically, the area used for grazing has encompassed nearly the entirety of the Peninsula, an area of about 15 million acres. Currently, most reindeer herders practice an extensive management style of herding. Animals either move about on their own accord or are herded between winter and summer calving sites, but always within a given area of the Seward Peninsula. The raising and herding of these reindeer has been a significant component of the local economy, providing, through either the sale of velvet antlers or harvested meat, significant employment and revenue generation. While the importance of the reindeer herds remains significant, there has been a marked decrease in their number and, therefore, in associated employment and revenues. This decline is related to the increase of the Western Arctic Caribou Herd (WACH) and its southern and westward expansion into the range hitherto used for reindeer herding in the Seward Peninsula. All but the far western extent of the Seward Peninsula is now occupied by the caribou of the WACH.

As a result of the competition for forage and the commingling and loss of reindeer to the WACH, most reindeer herders have lost 75-100 percent of their herd. This loss, amounting to over 17,000 reindeer, represents a significant revenue loss. Some of the herders have developed adaptive strategies but it remains to be seen if these techniques will be effective in stemming additional reindeer losses to the WACH. The following management guidelines are provided on the basis that reindeer herding will remain an important component of the rural, Native way of life and an important segment of the local economy.

Because of the expansive range needed for reindeer herding, grazing occurs throughout the Peninsula on private, state, and federal land. The State and federal governments manage reindeer herding comprehensively, with the majority landowner being given the authority to authorize herding activities on both state and federal land.

While reindeer herding is the dominant, and at the present time only form of grazing that occurs on state land, other forms of grazing may occur in the future within the planning area, and the following standards will apply to these as well.

Goals

Grazing Opportunities. Continue to provide opportunities for grazing on state lands in the Seward Peninsula.

Availability of State Land. Make units with existing forage and rangeland resources available for short-term and long-term grazing.

Contribute to Local Economy. Provide state land for the continuation of reindeer herding on the Seward Peninsula and thereby support local employment and a more diversified local economy.

Management Guidelines

A. Use of State Land for Grazing. Grazing on state land is appropriate for the duration of the area plan. This activity occurs within the Northwest Seward Peninsula, Southwest Seward Peninsula, and Norton Sound regions.

B. Multiple Use. All land use designations and classifications are multiple use. Lands used for grazing will be managed as multiple use lands to support a variety of public benefits, including fish and wildlife habitat and harvest, water quality maintenance, public recreation, and public access.

C. Access and Use. Public access across and public use of grazing lands may not be limited by persons holding grazing leases or permits unless approved as part of a grazing operations plan. (11 AAC 60.130)

D. Authorizations. Authorizations are to be issued consistent with the Memorandum of Understanding (MOU) between the National Park Service, State of Alaska, and the Bureau of Land Management. Authorizations, under the MOU, can be issued to a single permittee by the majority land owner where there is split state and federal ownership.

E. Grazing Operations Plans. If grazing operation plans are required, they should be developed in cooperation with ADF&G and the Natural Resources Conservation Service. When permits are reissued to a permittee, the effects of past reindeer herding operations are to be taken into consideration. Within the planning area, the minimum requirements of these plans are:

1. A physical resource map showing: location, acreage, and configuration of the authorized area and proposed range improvements including corrals, feedlots, watering sites, fences, improved pasture, line shacks, or similar facilities.
2. A plan of operations that includes the physical resource map and associated information, herd characteristics (size, state of health, and use areas), and proposed practices to meet the standards and procedures of applicable NRCS standards. If warranted, operation plans can designate temporary sites outside of national parks as 'safe areas' and/or can provide management techniques (corralling, supplemental feeding, or other means) to reduce the commingling and outmigration of reindeer. It is recognized that the designation of safe areas will be dependent on the specific location, potential wildlife conflicts, forage zones, and topography of an area.

3. An assessment of the effects of prior grazing operations on fish and wildlife populations. This requirement only applies if the commingling and outmigration of reindeer to the WACH has not occurred.

F. Permit Utilization. State land affected by a grazing permit is only to be used for the purposes stated in the permit, and in accordance with the land classification.
(11 AAC 60.060)

G. Lands Designated Settlement. To minimize conflicts between grazing and settlement, new grazing authorizations shall not be issued on state lands designated Settlement. Reindeer herding may continue on areas designated Settlement under existing grazing authorizations and they can continue to do so as long as they are a preexisting, valid right.

H. Grazing On Important Habitat Lands. Grazing may be prohibited in certain habitats if DNR determines, in consultation with Alaska Department of Fish and Game, that impacts can not be mitigated through specific management guidelines. Examples of areas that may require consideration are areas of winter moose concentration, waterfowl nesting areas, endangered species habitat, important caribou habitats, Dall sheep habitat, and areas of brown bear concentration.

I. Other Guidelines Affecting Grazing. Other guidelines may affect grazing; see particularly the sections on Settlement and Fish and Wildlife in this Chapter.

Instream Flow

Goal

Instream Flow. Maintain water quantity and quality sufficient to protect the human, fish, and wildlife resources and uses of the region.

Management Guidelines

A. Reservations of Water (General). Streams, lakes, and other water bodies may be considered for instream flow reservations under AS 46.15.145. Such reservations are intended to maintain a specified instream 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. The consumptive uses of water and potential conflicts with instream water use are not significant issues within the planning area. There are no streams where near-term development is likely to result in consumptive use of water that will adversely affect instream water uses. However, reservations of water should be considered while there is little or no competition to ensure reservation of sufficient amounts of water needed for fish and wildlife habitat, migration, and propagation; recreation; transportation and other human uses. This would also serve to identify water available for future uses. Proposals for new developments requiring substantial water use that may negatively impact instream flows should include an assessment of the projects impacts on instream flows and the need for a reservation of water (or any refinements to existing reservations of water) or other forms of instream flow protection.

C. Process for Determining Reservations. Requests for instream 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 instream flows for the uses and resources to be protected.

D. Other Guidelines Affecting Instream Flow. Several other guidelines will affect instream flow. See other sections of this chapter.

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.

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 when the quality, quantity, and cost of the resource is acceptable. 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.

D. Screening and Rehabilitation. Material sites shall be screened from roads, residential areas, recreational areas, and other areas of significant human use. Sufficient land should be allocated to the material site to allow for such screening. Rehabilitation of the site shall follow the requirements of AS 27.19.020 and 11 AAC 97.250.

E. Protection Area Adjacent to Anadromous Waterbodies. A riparian buffer of at least 100' shall be provided adjacent to anadromous waterbodies. The adjudicator is to consult with ADF&G on the width of the protection area prior to issuing an authorization.

F. Other Guidelines Affecting Materials. Other guidelines will affect the use of material resources. See other sections of this chapter.

Recreation, Tourism, and Scenic Resources

The area's land and natural resource base provide opportunities for a variety of dispersed outdoor recreational activities. However, the present level of dispersed recreation on state land is low, reflecting the region's low population, the difficulty of access, and the remoteness of some of the more attractive recreational areas. Most recreation use occurs near population centers. Recreational activity by visitors takes place mainly in the Brooks Range and on certain rivers such as the Kobuk, Squirrel, and Noatak. In addition to state land, there are numerous national parks and national wildlife refuges that provide opportunities for outdoor recreation.

State land will remain open to public recreation use. Commercial recreation facilities may also be allowed, but are to be authorized under specific leasing procedures. The NWAP does not propose the allocation of any state land for parks, recreation areas, or recreation sites specifically reserved for outdoor recreation. Recreation is a codesignated use in some management units and is considered an allowable use within all plan designations. This plan does not affect the Generally Allowed Uses on State Land (11 AAC 96.020).

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 less developed land and water areas that serve 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;
- protecting 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 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 areas, while local government is generally best suited for providing and managing community recreation opportunities. To recognize local government's role in providing community recreation needs, the state may transfer state land within or near existing communities if the municipality has parks and recreation powers and if this action is in the overall best interest of the state (AS 38.05.810). The selection of these sites shall be agreed to by local government and the state, and shall be contingent on the local government's commitment to develop and maintain the recreation uses, facilities, and values of these areas.

C. Public Use Sites. Uses that adversely affect public use sites or areas should not be authorized. Uses that are made available to the public, recreational or other sites (such as airstrip development or docks) may be authorized if consistent with the management intent for the public use site or area and if there is a demonstrated public need. Public Use Sites designated in this plan or in plan amendments shall be retained in state ownership except in rare cases where a best interest decision determines otherwise.

D. Private Commercial Recreation Facilities and Operations on State Land. Lodges or other private commercial facilities and operations designed to be run as or to support private commercial recreation facilities may be authorized if the facility or operation fulfills the conditions outlined in this section, conforms to the requirements of AS 38.05.850, AS 38.05.070 and .075 or AS 38.05.073, or a management plan is prepared in accordance with AS 41.21.302(c) authorizing the facility.

If so authorized, the facility or operation should be sited, constructed, and operated in a manner that creates the least conflict with natural values and existing uses of the area. The commercial facility and the use it generates should avoid significant adverse impacts on fish and wildlife habitat and existing uses of an area. For facilities supporting recreational fish and wildlife harvest, ADF&G should be consulted on the possible effects of increased harvest on fish and wildlife resources, and on established commercial, recreation, and subsistence users. These types of facilities are not considered appropriate within 300' of the mouths of anadromous streams, or within areas designated Settlement or Minerals.

E. Commercial Recreation Leasing Processes. Lodges or other private facilities designed to be run as private, profit-making recreation facilities on a long term basis⁷ may be allowed on state land within the planning area if the facility fulfills required leasing processes. There are two processes for leasing state land for commercial recreational facilities – one process is described by AS 38.05.073, the other by AS 38.05.070 and .075. Unless Chapter 3 specifically requires the .073 commercial leasing process for a management unit, applications may be adjudicated under either process. DNR will determine the appropriate process on a case-by-case basis. ADOT/PF has its own leasing process that applies to land it manages in rights-of-way, airports, materials sites, and other lands and facilities it manages.

- 1. The .070 / .075 Process.** The .070 / .075 process is simpler and faster, but it offers the state less flexibility in choosing the lessee and in structuring lease payments. It is generally suited to small projects with few anticipated impacts. The management intent for the parcel need not specifically state that this type of leasing is an allowed use for it to be authorized under this process.
- 2. The .073 Process.** The .073 process is longer, but it allows submission of alternative proposals for a particular lease, requires more public involvement in reviewing a proposed lease, and offers the state more choices for structuring payments on the lease. The .073 process is generally suited to large projects that are likely to have significant impacts on surrounding areas. Under the .073 process, DNR will give public notice that it intends to solicit proposals for a lease. DNR will then prepare a “request for proposals” that must include specific information on the lease and must be advertised in state and local newspapers. Once a prospective lessee has been chosen, DNR must give public notice and hold public meetings on the preliminary decision to issue the lease.

For a .073 lease to be considered in a parcel, the plan must specifically allow for this type of leasing in a management unit before it can be authorized. Since no parcels are identified in this area plan specifically for commercial recreation leasing under the .073 process, a plan amendment will be required to accommodate this use.

DNR may impose eligibility standards, including proof of the developer’s financial backing and capability, experience in this type of development, ability to meet bonding or insurance requirements, and ability to comply with resource and environmental analysis requirements.

The .073 process requires that potential economic, social, and environmental impacts of the proposed project must be evaluated. DNR may require the prospective developer to fund additional studies; the studies must involve the appropriate state agencies, and ADF&G must approve any studies involving fish and game.

⁷ These do not include facilities that are constructed to last one year or less (i.e., temporary tent cabins) nor recreational facilities that are associated with private rather than commercial use (i.e., docks adjacent to private cabins). Commercial recreation facilities that fall into this category are authorized through a land use permit.

F. Permits and Leases Adjacent to Recreation Facilities. Upland uses may be allowed adjacent to public recreation facilities if the land manager determines that the two uses can be made compatible by design, siting or operating guidelines; or if the land manager determines there is no feasible and prudent alternative for the activity. This guideline also applies to sites reserved for future recreation facilities. The land manager's determination will be made after consultation with the facility manager.

G. Other Guidelines that Affect Recreation, Tourism, and Scenic Resources. Other guidelines will affect recreation, tourism, and scenic resources. See other sections of this chapter.

Settlement

Background

The current pattern of settlement within the planning area is characterized by two principal communities – Nome and Kotzebue, which function as the central place for their respective areas – and by small, Native communities that are distributed throughout the planning area, most of which are situated on the coast or along major rivers. Other than these locations settlement is sparse and uneven.

It is unlikely, given the relative isolation of this area and the lack of a significant economic base, that extensive population growth can be expected for the foreseeable future. Given this, there is little need for large additions to the settlement base on state land. Accordingly, a comparatively small amount of area – roughly 113,000 acres, or less than 1% of the total land base -- is allocated to settlement. These areas are provided either adjacent to recreational areas near Nome or in remote locations that provide access to remote recreational areas.

Review of available settlement locations throughout the planning area indicated that there were few good settlement areas outside of the Seward Peninsula on state land. While several good locations exist, particularly along the major rivers and lakes scattered through the Kotzebue, Baird Mountain, and Kobuk regions, these locations occur on private land, Native allotments, or Native corporation land. The areas identified by the state within these regions in the 1989 Plan have been selected by the Northwest Arctic Borough under their municipal entitlement and these sites are no longer available. However, several satisfactory sites do exist within the Seward Peninsula and there appears to be some amount of demand for settlement in this part of the planning area.

Areas designated Settlement are allocated within the Northwest Seward Peninsula region (1 offering), Southwest Seward Peninsula region (6 offerings), and Norton Sound region (1 offering). These areas were selected on the basis of either road or trail access, suitable terrain and soils, proximity to areas of attraction (Salmon Lake), and where some amount of demand for settlement is believed to exist. Other factors considered in selection included the compatibility with adjacent land uses and expected minimal impact on biological resources.

Goals

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

- 1. Seasonal residences for recreation.** DNR will offer land suitable for seasonal recreation use. This land will be provided as demand warrants, subject to the availability of funding. This category of land disposal is intended to provide land, often in remote locations, for recreational needs. No public facilities and services are intended to be provided.
- 2. Year-round residences for community expansion.** DNR will offer accessible land suitable to meet the needs of existing communities. This category serves people whose principal place of residence and work is, or will be, in the area of the disposal. It also includes land disposals of commercial and industrial land to accommodate the expansion needs of communities. This land will be provided as demand warrants, subject to the availability of funding.
- 3. Industrial or commercial development.** DNR may sell, lease, or protect for future use suitable land for private commercial and industrial uses. Within the NWAP planning area most land designated Settlement is intended for residential use. Relatively few parcels are suitable for possible commercial or industrial development. If DNR sells the land, the timing of this disposal will depend on market demand and adequate funding.

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

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

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

Management Guidelines

A. Planning and Coordination.

- 1. Competition.** The state may compete with the private sector or local governments if necessary to satisfy demand, provide market choice, or moderate unreasonably high prices.

2. **Local Plans.** DNR will comply with provisions of Borough comprehensive plans and zoning ordinances (if applicable) regarding the location and density of land development unless local requirements are inconsistent with a significant state interest.
3. **Coordination with Local Governments.** Where state land adjoins Borough land and where both areas are designated for Settlement, consideration should be given to the coordination of land disposal programs in order to achieve economies of scale and reduce infrastructure costs.
4. **Pacing.** Settlement offerings may be phased over 20 years, the life of this plan. The timing and extent of disposals will depend upon anticipated demand, availability of funding, the rate of community expansion, the availability of or costs to provide necessary infrastructure, and the particular land requirements of such expansion. Another factor may be whether the disposal will generate a demand for services that cannot be reasonably expected to be met by local government or community organizations.
5. **Areas Designated General Use and Minerals.** The large areas of state land within that are designated General Use are generally not suitable for residential development during the planning period. Most General Use areas are inaccessible and remote and generally unsuitable for development because of the presence of adverse topography, poor drainage, and extensive areas of wetlands that occupy or adjoin these areas. This makes the uplands within the General Use areas difficult to develop because of the costs and difficulty of road construction in the adjacent wetlands. For these reasons, residential development during the planning period in areas designated General Use is considered generally inappropriate except in those areas that adjoin parcels designated Settlement, where road access has been provided to adjoining properties, or for remote land disposals that are not dependent upon access. Similar considerations exist for areas designated Minerals (or Minerals/Habitat) except that settlement/residential development to support mining exploration and/or development may be appropriate. In instances where settlement has been determined by DNR to be appropriate within areas that are so designated, plan amendment (to Settlement) and reclassification (to Settlement Land) will be required.

B. Types of Settlement Land and Land Offerings. The nature of state land available for private ownership is influenced by both the characteristics of land designated for settlement, and the type of land sales program that makes it available. The Northwest Plan designates certain lands for settlement and provides guidelines for land sales, but does not develop or require a specific land sales program, although the general character or the type of land sale is indicated in order to provide some indication to the public as to the likely type of such development.

Unlike other recent area plans, this plan does not designate a particular type of settlement pattern. In other area plans, a distinction is made between remote settlement and subdivision type settlement offerings. The decision as to which type of settlement pattern (pre-surveyed

lots or remote staking) is appropriate is to be made on a case-by-case basis by DMLW at the time of the development of the subdivision. Prior to commitment to a specific design, DNR shall consult with local government and with the local community.

C. Recommended Land Disposal Program. This area plan designates eight settlement areas within the plan boundary; none occur outside the Seward Peninsula. There is one offering within the Northwest Seward Peninsula region, five in the Southwest Seward Peninsula region, and one in the Norton Sound region. Areas designated Settlement are usually larger than the actual area of the subdivision in order to provide flexibility in design. This plan continues that custom. The actual number of acres that are to be provided as part of the land sales programs within areas designated Settlement is indicated in the listing below. State land offerings shall conform to these acreage limits.

Norton Sound

- Peace River (800 acres)

Northwest Seward Peninsula

- Nuluk Shelter (800 acres)

Southwest Seward Peninsula

- Nome River (2,000 acres)
- Casadepaga (1,200 acres)
- Sinuk River (1,500 acres)
- East Fork Pass (1,600 acres)
- North Salmon Lake⁸ (200 acres)

Consult the Resource Allocation Table for each of these regions to determine the location of these parcels and for more information.

D. Protection, Management, and Enhancement of Other Resources.

- 1. Protect Life and Property.** DNR should design and develop subdivisions to protect life and property. Sensitive areas such as wetlands or potentially dangerous areas such as areas with unstable soil, riverbanks subject to active stream erosion, or within floodways or floodplains, should be avoided in subdivision design or protected by retaining these areas in state ownership or restricting their use through developmental reservations or restrictions. Easements or plat notes can be used for this purpose in lieu of retaining land in state ownership.

⁸ Includes Salmon Lakes odd lots.

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

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

- 3. Priority of Public Uses in Stream Corridors.** Within stream corridors, DNR will set a higher priority on protecting public use values than on providing opportunities for private ownership of land. Disposals near streams with important fish and wildlife habitat or recreation value will be designed to protect riparian habitat and protect access to and along the stream for fishing, hiking, camping, and other recreational activities. Disposals near streams that have important fish or wildlife habitat or wildlife resources will be designed to ensure the protection of fish and wildlife and their habitats.

In certain limited cases, it may be appropriate to provide land for private use, but such an action must be in the overall best interests of the state. Before lands are disposed of in stream corridors, DNR will assess existing and projected public use needs associated with the stream corridor, in consultation with other affected agencies and the public. Depending on the context, DNR may either protect these areas through retaining land in state or public ownership or through the imposition of a reservation of an interest in land for the maintenance of riparian values and access.

- 4. Protect and Enhance Scenic Features.** DNR will design and develop subdivisions to protect or maintain unique geologic and scenic features such as cliffs, bluffs, or waterfalls. These areas should be avoided altogether or protected in subdivision design and development through the use of reservations or plat restrictions. Where scenic views exist, lots should be oriented to this feature.
- 5. Mineral Closing Orders.** Generally, state upland parcels designated Settlement do not coincide with patterns of historical or potential mining activity in the planning area. Since little potential conflict is expected to exist, this plan does not create any new Mineral Closing Orders or Leasehold Location Orders. However, Mineral Closing Orders are recommended for use at the time that an area is being considered for disposal for purposes of settlement or other forms of development that would be inconsistent with mining activity. The timing of the closure is at the discretion of the Department, but should be early enough in the process to avoid the inadvertent staking of mining claims. The current Mineral Closing Orders affecting existing areas of settlement or proposed settlement will be retained.

6. **Timber Harvest**⁹. Timber harvests are considered appropriate in areas designated Settlement if intended to support the costs of subdivision development, provide access to the subdivision, or provide ancillary facilities subject to the other requirements of the Forestry standards in this Chapter. Selective harvesting of timber before construction of the subdivision is considered appropriate, if authorized by the Regional Manager, DMLW. Land conveyed out of state ownership for the purpose of settlement, or another form of active land use, shall not be used for commercial timber harvest and sale. Subdivisions or disposals of state land by DNR shall preclude the sale of merchantable timber harvested on lots or parcels conveyed out of state ownership. The format used to impose this restriction is at the discretion of the Regional Manager, DMLW. This guideline is not intended to preclude the cutting of trees or other vegetation as part of the process of land clearing or site development.
7. **Protect and Enhance Recreational, Educational, and Cultural Opportunities.** DNR should determine the need for and retain appropriate areas for outdoor recreation, hunting, fishing, trails, campsites, boat launches, historic sites, and areas for scientific study. Areas for intensive and dispersed use will be preserved.

E. Design.

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

Generally, however, subdivision design should provide for the creation of an open space system designed to protect or maintain important uses and values. Depending on the context, DNR may either protect these areas through retaining land in state or public ownership or through the imposition of a reservation of an interest in land for the maintenance of riparian values and access.
2. **Cost of Public Services.** In accordance with AS 38.04.010, DNR will focus year-round settlement to areas where services exist or can be provided with reasonable efficiency. State land that is located beyond the range of existing schools and other necessary public services or that is located where development of sources of employment is improbable will be sited and designed to encourage seasonal use with sufficient separation between residences so that public services will not be necessary or expected. Wildfire management costs that result from settlement will be considered and minimized to the extent feasible.
3. **Ensure Access.** DNR should ensure that legal, practical public access (roads, trails, or other options most appropriate to the particular situation) is identified and reserved to and within land offerings. However, the state is not legally obligated to construct

⁹ This requirement is of limited applicability within this planning area but is included on the chance that some future subdivision activity not identified in this plan will occur in forested areas.

roads. In instances where a subdivision or other development is to abut a major arterial, the location of driveway and main road access is to be coordinated with ADOT/PF and other approving agencies. Section line or other easements should not be relied on for access without field inspection of the practicality of such routes, where topography or other conditions might make the practicability of the section line location suspect. Identified access routes should be described in the land-offering brochure. Where needed to reduce the likelihood of conflicts with existing private owners, DNR may brush or flag public access routes to land offering projects.

4. **Subdivision Design.** Subdivisions will be designed to preserve and enhance the quality of the natural setting and the recreational opportunities that make an area attractive to potential buyers. State subdivision design will take account of site limitations and opportunities such as slope, drainage, soils, erosion, riparian zone and coastal buffer, and other features to ensure that sites offered are buildable and can be developed without the need for extensive public infrastructure. DNR should review Borough subdivision requirements prior to the initiation of subdivision design. See also design requirements described in D(1), described previously.

F. Other Guidelines Affecting Settlement. Other guidelines will affect settlement. See other sections of this chapter.

Shorelands, Lakeshores, and Stream Corridors

Goals

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

Habitat. Protect fish and wildlife habitats along tidelands, 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.

Coastal Use and Maintenance Area. Maintain areas within 500 feet of the coast for public use on lands to be retained by the state during the planning period for the purposes of public access, recreation, maintenance of scenic viewsheds, and the conservation of fisheries and wildlife habitat.

Management Guidelines

A. Alaska Clean Water Act (ACWA). In accordance with the ACWA program, DNR will work with the departments of Fish and Game and Environmental Conservation to protect and improve water quality, water quantity and fish habitat.

B. Authorizations in Fish Habitat. Any development or uses that impact anadromous fish bearing waters or resident fish streams may require a permit from ADF&G under AS 16.05.871. For authorizations within fish bearing waters contact the ADF&G for a determination of permit needs and conditions or restrictions necessary to protect fish resources and habitat.

C. 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 fish and

wildlife resources or recreation value will be designed to protect access to and along the stream 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 fish and wildlife resources and their habitats.

D. 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 shore of a waterbody without encouraging trespass. Permits, leases, and plans of operation for commercial and industrial uses, transportation facilities, pipelines and other water dependent uses may be authorized on state uplands adjacent to waterbodies if their activities are consistent with the management intent for the area and if they maintain tideland and stream bank access, and protect important fish and wildlife habitat, public water supplies, and public recreation. Trails and other forms of non-motorized public access are generally considered to be appropriate within these areas, if they meet the conditions listed in 11 AAC 96.025.

Where feasible and prudent, there should be setbacks between these activities and adjacent waterbodies. The width of this setback may vary depending upon the type and size of the use, but must be adequate to maintain public access to and along riparian areas.

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

State-owned buffers or riparian buffers may be retained along the full length of the waterbody or on segments of the waterbody determined to have high current or future use, public use, or to require habitat protection. If the intent is to provide undisturbed riparian or wildlife habitat, the width and configuration of this buffer shall be determined prior to or during preliminary subdivision design or in the Forest Land Use Plan by DNR in consultation with ADF&G.

F. Retention of Access Easements Adjacent to Waterbodies. For waterbodies that are not important fish and wildlife habitat and where the primary management intent is to protect the public's right to access or provide access for utilities, a public use easement under AS 38.05.127 ('to and along') should be imposed. The public rights retained in an easement shall be identified and noted in the DNR decision document and on the subdivision plat. In areas that may be sensitive to vehicular travel, the easement should be reserved for pedestrian access only. Access easements may be used in combination with state land that is to be

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

G. Protection Easements and Setbacks to Non-Fish Bearing Waterbodies. Easements¹⁰ or building setbacks may be used in those instances where public recreation use is moderate or where sensitive habitat or other environmental resources exist but are not of the same importance as described under Management Guideline D. See the requirements for ‘Sensitive Environmental Areas’ in Table 2-1 when an easement or setback is to be imposed. The purpose of the easement or setback should be noted in the Department decision document and on the subdivision plat. Where a protection easement or setback is to be applied, vehicular use within the area of the easement is inappropriate and should not be authorized. Building setbacks may be used in lieu of a protection easement in those instances where it is not appropriate or necessary for the state to retain any easement rights *or* they may be used in combination with buffers, access easements, and protection easements. Building setbacks used in this fashion provide an added level of protection. See the requirements for ‘Building Setbacks’ in Table 2-1.

H. Lakeshore Public Access. A portion of the lakefront on lakes greater than 30 acres that have or may be expected to have public recreation and all inlets and outlets of lakes of this size and capable of sustaining year-round natural or stocked game fish species shall remain in public ownership for habitat protection and public recreation. Adequate public access to these lakes shall also remain in public ownership or is to be provided through section line or ‘to and along’ easements. The amount of public ownership may vary on a site specific basis, but, at a minimum, some portion of these lakes shall remain public. The size of the public reservation shall be appropriate to its expected long range recreational use, the need for public access, and to the size of the lake. A width of 100’ or more measured from OHW is to be retained or protected through an easement along inlet and outlet streams. Where access is provided by floatplane, consideration should be given to retaining land where shore access is most likely or necessary. Public use sites on lakes of 30-50 acres shall have at least 5 contiguous acres reserved for public access. For lakes larger than 50 acres a public use site of at least 7 acres shall be provided.

I. 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,

¹⁰ These areas are often referred to as ‘protection areas’ in the management units described in the Resource Allocation Tables on Chapter 3.

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 retained¹¹ public land along anadromous and high value resident fish streams and waters: a minimum of 100 feet along each side of the anadromous stream or water. (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. Protection easements¹² used in areas of important 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 particularly high value resource; such features might include lacustrine and riverine wetlands, springs, salt licks, or geologic hazards requiring additional distance separation for public safety. Consult ADF&G if there is a question as to whether a width greater than 50' should be considered.
- d. Public access easements, including 'to and along' easements required under AS 38.05.127, or utility easements adjacent to tidelands, lakes, and streams: 50 feet.¹³

¹¹ 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.

¹² These areas are sometimes referred to as 'protection areas' in management unit descriptions in Chapter 3.

¹³ Other types of utility easements may be less than this width, depending on the purposes of the easement.

- e. Building setbacks: 100 feet adjacent to anadromous waterbodies and 75 feet adjacent to all other waterbodies. The use of a building setback is usually not required if a 'riparian buffer', or some similar management technique, is being imposed in an authorization. Riparian buffers preclude principal and most accessory structures within the riparian area; only water dependent uses are authorized in these areas. For more detail see 'riparian buffer' in Table 2-1.

J. Application Requirements for Easements and Buffers Along Waterbodies and Related Environmental Features. Table 2-1 specifies widths and other requirements for easements, buffers and public access in order to ensure consistency between authorizations along waterbodies and related environmental features. On a case-by-case basis, widths may be wider, in order to accommodate floodplain width, bank characteristics, size of the waterbody, extent of present or expected future public use, the need to protect important environmental features, or other relevant factors. Widths can be narrower on a case-by-case basis if it is determined that the harm intended to be avoided by the requirement is not likely to occur because of site-specific circumstances. However, the strip of land must be of sufficient width to allow for public access as well as to screen the waterbody from development, where possible, with an undisturbed strip of vegetation.

K. Filling or Leasing of Tidelands for Residential Uses or Structures. No filling or leasing for residential uses or structures shall be allowed. Access improvements on state tidelands and submerged lands for residential uses and structures, such as docks and boat haul outs, shall also not involve the use of fill.

L. Filling or Leasing of Tidelands for Non-Residential Uses and Structures. If consistent with the requirements of the Alaska Coastal Management Program or a Coastal District Plan, authorizations may be granted for the filling of state tidelands and submerged lands for those non-residential uses or structures that are water-related or water-dependent.

M. Other Guidelines for Shorelines and Stream Corridors. Other guidelines will affect shorelines and stream corridors. See other sections of this chapter.

Table 2-1: Application Requirements for Easements and Buffers Along Waterbodies and Related Environmental Features

Guideline/ Description	Minimum Width/ Measured from	Where it Applies	Primary Purpose	Guidelines
<p>1. Public Access (To and Along Easement)</p> <p>Adjacent to all navigable waters¹⁴</p>	<p>50 feet</p> <ul style="list-style-type: none"> * Landward from ordinary high water line ** Landward and seaward from mean high water line 	<p>Along:</p> <ul style="list-style-type: none"> * Lakes * Streams ** Tidelands 	<p>Provide public access along navigable and other waterbodies.</p>	<ul style="list-style-type: none"> • Prohibited: Residential structures, fences, and other non-water-dependent structures that will obstruct passage. • ‘Along’ portion of ‘To and Along’ easement is to be continuous unless topography or land status prevents a continuous easement. • The ‘To’ portion of the ‘To and Along’ 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</p> <p>(Sometimes referred to as ‘protection areas’ in Chapter 3 management unit requirements.)</p>	<p>100 feet</p> <ul style="list-style-type: none"> * Landward from ordinary high water line ** Landward and seaward from mean high water line 	<p>Along:</p> <ul style="list-style-type: none"> * Retained public land * Anadromous and high value resident fish streams and lakes. 	<p>Protect riparian areas adjacent to anadromous and high value resident fish streams and lakes.</p>	<ul style="list-style-type: none"> • Prohibited: Residential structures, fences, and other non-water-dependent structures that will obstruct passage or those uses that may be prohibited by state regulations. • Widths 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.
<p>3. Freshwater Waterbodies Buffer</p> <p>Adjacent to all ‘public waters’</p>	<p>50 feet</p> <ul style="list-style-type: none"> * Landward from ordinary high water line along streams and lakes that are not covered in item #2 but are considered to be ‘public waters’ or from the edge of the waterbodies, including wetlands, that are to be protected. 	<p>Along freshwater waterbodies that are determined to be ‘public waters’.</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: Residential structures, fences and other non-water dependent structures. • Imposed as a public easement with the previous prohibitions. • Can be imposed in instances where the To and Along Easement is not applicable if necessary to meet the ‘Primary Purpose’. • Areas greater than 50 feet may be imposed on a case-by-case basis.

¹⁴ 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.

Guideline/ Description	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 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 feet * Landward from ordinary high water ** Landward from mean high water	Non-anadromous and non-high-value resident fish: * Lakes * Streams ** Tidelands	Protect public values, 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 75 feet may be imposed on a case-by-case basis.
6. Building setback Adjacent to anadromous and high-value resident fish waters	100 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 is imposed where feasible and prudent and where necessary to achieve or protect the 'Primary Purpose'. The imposition of this requirement is discretionary. • Applies only to non-water-dependent uses. Does not apply to exceptions listed at bottom of table. • The setback shall remain vegetated to maintain habitat values and stream stability. • Incorporate measures to prevent adverse changes including erosion, turbidity, sedimentation, and temperature differences within the waterbody or adjacent wetlands.

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.

Subsurface Resources

Background

Locatable Minerals

The development of locatable minerals, primarily gold, has been an important part of the settlement and economy of Alaska and as well as within the planning area, with much of this activity occurring historically near Nome. Now the planning area is receiving renewed interest in the exploration for locatable minerals including gold, copper, and zinc among others. This renewed interest is based on the current high prices of base metals (2008) in general and specifically, to the price of gold. Some areas that were originally explored in the 1950's are receiving renewed interest because of the rise in base metal prices. The development of mineral resources on Native corporation land in this area has contributed to local, regional, and state economies. The selection of federal land for conveyance to the state within the planning area was primarily based on its potential for coal or mineral development.

Major mining operations in this area are primarily hardrock, open pit mines. Currently, Red Dog mine is the only large scale mining operations in production. The Red Dog mine began development in 1986 and is currently the worlds largest zinc mine. Rock Creek and Big Hurrah mines should be starting production in the near future. The Rock Creek and Big Hurrah mines are open pit gold mines.

Placer mines in this area tend to be small in scale and owned by individuals who mine seasonally. Placer mines are primarily centered around the communities of Candle, Deering, and Granite Mountain.

Coal Resources

Interest in coal resources has occurred since the late 1700's with commercial development in Alaska beginning in 1855. Coal mining has been documented at several locations in northwest Alaska beginning in 1879 at Corwin Bluff east of Cape Lisburne. Other coal mines have since been developed in this area primarily to provide coal for shipboard use, local communities and for local placer operations. The area is currently experiencing renewed interest in the development of the coal resources in the western arctic. New exploration is currently underway on a large area of native, state and federal lands selected for conveyance. The exploration area is generally occurring east and north of Cape Lisburne extending to the boundary of the National Petroleum Reserve Alaska (NPR).

The bituminous coal beds in the western arctic are found in east-west trending anticlines and synclines of the non-marine Nanushuk formation. These coal beds have high commercial and economic value due to their thermal and coking potential. The high value coal beds lie on native, state, and federal lands in the western arctic near cape Lisburne. The western arctic coal beds are entirely within the Lisburne region and extend easterly into NPR.

Oil and Gas Resources

There is little interest and little exploration for oil and gas development in this area of the state with the exception of exploration of the Outer Continental Shelf (OCS). The OCS has been explored recently for gas potential and may be offered for lease by the state in the near future. Known gas reserves of the OCS are not believed to extend inland.

Decisions regarding leasing for oil and gas and other energy resources will not be addressed in this plan. Oil and gas lease sales are specifically not subject to this planning process and follow the requirements of AS 38.05.180. See also the discussion of oil and gas resources that follows.

Goals

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

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

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

Management Guidelines

The following requirements pertain to Locatable minerals.

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

B. Open to Mineral Location. By statute, all state lands are open to mineral location unless specifically closed. Where an area is open to mineral location, a miner has the right to stake a mining location regardless of the surface use designation or classification. Any adverse effects of mining on surface resources or uses will be managed through compliance with state laws and regulations and borough ordinances and management intent and

guidelines in this plan. Reclamation activities are directed by the Mining Reclamation Act (AS 27.19) and regulations (11 AAC 97). (Note: Mineral entry on Alaska Mental Health Trust Land is not authorized without the prior approval of the Trust Land Office of DNR in accordance with 11 AAC 99.)

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

D. Mining in Fish Habitat. A permit for mining in or adjacent to designated fish habitat, will require as stipulations of the permit any necessary measures, such as levees, berms, seasonal restrictions, and settling ponds that will allow the operation to meet water quality standards and statutes and regulations governing the protection of fish. Mining in fish habitat requires permits from DEC and ADF&G. ADF&G permits are not required in marine waters or estuarine areas outside of the intertidal channel of specified anadromous fish streams. The intertidal channel is that portion of the bed and banks below the mean high water level. However, a Special Area Permit issued by ADF&G is required if the project is located within a legislatively designated area, including uplands, estuaries or tidelands.

E. Mining in WACH Affected Areas. Although mining is considered an appropriate use in areas designated Mineral or Mineral/Habitat and in areas designated General Use, there may be sites within a management unit that may not be appropriate for coal development or mining. Determinations of this type are to be made as part of the regulatory review/permitting processes related to the authorizations of these activities. It may also be also appropriate in areas with other designations, except for areas designated Settlement.¹⁵ Although mining within the aforementioned areas is considered appropriate or may be appropriate with stipulations, mining authorizations granted by DNR shall carefully consider the effects of a proposed mining operation on WACH activities. WACH activity often only affects an area on a seasonal basis. Consult the Resource Allocation Table for the specific periods that such use may occur and the types of use that may be present. In all instances, consult ADF&G prior to issuing an authorization for mining exploration or development.

F. Offshore Prospecting Permits (OPP). Under AS 38.05.250 an exclusive right to prospect for deposits of minerals offshore may be granted through authorizations issued by DNR. DNR determines what areas will be offered for offshore prospecting. If workable mineral deposits are found offshore, the permittee must apply for a lease in order to develop the mineral deposit. The Alaska Department of Fish and Game has stated that it has initially

¹⁵ See also the discussion of Primary and Codesignated Uses in Chapter 3, p. 3-3.

determined mining in areas designated Habitat and estuarine areas to be a nonconforming use under the ACMP. ACMP procedures will be used to determine whether mining can be made a conforming use and, if mitigation is possible, determine the appropriate mitigating measures needed to protect fish and wildlife resource values.

G. Mineral Closures.

- 1. Background.** The decision to apply mineral location closures will be made by the Commissioner of DNR within the standards set by Alaska Statutes. AS 38.05.185(a) requires that the Commissioner determine that mining is incompatible with a significant surface use before an area can be closed to mining. The same section of the statute requires that the Commissioner determine that a potential use conflict exists before imposing leasing requirements for development of locatable minerals. The fact that an area is closed to new mineral location will not be cause for denying access across state land. Mineral closures do not affect valid existing mineral locations.
- 2. Land Closed to Mineral Entry.** State mining law stipulates that mining must be determined to be in conflict with significant surface uses before an area can be closed to mineral entry. Much of the land acquired or selected by the state was selected for its mineral values. Mineral development is appropriate throughout the planning area, although adequate consideration must be given in the permitting process to habitat, recreational, and other resources and uses that might exist at a proposed mine site. Except for settlement areas (see below), no mineral (closing) orders are proposed in this plan. The current Mineral Closing Orders will, however, be retained. These affect 13 seabird colonies and seven sheefish spawning areas including the streambed and 100 feet either side of ordinary high water. To determine the location of areas closed to mineral entry in the planning area consult the DNR Alaska Mapper, available on-line at: mapper.landrecords.info/

Mineral Closing Orders are recommended for use at the time that an area is being considered for disposal for purposes of settlement or other forms of development that would be inconsistent with mining activity. The timing of the closure is at the discretion of DNR but should be early enough in the process to avoid the inadvertent staking of mining claims.

H. Oil and Gas Resources. It is probable that oil and gas resources are present within the planning area. The planning and decision making processes for oil, gas and geothermal resource allocation and development follow their own section of the Alaska Statutes (AS 38.05.125 through AS 38.05.184) as well as AS 38.05.035. As noted above, these processes are not included as part of DMLW area plans. State land, with few exceptions, is subject to oil and gas exploration and development, either through areawide leasing under AS 38.05.180 or by exploration licensing under AS 38.05.131. In addition, geothermal

exploration and development may occur under AS 38.05.181. For this reason, the area plan does not make any allocation or development decisions regarding these resources. All decisions regarding oil, gas and geothermal resources are subject to DNR's existing oil, gas and geothermal permitting, licensing and leasing processes.

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

Further, it should be noted that mineral closing orders under AS 38.05.185 do not apply to oil and gas exploration and leasing, nor do they preclude reasonable surface access to these resources. However, rights reserved under AS 38.05.125 may not be exercised until provision is made for payment for all damages sustained by the land owner (AS 38.05.130). Although not prohibited, geophysical exploration permits issued under 11 AAC 96 will conform to the maximum extent possible with the management guidelines in the applicable plans.

I. Leaseable Mineral Development. State land within the planning area may be leased or opened for coal exploration and development if the department determines it is in the best interest of the state to enter into a lease for such resources. Before authorization of a lease, the department will determine if the surface values are significant enough to warrant restricting surface entry. The surface impacts of proposed underground mining shall be fully considered as part of the permitting process.

J. Other Guidelines Affecting Subsurface Resources. Other guidelines will affect subsurface resources. See other sections of this chapter.

Public Access

Goals

Trails. Maintain, enhance, or provide adequate access within areas of development and between areas of current or future development.

Public Access. 1) Maintain, enhance, or provide adequate access to public and private lands and resources. Provide for future trail and access needs. Protect or establish trail corridors to ensure continued public access. 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 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 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 maintain 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 and managing 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: dnr.alaska.gov/mlw/trails/rs2477/.

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)2 Easements. The state will identify any new 17(b) easements as required and ensure that public access is maintained on 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. Generally, DNR will not accept management of 17(b) easements unless the state already

actively manages a portion of the trail or easement, or state management will best protect public access to state lands. Information regarding ANCSA 17(b) easements can be found at the DNR web site: dnr.alaska.gov/mlw/trails/17b/index.htm .

E. Access for Development. When an access route is constructed for resource development over state land, public access to mineralized areas, recreation, fish, wildlife, or other public resources should be retained. If the new resource facility is likely to be of limited duration and provides superior access to the current means of access, the state should retain the new facility for public access.

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

G. Siting and Constructing Temporary and Permanent Roads or Causeways. Temporary and permanent roads or causeways will, to the extent feasible and prudent, be routed to avoid vegetated tideflats, avoid streams and minimize alteration of natural drainage patterns, and avoid long-term adverse effects on water quantity or water quality.

H. Joint Use and Consolidation of Surface Access. Joint use and consolidation of surface access routes and facilities should be encouraged wherever it is feasible and prudent to do so¹⁶. Surface access also should be sited and designed to accommodate future development and avoid unnecessary duplication.

Management Guidelines: Trails Within and Between Developing Areas

A. General. The following guidelines pertain to the siting and development of trails within developed or developing areas and between these areas. This is a more specific application of the general public easement. These types of facilities provide movement areas for people and, if appropriate, wildlife. The width and siting of trail corridors depends upon their function and location. Easements are used to create an access corridor, similar to the more general public use easements described previously.

B. Requirement for Trails. The Department shall assess the need for public access before selling, leasing, or otherwise disposing of the land estate. If public access needs are identified through the adjudication and agency or public review process, access trails should

¹⁶ 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.

be reserved. This will occur through the retention of state land in public ownership or through the creation of a public use easement. Under either approach, the public should have the right of access within the area of state land or the public use easement.

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

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

D. Width of Trail Corridors. The width of the access corridor¹⁷ shall be determined according to its function and location:

1. Within developed or developing areas, access corridors shall not be less than 25 feet in width for pedestrian movement and not less than 40 feet if motorized movement (other than car or truck) can be expected in addition to pedestrian travel. In areas where topographic conditions restrict development, widths less than 40 feet may be considered.¹⁸
2. In all other areas, the width shall vary with terrain, function, and the need for separation from other uses, but shall not be less than 50 feet.
3. Trails or other access facilities of statewide or regional significance shall not be less than 50 feet in width.

E. Trail Rerouting. Standards for the vacation and modification of trails are identified in 11 AAC 51.065. Rerouting of trails may be permitted to minimize land use conflicts, reduce duplication in trail routings, or minimize habitat destruction. If trails are rerouted, provision should be made for construction of new trail segments if warranted by type and intensity of use. Rerouting trails shall be done in consultation with affected private users and public

¹⁷ An access corridor includes the tread of the trail and an area immediately adjacent to the tread.

¹⁸ 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.

agencies. Rerouted trails should allow the same uses and activities as the original trail. Reroutes should not interrupt access, and reroutes should be established, open and usable for the intended uses before the original route is closed. Closed routes should be blocked off and restored.

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

G. Access to Trailheads. Coastal access across state tidelands to designated trail corridors that begin at the shoreline will be protected.

Management Guidelines: Iditarod and Iditarod Trail System

A. Iditarod Race Trail. Where the Iditarod Race Trail passes through an area that is to be offered for settlement or other development, the trail will be located and protected by a publicly owned corridor 200 feet wide (100 feet on either side of the centerline). The corridor width may be expanded to minimize potential land use conflicts, reduce impacts of the trail on adjacent land uses, or to incorporate cultural and historic sites. Rerouting of the trail corridor may be permitted with the consultation of the Alaska Division of Parks and Outdoor Recreation and the Iditarod Trail Committee or similar body in place at the time. No permanent structures or equipment should be placed in the trail corridor if they could adversely affect the trail experience or access along the trail. Where necessary, trail crossings may be permitted to allow access to lands on both sides of the trail. Crossings should be limited to a few discrete areas rather than scattered crossings in many places along the trail. In areas where the trail has been used previously for transporting heavy equipment to mining claims, this use will not be restricted unless there is significant potential for damaging the trail. If damage to the trail cannot be avoided, a feasible and prudent alternative route should be used or the activity should be permitted at a time that does not interfere with the race or trail conditions. The presence of the Iditarod Trail is noted in the Resource Allocation Tables.

B. The Iditarod National Historic Trail System (INHTS). There are several trails and historic sites within the planning area that were identified as part of the INHTS. Some of these trails and sites are well defined while others are not. Minimum trail widths will generally be wider than the 100-foot minimum (50 feet each side of centerline) established for regional trails. For permits and leases along the INHTS, the State Office of History and Archaeology will be consulted in addition to other notice requirements. The State of Alaska and the U.S. Department of the Interior have signed a memorandum of agreement covering management of the INHTS under terms of the Comprehensive Management Plan for the trail system. The trail will be managed in a manner consistent with the agreement.

Management Guidelines: Transportation Corridors.

A. Identification of Potential Transportation Routes. A number of potential major transportation routes are identified in Chapter 3 of this plan. Several of these coincide with routes identified in the ADOT/PF statewide transportation plan for portions of the planning area. A number of others were derived from an ADOT/PF planning document that formed the basis for the selection of federal land by the state during the selection process of federal land in the late 1980's and early 1990's. Where these routes coincide with a management unit in this plan, their presence is noted. Although significant development is not expected within the corridors of these routes, the adjudicator should check with ADOT/PF prior to issuing an authorization. In all cases, a permanent improvement shall not be located within identified road corridor unless the ADOT/PF determines that the road corridor is not essential to state needs.

B. Other Guidelines Affecting Public or Trail Management. A number of other guidelines may affect public and trail access management. See other sections of this chapter.