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Appendix A: Glossary

This glossary includes definitions and terms used in the plan and on maps.

AAC. Alaska Administrative Codes

ADF&G. Alaska Department of Fish and Game

AHRS. Alaska Heritage Resources Survey

Anadromous Fish Stream. A river, lake or stream from its mouth to its uppermost reach including all sloughs and backwaters adjoining the listed water, and that portion of the streambed or lakebed covered by ordinary high water used by salmon to spawn.

Anadromous streams are shown in “The Atlas to the Catalog of Waters Important for Spawning, Rearing, or Migration of Salmon” (referred to as the Anadromous Fish Stream Catalog) compiled by ADF&G.

Area Plan. Prepared by DNR, area plans allocate resources and identify allowed and prohibited uses on state lands including uplands, tidelands, and submerged lands.

AS. Alaska Statutes

Authorized Use. A use allowed by DNR by permit, lease, or other mechanism.

BLM. Bureau of Land Management

Boat or Watercraft. A device that is used or designed to be used for the movement of people or goods in or on the water, whether manually or mechanically propelled, but does not include personal floatation devices or other floats such as inner tubes, air mattresses, or surf boards.

Camp or Camping. To use a vehicle, tent, or shelter, or to arrange bedding or both, with the intent to stay overnight.

Campground. An area developed and maintained by the Division of Mining Land and Water which contains one or more campsites.

Classification. Land classification identifies the purposes for which state land will be managed. All classification categories are for multiple use, although a particular use may be considered primary. Land may be given a total of three classifications in combination.

Commercial. An action or operation that generates income from the buying, selling, renting, bartering, or trading goods or services.

Commercial Recreation. Recreational uses of lands, waters, and resources for business or financial gain, such as guided sport fishing, guided and outfitted sport hunting and guided recreation.

Critical Habitat. For the purposes of implementing AS 41.23.200(d)(2) within the Knik River Public Use Area, critical habitat is defined as habitat that is essential to the perpetuation of a species of fish or wildlife within the Knik River Public Use Area.

DNR. The Department of Natural Resources

Developed Recreational Facilities. These include any of the following: sanitary structures including trash receptacles, campground, picnic area, rest area, visitor information center, swim beach or area, trailhead, and parking area.

Division. The Division of Mining, Land & Water

DMLW. Same as “Division.” See “Division.”

DOF. Division of Forestry

DPOR. The Division of Parks and Outdoor Recreation

Easement. An interest in land owned by another that entitles its holder to a specific limited use or purpose.

17(b) Easement. An easement across Native corporation land reserved under the Alaska Native Claims Settlement Act of 1971 (ANCSA). Uses of the easements are limited to transportation purposes and other uses specified in the act and in conveyance documents.

Facilities. Includes buildings, parking areas, camping areas, a boat launch area or ramp, shelters/cabins, and sanitary facilities.

Facility Recommendations. A recommended type and character of facility consistent with the plans intent that allows the manager to use discretion in deciding the specific means for best achieving the intent based on particular circumstances and further site analysis.

Feasible. Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, technical, and safety factors.

Fish and Wildlife. Any species of aquatic fish, invertebrates, and amphibians, in any stage of their life cycle, and all species of birds and mammals, found or that may be introduced in Alaska, except domestic birds and mammals.

Fish Spawning and Rearing Area. Area identified as important for fish spawning and rearing.

Goal. A statement of basic intent or general condition. Goals are not quantifiable and do not have specific dates for achievement; they are long-term in orientation.

Habitat. Areas that serve as a 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 a species.

Leasable Minerals. Leasable minerals include deposits of coal, sulfur phosphates, oil shale, sodium potassium, oil, and gas.

Legislatively Designated Area. An area set aside by the state legislature for special management actions and retained in public ownership.

Locatable Minerals. Includes both metallic (gold, silver, lead, etc.) and non-metallic (feldspar, asbestos, and mica, etc.) minerals.

Management Area. An area established around identifiable features or resources used to reduce the effect of an activity or use on the feature or resources.

Management Guidelines. A specific course of action that must be followed when a DNR manager permits, leases, or otherwise authorizes use of state lands or resources. Guidelines range from giving general guidance for decision-making or identifying factors that need to be considered, to setting detailed standards for on-the-ground-decisions. Some guidelines state the intent that must be followed and allow flexibility in achieving it.

Management intent statement. The statements that define the department's near and long-term management objectives and the methods to achieve those objectives.

Management Recommendation. A recommended course of action that is consistent with the plan's intent that allows the resource manager to use discretion in deciding the specific means for best achieving the intent. Deviation from management recommendations requires written justification.

Management Unit. Lands that are similar topographically and have similar use patterns; in this plan there are eight units described herein.

Materials. Includes sand, gravel, rock, peat, pumice, cinders, clay, and sod.

May. Same as "should." See "should."

MHT. Mental Health Trust

Mining. Any structure or activity for commercial exploration and recovery of minerals, including, but not limited to resource transfer facilities, camps, and other support facilities associated with mineral development. The term “mining” does not refer to offshore prospecting.

Mining claim. Rights to deposits of minerals, subject to AS 38.05.185-38.05.275, in or on state land that is open to claim staking may be acquired by discovery, location and recording as prescribed in AS 38.05.185-38.05.275. The locator has the exclusive right of possession and extraction of the minerals lying within the boundaries of the claim, subject to AS 38.05.185 -38.05.275.

MSB. Matanuska-Susitna Borough

Moose Calving Concentration Area. An area identified as having a higher density of moose calving than the surrounding habitat.

Multiple use. Means the management of state land and its various resource values so that it is used in the combination that will best meet the present and future needs of the people of Alaska, making the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; it includes:

- a) the use of some land for less than all of the resources, and
- b) a combination of balanced and diverse resource uses that takes into account the short-term and long-term needs of present and future generations for renewable and nonrenewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific, and historic values. [AS 38.04.910]

NALA. North Anchorage Land Agreement

Native-owned land. Land that is patented or will be patented to a Native corporation.

Native-selected land. Federally owned land that is selected by a Native corporation but not yet patented.

Navigable. Used in its legal context, it refers to lakes and rivers that meet federal or state criteria for navigability. Under the Equal Footing Doctrine, the Alaska Statehood Act, and the Submerged Lands Act, the state owns land under navigable waterbodies.

Off Highway Vehicle. A recreational-type off-road or all-terrain vehicle with a curb weight of up to 1,500 pounds, including a snowmobile and four-wheeler.

OHA. Office of History and Archaeology, a Section of the Division of Parks and Outdoor Recreation.

OHV. Off Highway Vehicle

OHWM. Ordinary High Water Mark

Ordinary High Water Mark. That line on the shore of a non-tidal river or stream that reflects the highest level of water during an ordinary year and is established by fluctuations of water and indicated by physical characteristics such as clear, natural line impressed on the bank; shelving; changes in the character of the soil; destruction of terrestrial vegetation; the presence of litter and debris; or other appropriate means that consider the characteristics of the surrounding area.

Policy. An intended course of action or a principle for guiding actions; in this plan, DNR policies for land and resource management include goals, management intent statements, management guidelines, land use designations, implementation plans and procedures, and various other statements of DNR's intentions.

PLO. Abbreviation of Public Land Order. A PLO is withdrawal federal land from the public domain for specific purposes. In the PUA, PLO 3324 is a federal land withdrawal for the purpose of protecting public recreation values

Primitive Recreational Facility. Any structure that is not one of those listed under Developed Recreational Facility. These include user created airstrips, boat launches, or camping areas/sites.

PUA. Knik River Public Use Area

SCRO. Southcentral Regional Office

Sensitive Habitat. Habitat determined by DNR to be important for a particular life stage of fish and wildlife. They are usually localized in an area and are usually characterized by a greater number and density of species than in adjacent areas. In the context of this plan, these areas are to receive a higher level of management than other habitat areas. If significant deleterious impacts occur to this habitat, local distribution level impacts may occur.

Serious Degradation. This term is used to refer to the amount of degradation that occurs on trails. It is meant to describe a serious deficiency in the tread of a trail, which is usually associated with specific, severe trail damage causing the tread of the trail to deteriorate to the point where it cannot be safely used by the public or where that use is seriously compromised.

Shoreland. Land belonging to the state that is covered by navigable, nontidal water up to the ordinary high water mark as modified by accretion, erosion or reliction. (See definition of Navigable.) Shorelands are generally lake bottoms or the beds of navigable rivers and streams.

State land. A generic term meaning all state land, including all state-owned and state-selected uplands, all shorelands, tidelands and submerged lands. See also definitions of state-owned land and state-selected land as well as definitions for shorelands. ‘State Land’ excludes lands owned by the University of Alaska, the Mental Health Trust Authority, or by state agencies that have acquired through deed.

State-owned land. Land that is patented or will be patented to the state, including uplands, tidelands, shorelands, and submerged lands.

SUA. Special Use Area

Sustainable Trail. A trail that conforms to its terrain and environment, is capable of handling its intended use without serious degradation. These typically do not require extensive re-routing and re-building of current trails.

Swan and Loon Nesting Habitat. The area of habitat that supports active nesting of trumpeter swans and loons. In this plan, the majority of this type of habitat is located in the Lakes and Wetlands Unit.

Shall. Same as “will.” See “will.”

Should. States intent for a course of action or a set of conditions to be achieved. Guidelines modified by the word “should” state the plan’s intent and allow the manager to use discretion in deciding the specific means for best achieving the intent or if the particular circumstances justify deviations from the intended action or set of conditions. See Directors Policy File 06-01 for guidance.

TMP. The Trails Management Process

Trail. A trail has an identifiable tread and evidence of repeated use. In the PUA, DNR will identify trails that will be managed consistent with the TMP.

Tree. For the purposes of this plan, “tree” means a woody perennial plant with a single, well-defined stem, a definite crown shape, and a diameter at breast height of 5.0 inches or greater.

Trespass. To enter upon land without authorization from the land owner.

Trespass structure. A permanent or temporary structure built on land owned by the State of Alaska without benefit of an authorization by DNR.

Unit. See Management Unit.

Uplands. Lands above mean high water, ordinary high water mark, or lands that do not meet the definition of a wetland.

Use Level. A representation of the level of use occurring in a unit. Three use levels are provided in the plan. They are low, moderate, and high.

USFWS. United States Fish & Wildlife Service

Waterfowl Nesting Area. Areas of waterfowl nesting habitat adjacent to waterbodies.

Wetlands. Means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

Wildlife. All species, especially mammals, living in a natural undomesticated state.

Will. Requires a course of action or a set of conditions to be achieved. A guideline modified by the word “will” must be followed by DNR land managers in the issuance of authorizations and other decisions. Deviation from plan designations, management intent, or management guidelines modified by “will” requires a plan amendment. (See Chapter 4- Types of Plan Changes). See Directors Policy File 06-01 for guidance.

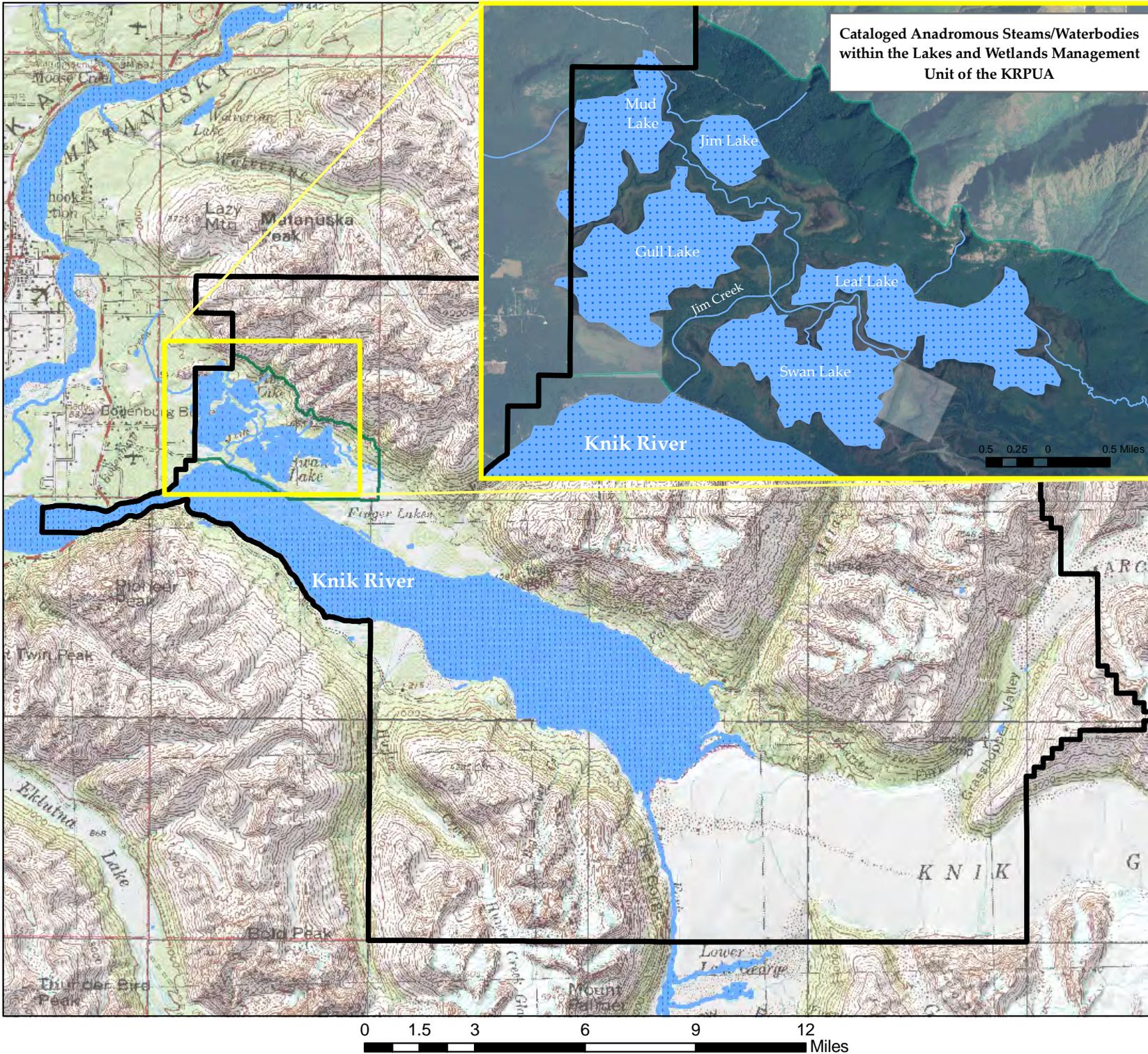
Knik River Public Use Area

(AS 41.23.180 - 41.23.230)

Anadromous Streams and Waterbodies

Map B-1

-  KRPUA Legal Boundary
-  Lakes and Wetlands Unit
-  Anadromous Waterbodies
-  Anadromous Streams



This map is for graphic representation only
and is intended to be used only as a guide.
Habitat information derived from ADF&G data.

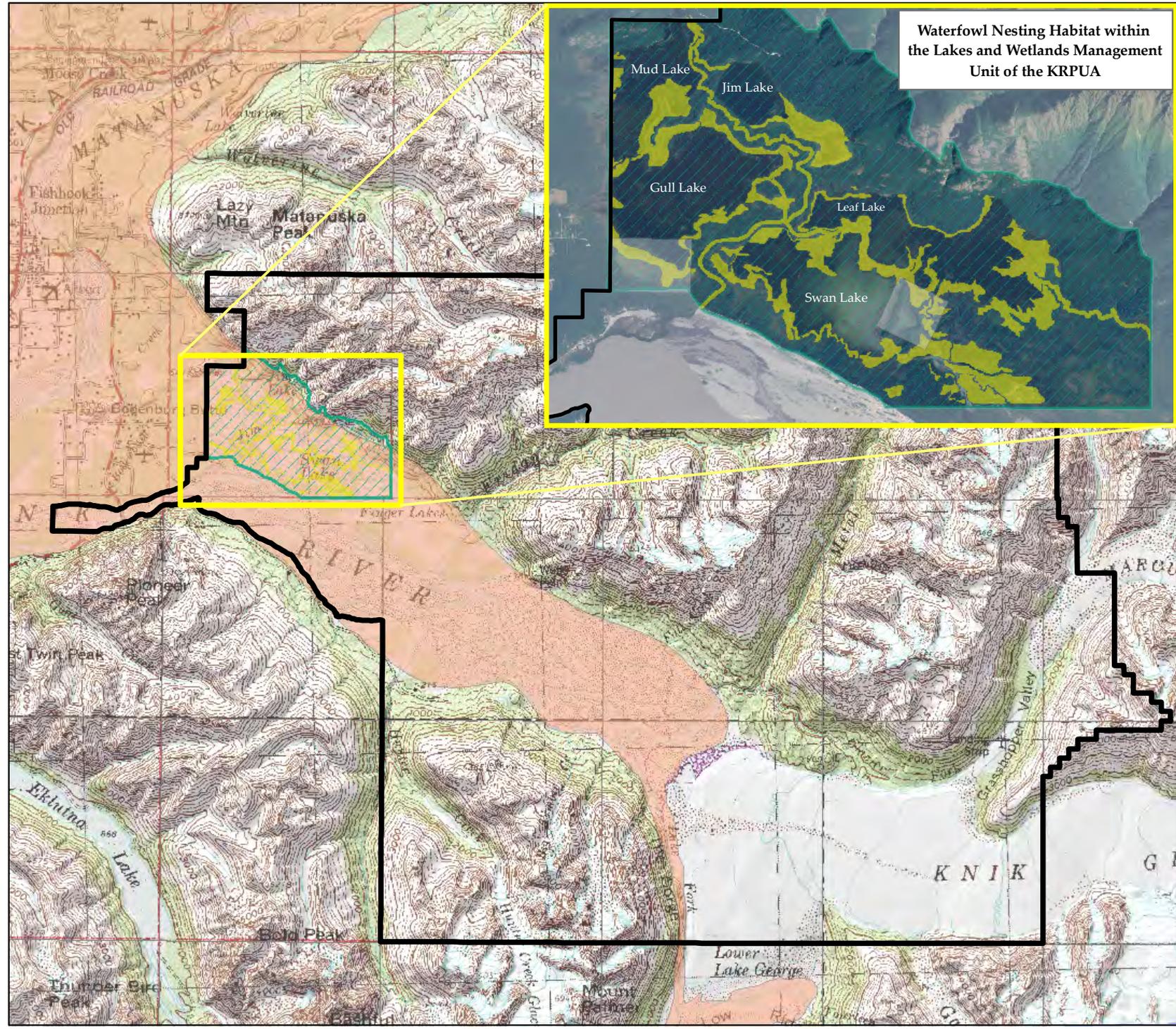
Coordinate System: NAD_1983_UTM_Zone_6N

Knik River Public Use Area

(AS 41.23.180 - 41.23.230)

Waterfowl Habitat

-  KRPUA Legal Boundary
-  Lakes and Wetlands Unit
-  General Waterfowl Habitat
-  Waterfowl Nesting Habitat

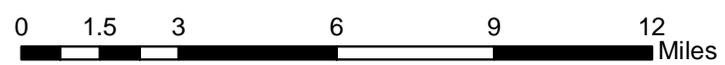


Waterfowl Nesting Habitat within
the Lakes and Wetlands Management
Unit of the KRPUA



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and is intended to be used only as a guide.
Habitat information derived from ADF&G data.

Coordinate System: NAD_1983_UTM_Zone_6N

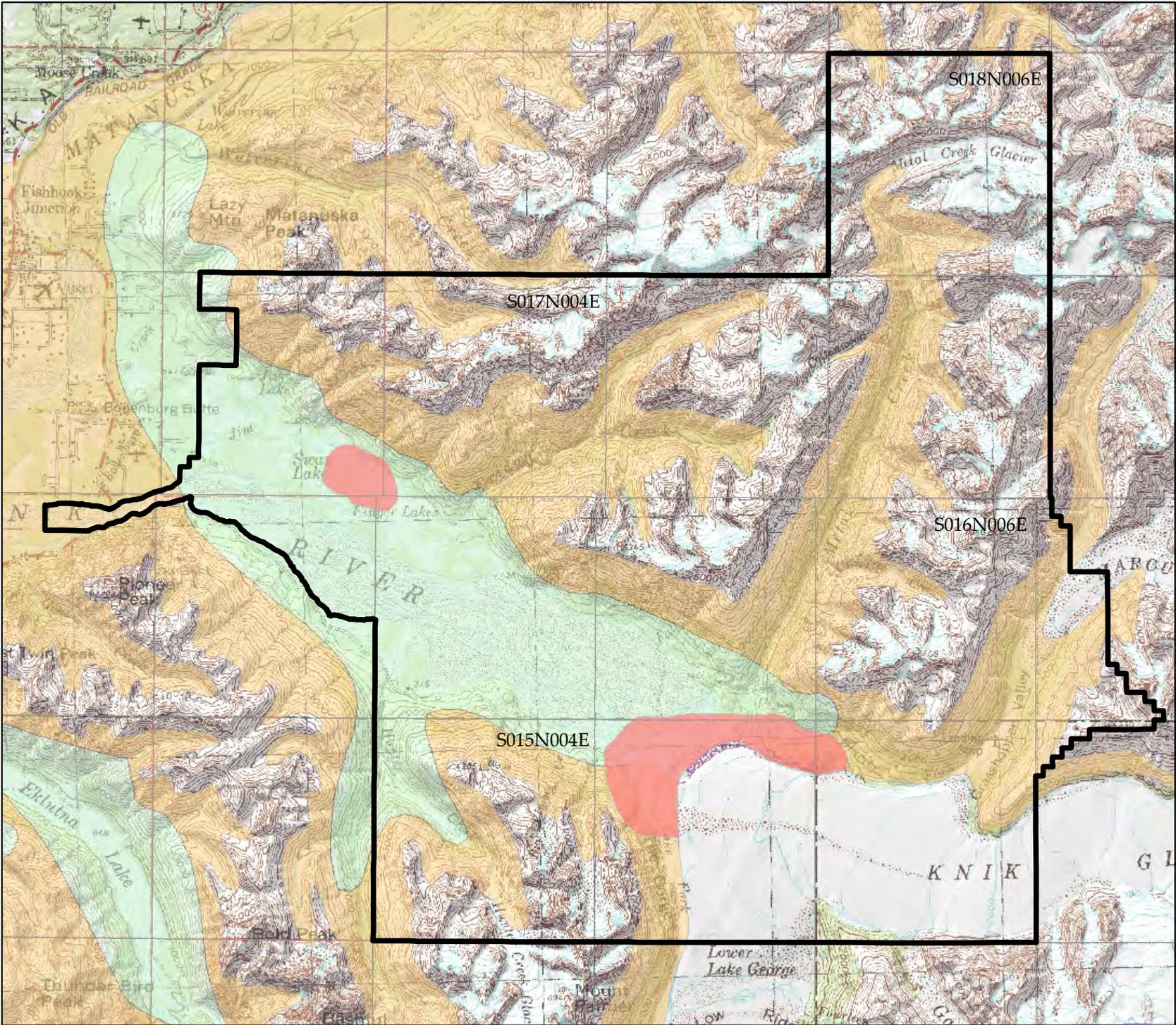


Knik River Public Use Area

(AS 41.23.180 - 41.23.230)

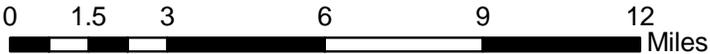
Moose Habitat

-  KRPUA Legal Boundary
- MOOSE**
-  General Habitat
-  Calving and Rutting Areas
-  Calving Concentration Areas



This map is for graphic representation only and is intended to be used only as a guide. Habitat information derived from ADF&G data.

Coordinate System: NAD_1983_UTM_Zone_6N

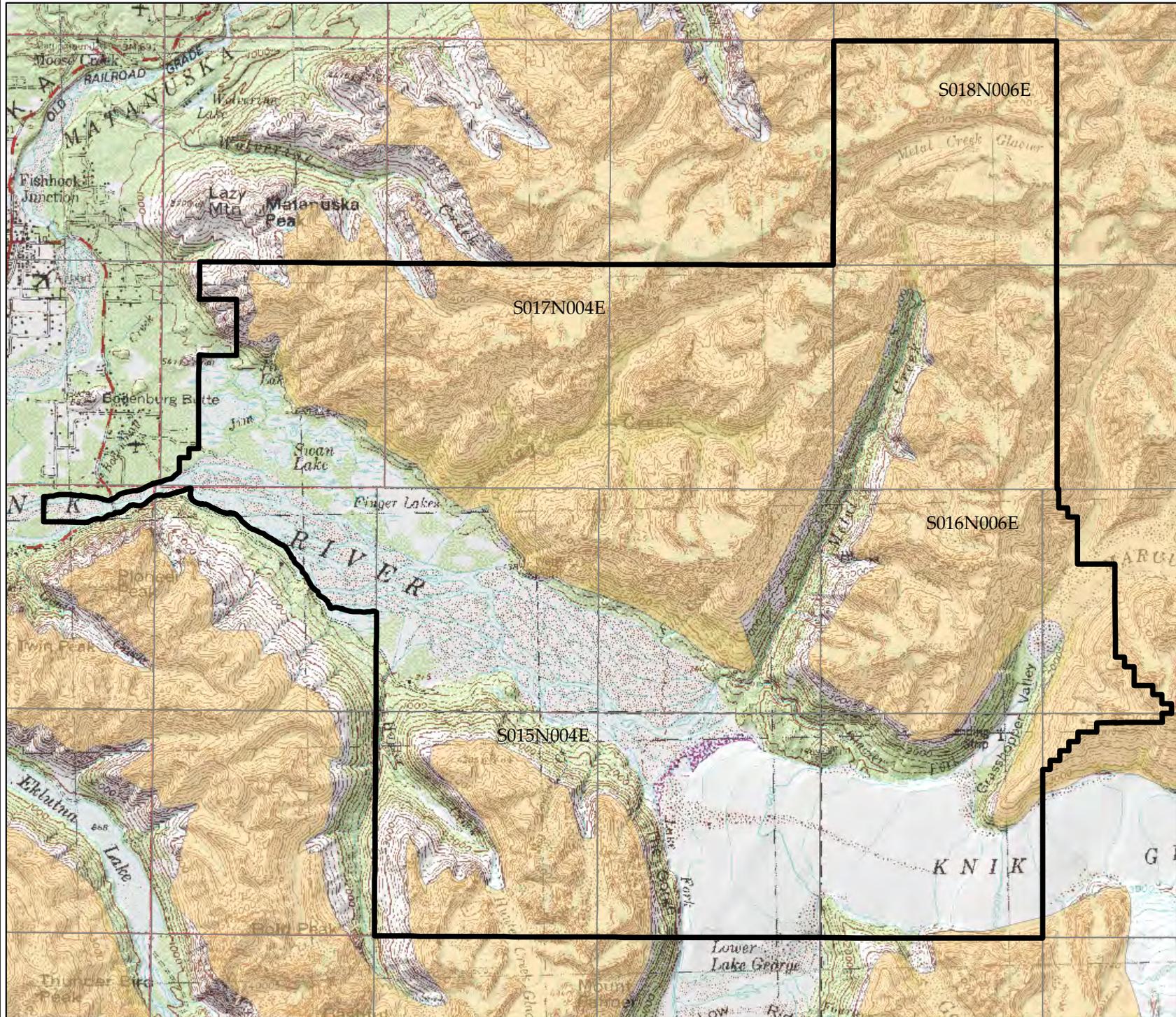


Knik River Public Use Area

(AS 41.23.180 - 41.23.230)

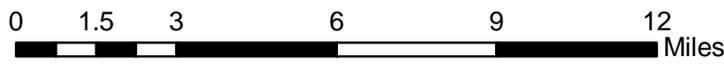
Dall Sheep Habitat

 Dall Sheep Habitat



This map is for graphic representation only and is intended to be used only as a guide. Habitat information derived from ADF&G data.

Coordinate System: NAD_1983_UTM_Zone_6N



Appendix C: Proposed Regulations

Adopted and Proposed Regulations

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

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

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

Phase 1 Regulations As Adopted

11 AAC 96.016. Designated public use areas

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

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

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

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

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

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

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

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

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

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

(13) a person may not discharge a firework;

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

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

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

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

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

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

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

Appendix C: Proposed Regulations

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

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

Phase 2 Regulations

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

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

Appendix D: Trails Management Process

Knik River Public Use Area

Trails Management Process

Introduction

OHV use related to recreation, hunting and fishing has increased significantly in the Knik River Valley in recent years. As a result, numerous trails have been created and areas that previously received little or no motorized use are now seeing frequent use. Some of these trails have been developed in sensitive fish and wildlife habitat areas. Others have been developed in wetlands, where repeated use results in degradation of the soil and development of multiple routes. DNR seeks to address trails impacts to wetlands and sensitive habitat through a comprehensive Trails Management Process (TMP).

Trails Management Process

The TMP will address existing and newly developed trails in the Knik River Public Use Area (PUA). The TMP will provide an inventory of all trails to be managed by DNR, and provide an assessment of trail conditions and their impacts to fish and wildlife habitat. The assessment will identify trails that have significant impacts on fish and wildlife habitat, particularly waterfowl nesting areas, trumpeter swan or loon nesting areas, moose calving concentration areas, and fish spawning areas. Trails in wetland areas will be assessed to determine if they are having significant impacts on soils and hydrology. Trails impacting other state resources will also be assessed.

Based on those assessments, existing trails determined to have significant negative impacts on fish and wildlife habitat, or other state resources, may be closed, be re-routed, or face seasonal restrictions. These actions are consistent with the statutory mandate to protect fish and wildlife habitat so traditional use of the fish and wildlife populations can continue.

Through the TMP, DNR will identify potential new trails (non-motorized and motorized) for development. DNR may also identify existing trails that can be developed to a higher standard or expanded. Trails may also be identified for reservation as public easements for specific purposes. These actions are consistent with the statutory mandates to maintain and enhance recreation and to provide for a full spectrum of recreational opportunities.

The TMP will not address motorized and non-motorized uses that are allowed by regulation off of trails. Examples of this type of use include game retrieval, recreational use off existing trails, and recreation off trails when snow and frost conditions permit. In general the impacts associated with this type of use do not persist from year to year, and are minor in nature. These uses are subject to regulations at 11AAC 96.015(c). Trails associated with these uses will not be classified through this process.

DNR may accept and adjudicate applications to re-route, designate, develop, or expand trails. DNR may reserve limited use easements on trails developed consistent with Department authorizations.

All new trails authorized by the Department will be reserved through public easements, and be developed as sustainable trails. Sustainable trails are capable of handling the intended use without serious environmental degradation. By following landscape contours, utilizing terrain features, and shedding water, sustainable trails require minimal maintenance over the long term.

The foundation of trail sustainability focuses on initial trail design to maximize the resilience of the trail to use-related impacts, minimize resource degradation, and maximize user enjoyment. While initial construction costs may be more for sustainable trails because the tread length is often longer to meet controlled grade limits, reduced future maintenance costs should compensate for those initial investments. Integral to sustainability is a sound trail plan to meet user needs and desires within the trail location environment. This planning is the core for any successful trail project.

Trails Management Process Policy

Intent

This Trails Management Process is intended to be used for all classified trails in the PUA. The process provides direction and design parameters for trail planning, construction, maintenance, and condition assessment. Trail managers will implement the process following adoption of the PUA Management Plan with the following benefits in mind:

1. Maintaining and enhancing opportunities for the recreating public.
2. Manage use through proper planning, design and construction of trails.
3. Ensure long-term savings in maintenance costs.
4. Demonstrate that DNR is committed to managing uses, and the associated impacts, so future generations are able to enjoy the resources of the PUA.

Goals

The following goals will guide DNR in management of trail resources in the PUA:

1. Establish Trail Management Objectives for individual trails and trail segments.
2. Implement a standardized trail classification system, including general criteria and design parameters.
3. Support the creation of sustainable trails.
4. Develop an effective and efficient procedure for trail inventory and assessment.
5. Standardize trail terminology that is consistent with other public land management agencies throughout the state.

Process

The following text provides the general process that DNR will follow in the classification and assessment of trails in the PUA.

1. Trail Management Objectives

Trail Management Objectives (TMOs) are defined as the documentation of the intended purpose and management strategies of a trail based upon the management plan or management intent of an area. TMOs document the Trail Class, Designed Use, Design Parameters, and other trail-specific considerations for both planned and existing trails. A trail may have different TMOs for sections of the trail that are or will be managed differently. TMOs are very helpful in providing information for subsequent trail planning, management, and reporting. Each classified trail should have TMOs identified based upon the unit's management or trail plan.

2. Trail Classification System

The Trail Classification System is intended to provide uniform principles for trail classification, maintenance, marking, design, and construction. The Trail Classification System adopted by DNR is a close adaptation of the National Trail Classification System being formally adopted by most federal land management agencies, and therefore will be a major step forward in applying consistent terminology and management guidance on trails in the PUA. This system is based on identifying the Type and Class of an existing or planned trail.

Only two Trail Types are referenced in this process: Terra (Standard) Trails, and Water Trails. Each trail is further separated into one of five Trail Classes, ranging from least developed (Trail Class 1) to most developed (Trail Class 5). General criteria are supplied to define Trail Classes applicable to all system trails. Trail Classes are further refined through Trail Design Parameters that offer construction specifications by the type of Designed Use, such as hiker, bicycle, ATV, motorized and non-motorized boating and snowmobile. Trail Design Parameters provide guidance for the assessment, survey and design, construction, repair, and maintenance of trails, based on the Trail Class and Designed Use of the trail.

3. Sustainable Trails

A Sustainable Trail is defined as a trail that conforms to its terrain and environment, is capable of handling its intended use without serious degradation, and requires minimal maintenance.

Trail “Sustainability” is a fairly new and progressive concept that is being discussed broadly within the national trails community. Certain design concepts that are time-tested, sound, and fairly simple, form the essential elements of sustainable design, while best management practices are currently being developed to guide overall trail management.

Sustainable trails are guided by trail management objectives (TMOs) and constructed to design parameters that support intended use without impact to the surrounding environment, which contributes to user enjoyment and protection of resources. Trail alignment and grades conform to the local terrain, while erosion is minimized and the tread stabilized. Sustainable trails integrate well into the environment and do not negatively impact the ecological integrity of the environment.

This process mandates that a sustainable trails be incorporated as follows:

- New Trails: All new trails will be built as sustainable trails.
- Existing Trails: As existing trails are repaired or re-routed, they may be upgraded using the Sustainable Trails Framework.

4. Develop a Means for Trail Inventory and Assessment

Before trail maintenance and repair strategies can be fully developed, an assessment of trails and their condition must be made, based on the TMOs identified for the trail. While TMOs provide a vision for future trail conditions, Trail Assessments offer an accurate snapshot of existing conditions and what is needed to meet Design Parameters identified by TMOs. The difference between TMOs and Trail Assessments will help determine repair costs.

Trail inventories and assessments require that detailed data be collected for each trail. There are several data collection methods being used in Alaska, from simple pen and paper technologies to sophisticated GPS/data-logger programs. Various methodologies will be reviewed during planned assessments and options will be considered based on their cost effectiveness and ease of use. No specific method is recommended at this time.

5. Trail Terminology

Terminology referenced in this process has been adopted from many sources including the U.S. Forest Service, DNR, Division of Parks and Outdoor Recreation, and the Alaska Parks and Recreation Association. Uniform terminology will also greatly benefit the application process for State Park’s Recreational Trail Grant program or other grant and funding sources.

Trail Classification System Criteria

The trail classification used in this process is adopted from sources including the U.S. Forest Service, and Bureau of Land Management, the Division of Parks and Outdoor Recreation. The five Trail Classes range from least developed (Trail Class 1) to most developed (Trail Class 5):

- Trail Class 1: Minimal/Undeveloped Trail
- Trail Class 2: Simple/Minor Development Trail
- Trail Class 3: Developed/Improved Trail
- Trail Class 4: Highly Developed Trail
- Trail Class 5: Fully Developed Trail

Trail Classes are an inventory convention used to identify applicable Design Parameters. Trail Class descriptors reflect typical attributes of trails in each class. Trail-specific exceptions may occur for any Trail Class descriptor, provided that the general intent of the corresponding Trail Class is retained. There is a direct relationship between Trail Class and Managed Use: one cannot be determined without consideration of the other. There can be only one Trail Class identified per trail or trail segment. The Trail Class for each trail or trail segment will be based on applicable land management plan direction, trail-specific decisions, and other related direction. The appropriate Trail Class should be determined at the trail-specific level. Apply the Trail Class that most closely matches the trail's TMOs.

Trail prescriptions describe the desired management of each trail, based on management plan direction. These prescriptions take into account protection of sensitive resources and other management guidelines and recommendations. To meet prescription, each trail is assigned an appropriate Trail Class (1-5). These general categories are used to identify applicable Trail Design Parameters and basic indicators used to help determine construction and/or maintenance costs. These classes have been adapted from the U.S. Forest Service. The General Criteria below define each Trail Class and are applicable to all system trails. Trail Class descriptions define “typical” attributes, and exceptions may occur for any attribute.

Trail Attributes	Trail Class 1 <i>Minimal/Undeveloped Trail</i>	Trail Class 2 <i>Simple/Minor Development Trail</i>	Trail Class 3 <i>Developed/Improved Trail</i>	Trail Class 4 <i>Highly Developed Trail</i>	Trail Class 5 <i>Fully Developed Trail</i>
General Criteria Physical Characteristics to be Applied to all Designated Trails					
Tread & Traffic Flow	<ul style="list-style-type: none"> ♦ Tread intermittent and often indistinct ♦ May require route finding ♦ Native materials only 	<ul style="list-style-type: none"> ♦ Tread discernible and continuous, but narrow and rough ♦ Few or no allowances constructed for passing ♦ Native materials 	<ul style="list-style-type: none"> ♦ Tread obvious and continuous ♦ Width accommodates unhindered one-lane travel (occasional allowances constructed for passing) ♦ Typically native materials 	<ul style="list-style-type: none"> ♦ Tread wide and relatively smooth with few irregularities ♦ Width may consistently accommodate two-lane travel ♦ Native or imported materials ♦ May be hardened 	<ul style="list-style-type: none"> ♦ Width generally accommodates two-lane and two-directional travel, or provides frequent passing turnouts ♦ Commonly hardened with asphalt or other imported material
Obstacles	<ul style="list-style-type: none"> ♦ Obstacles common ♦ Narrow passages; brush, steep grades, rocks and logs present 	<ul style="list-style-type: none"> ♦ Obstacles occasionally present ♦ Blockages cleared to define route and protect resources ♦ Vegetation may encroach into trailway 	<ul style="list-style-type: none"> ♦ Obstacles infrequent ♦ Vegetation cleared outside of trailway 	<ul style="list-style-type: none"> ♦ Few or no obstacles exist ♦ Grades typically <12% ♦ Vegetation cleared outside of trailway 	<ul style="list-style-type: none"> ♦ No obstacles ♦ Grades typically <8%
Constructed Features & Trail Elements	<ul style="list-style-type: none"> ♦ Minimal to non-existent ♦ Drainage is functional ♦ No constructed bridges or foot crossings 	<ul style="list-style-type: none"> ♦ Structures are of limited size, scale, and number ♦ Drainage functional ♦ Structures adequate to protect trail infrastructure and resources ♦ Primitive crossings and fords 	<ul style="list-style-type: none"> ♦ Trail structures (walls, steps, drainage, raised trail) may be common and substantial ♦ Trail bridges as needed for resource protection and appropriate access 	<ul style="list-style-type: none"> ♦ Structures frequent and substantial ♦ Substantial trail bridges are appropriate at water crossings ♦ Trailside amenities may be present 	<ul style="list-style-type: none"> ♦ Structures frequent or continuous; may include curbs, handrails, trailside amenities, and boardwalks ♦ Drainage structures frequent; may include culverts and road-like designs

Trail Attributes	Trail Class 1 <i>Minimal/Undeveloped Trail</i>	Trail Class 2 <i>Simple/Minor Development Trail</i>	Trail Class 3 <i>Developed/Improved Trail</i>	Trail Class 4 <i>Highly Developed Trail</i>	Trail Class 5 <i>Fully Developed Trail</i>
General Criteria Physical Characteristics to be Applied to all Designated Trails					
Signs	<ul style="list-style-type: none"> ♦ Minimum required ♦ Generally limited to regulation and resource protection ♦ No destination signs present 	<ul style="list-style-type: none"> ♦ Minimum required for basic direction ♦ Generally limited to regulation and resource protection ♦ Typically very few or no destination signs present 	<ul style="list-style-type: none"> ♦ Regulation, resource protection, user reassurance ♦ Directional signs at junctions, or when confusion is likely ♦ Destination signs typically present ♦ Informational and interpretive signs may be present 	<ul style="list-style-type: none"> ♦ Wide variety of signs likely present ♦ Informational signs likely ♦ Interpretive signs possible ♦ Trail Universal Access information likely displayed at trailhead 	<ul style="list-style-type: none"> ♦ Wide variety of signage is present ♦ Information and interpretive signs likely ♦ Trail Universal Access information is typically displayed at trailhead
Typical Experience	<ul style="list-style-type: none"> ♦ Natural, unmodified 	<ul style="list-style-type: none"> ♦ Natural, essentially unmodified 	<ul style="list-style-type: none"> ♦ Natural, primarily unmodified 	<ul style="list-style-type: none"> ♦ May be modified 	<ul style="list-style-type: none"> ♦ Can be highly modified ♦ Commonly associated with Visitor Centers or high-use recreation sites

Appendix E: Special Use Area Designation

**STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING LAND, AND WATER**

**AMENDED
KNIK RIVER SPECIAL USE AREA
(ADL 230206)**

The Department of Natural Resources (DNR) is establishing a Special Use Area (SUA) to regulate certain activities on four parcels of state land totaling 504 acres. The first parcel is 252 acres of state land within the W $\frac{1}{2}$ of section 31, T 17 North, R 3 East, Seward Meridian. The second parcel is 165 acres of land in the E $\frac{1}{2}$ of section 36, T 17 North, R 2 East, Seward Meridian. The Third parcel is 78 acres of land in the N $\frac{1}{2}$ of section 1, T 16 North, R 2 East, Seward Meridian. The fourth parcel is 9 acres of land in the NE $\frac{1}{4}$ of section 2, T 16 North, R 2 East, Seward Meridian. These lands are depicted on the accompanying map titled *Proposed Knik River Special Use Areas*. These lands are hereinafter, referred to as Knik River Special Use Area (KRSUA), adjacent to the boundary of the Knik River Public Use Area (PUA), and created under (AS 41.23.180-230). This SUA creates this area and restricts specific uses on state lands and waters within the designated area.

LEGAL DESCRIPTION

All interests in the uplands in Seward Meridian, Township 17 North, Range 3 East, Section 31, W1/2

AUTHORITY

AS 38.05.020

BACKGROUND

These parcels have been identified for designation as a special use area once they are acquired by the state. The identified parcels are functionally part of the PUA and receive high use levels and impacts associated with use of the PUA. A management plan and regulations have been developed for the PUA, and these regulations manage uses and activities in the PUA and are also applicable to the KRSUA, except for enforcement, which can only occur in the PUA.

The accompanying map illustrates the four parcels that will be included in the KRSUA.

PURPOSE

A SUA is a designation placed on certain land identified as having special resource values(s) needing protection. The result of this designation is to restrict specific activities that would otherwise be considered “generally allowed” under 11 AAC 96.020.

Appendix E: Special Use Area Designation

These lands are being designated as the KRSUA because they currently receive high levels of use related to the PUA, have several main access routes into the KRPUA, and receive high levels of impacts related to use of the PUA. The identified lands are located adjacent to the boundary of the KRPUA, and are functionally a part of the PUA. It is the intent of this designation to manage these lands in conjunction with the adjacent Knik River Public Use Area Management Plan to insure comprehensive management of the lands affected by recreational use in the Knik River Valley.

RESTRICTED USES AND ACTIVITIES

The restrictions detailed in *11AAC 96. 015 (d)* and regulations developed subsequent to the adoption of the Management Plan shall also apply to those lands described in the KRSUA.

DESCISION

I find these actions to be consistent with the Department of Natural Resources management authority, the management intent of the Knik River Public Use Area, the KRPUA Management Plan, and with the draft regulations intended to manage the KRPUA. These actions are in the overall best interest of the State.



9-3-08

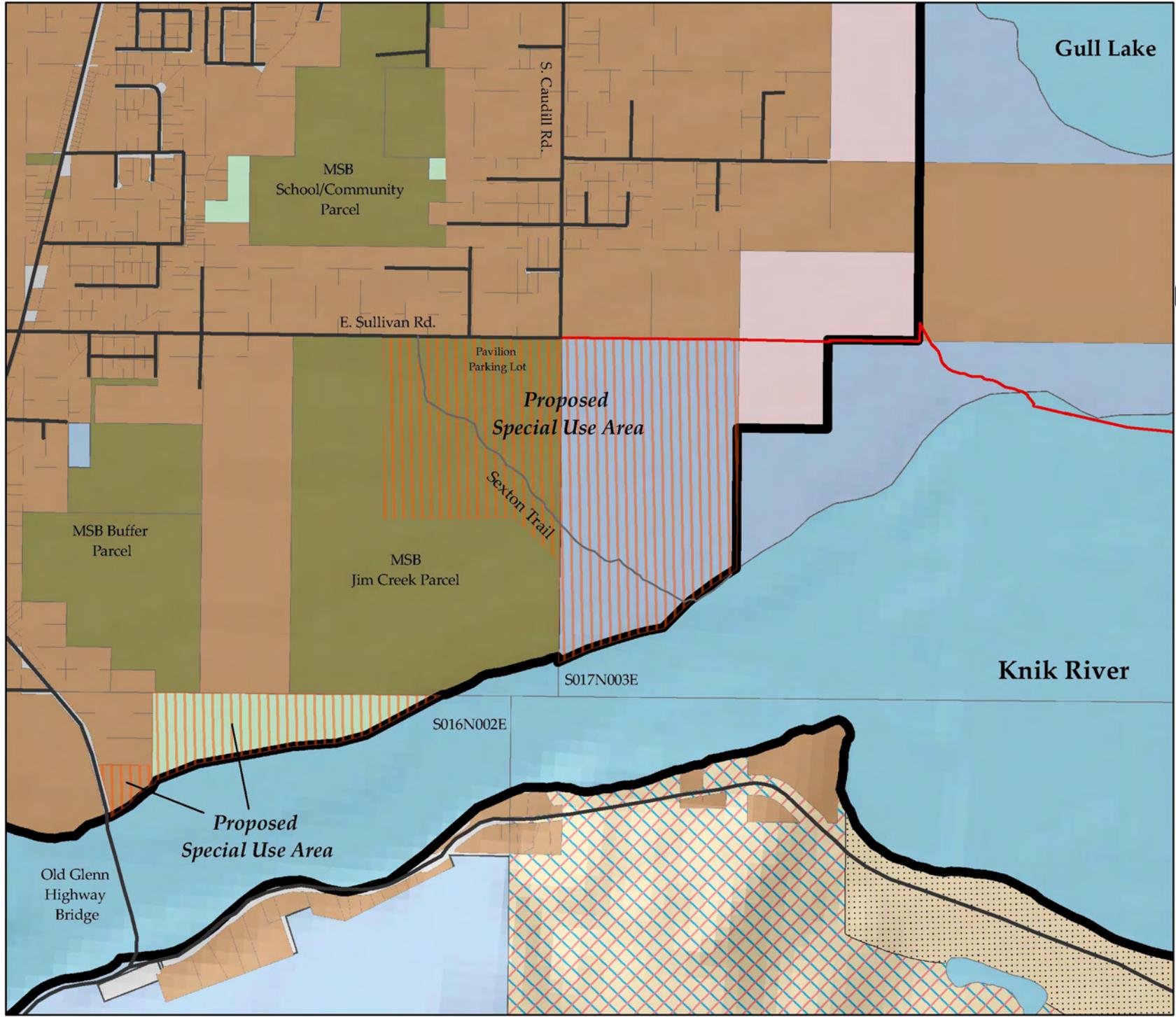
Director
Division of Mining, Land and Water
Department of Natural Resources
State of Alaska

Knik River Public Use Area

(AS 41.23.180 - 41.23.230)

Proposed Knik River Special Use Areas

Map E-1

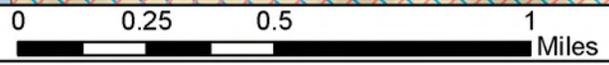


- KRPUA Legal Boundary
- State Upland
- Proposed SUA Lands
- State Tide, Shore and Submerged Land
- State Selected Land
- Federal Land
- PLO 3324
- Native Land
- Native Selected Land
- Borough Land
- Mental Health Trust Land
- Private Land
- Major Roads
- RS 2477
- Trails



This map is for graphic representation only. It is intended to be used as a guide only and may not show the exact location of existing surveyed parcels or show all easements and reservations. Source documents remain the official record. Land status in general is only to section-level accuracy.

Coordinate System: NAD_1983_UTM_Zone_6N



Appendix F: Plan Amendments

(Note: Because two area plans are affected by the Knik PUA Management Plan, both the Susitna Area Plan and the Prince William Sound had to be revised. Both plan amendments follow.)

**STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER**

**Susitna Area Plan Amendment
for
Knik River Public Use Area
(LCO SC-07-002)**

Background

The Susitna Area Plan (SAP) was adopted in June 1985 and has guided the management of State land throughout much of the Susitna and Matanuska Valleys, including portions of the Knik River area, since that time. In 2006 the Knik River Public Use Area (PUA), encompassing approximately 148,895 acres of State land, was established as a Legislative Designated Area under AS 41.23.180-230. This legislation required the preparation of a management plan by the DNR Commissioner, the intent of which is to provide a detailed management strategy for State land within the PUA.

The boundary of the PUA overlaps portions of the Glenn Highway Subregion (Units 2e, 3b, 3c) and the Chugach Subregion (Units 1a, and 1d) of the SAP. Because the PUA provides a more detailed approach to state land management in this area and because the legislature intended for the PUA to guide state land and resource management in this area, it is appropriate to amend the SAP. The PUA management plan will function as a state land use plan in this area as well as provide an overall management approach to the use and management of State land. That is, the Knik River Public Use Area Management Plan (Plan) is to provide both the area management policies and management guidelines that are typically contained in Chapter 2 of such plans and the plan designations and management intent statements that are characteristic of Chapter 3.

In addition to this amendment, portions of the Prince William Sound Area Plan (PWSAP) overlap with the boundary of the PUA. The PWSAP will be amended concurrently with this Plan Amendment.

This amendment does not affect Leasehold Location Orders or Mineral Orders in place before the enactment of the PUA. Land Classification Order SC-07-002 accompanies this Amendment, reclassifying the entirety of the PUA area to the co-designation of Public Recreation Land and Wildlife Habitat Land.

Current Plan Requirements

Within the SAP the Glenn Highway and Chugach Subregions are currently designated Public Recreation and Wildlife Habitat. The SAP management intent recommends that these areas be managed to protect and improve public recreation opportunities while protecting the general quality of fish, waterfowl and wildlife habitat. A portion of the affected areas is recommended for legislative designation as state recreation area.

Proposed Amendment

The boundary of the SAP is amended to exclude those lands that are within the SAP (Glenn Highway Subregion, Units 2e, 3b, 3c and Chugach Subregion, Units 1a, and 1d) that coincide with lands in the PUA. The lands within these townships are now part of the PUA. Where the Plan overlaps the SAP (Glenn Highway Subregion, Units 2e, 3b, 3c and Chugach Subregion, Units 1a, and 1d), this amendment rescinds all current SAP land use plan requirements and recommendations, and functions as the land use plan under AS 38.04.065 for this area.

The management intent, plan designations, and management guidelines for these lands is described in detail within the Plan; this management plan shall function as the management strategy for these lands.

LCO SC-07-002 classifies land within the PUA as Public Recreation and Wildlife Habitat. Reclassification is necessary since this Plan will function as a state land use plan as well as the management plan. This LCO is based upon the plan designations contained in the Plan, which co-designates state land as Public Recreation-Dispersed and Habitat.

Alternatives Considered

Two alternatives were considered in the drafting of this amendment:

- A. Null Alternative – status quo. The SAP would continue to be used as the guiding management document for the PUA.
- B. Amendment of SAP as outlined by this plan amendment. This alternative will provide more detailed management guidance to the Department in decisions for the PUA.

Recommendation

Alternative B is the preferred course of action. The amendment to the SAP is necessary to clarify and direct the specific management of PUA lands. Alternative A has been given due consideration and has been determined not to provide the necessary management directions necessary for the PUA under AS 41.23.230.

Evaluation of AS 38.05.065 (b) Requirements

This section of Statute requires that certain factors be considered as part of a plan ‘revision’. These factors have all been considered and are summarized as follows:

Multiple Use and Sustained Yield: Multiple Use and sustained yield, as stipulated in AS 41.23.230, has been given due consideration in this amendment. A detailed analysis can be found in the main body of the PUA plan.

Evaluation of physical, economic, and social factors: A thorough evaluation of these factors has taken place as a primary aspect of the development of the PUA plan and this amendment.

Planning and Classification for Settlement: Settlement has been determined to not be compatible with AS 41.23.230. Settlement of any portion of the PUA would create potential conflicts of surface uses and goes against the legislative directives.

Land Inventory: A land inventory was prepared as part of this plan amendment and as part of the PUA. Land Status maps as well as accompanying land statistics can be found in the Knik River Public Use Area Management Plan.

Alternative Present and Future Uses: These uses were considered as part of the directive in AS 41.23.230. This area has been designated as a public use area by the legislature.

Adjacent non-state lands: The adjacent lands include private, borough, federal, and native lands. All of the adjacent land uses have been considered and deemed compatible and all adjacent land owners have been invited to participate in the planning process.

Potential Conflicts between mining and surface uses: Several recreational mining claims are within the PUA. These uses are compatible with, and will not be excluded by, the management plan. After analysis of the minerals and mineral potential in the area, and discussion with DNR Mining Section, it has been determined that there is no commercial potential for mining within this area. There are no foreseen conflicts of uses in this regard.

Public Participation: the public is being given several opportunities to comment on this proposal in conjunction with the proposed PUA management plan.

Approved



Commissioner
Department of Natural Resources
State of Alaska

Date Sept. 25, 2008

**STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER**

**Prince William Sound Area Plan Amendment
for
Knik River Public Use Area
(LCO SC-07-002)**

Background

The Prince William Sound Area Plan (PWSP) was adopted in June 1988 and has guided the management of State land throughout the Prince William Sound area since that time. In 2006 the Knik River Public Use Area (PUA), encompassing 148,895 acres of State land, was established as a Legislative Designated Area under AS 41.23.180-230. This legislation required the preparation of a management plan by the DNR Commissioner, the intent of which is to provide a detailed management strategy for State land within the PUA.

The boundary of the PUA overlaps Management Unit 6, the “Lake George” area, of the PSWP. Because the PUA provides a more detailed approach to state land management in this area and because the legislature intended for the PUA to guide state land and resource management in this area, it is appropriate to amend the boundary of the PWSP. The PUA management plan will function as a state land use plan in this area as well as provide an overall management approach to the use and management of State land. That is, the PUA Management Plan is to provide both the area management policies and management guidelines that are typically contained in Chapter 2 of such plans and the plan designations and management intent statements that are characteristic of Chapter 3.

In addition to this amendment, portions of the Susitna Area Plan (SAP) overlap with the boundary of the PUA. The SAP will be amended concurrently with this Plan Amendment.

This amendment does not affect Leasehold Location Orders or Mineral Orders in place before the enactment of the PUA. Land Classification Order SC-07-002 accompanies this Amendment, reclassifying the entirety of the PUA area to the co-designation of Public Recreation Land and Wildlife Habitat Land.

Proposed Amendment

The boundary of the PWSP is amended to exclude those lands that are within Management Unit 6 Lake George Unit (S15N06E, S15N05E, and S15N04E) that coincide with lands in the PUA. The lands within these townships are now part of the PUA. Where the Plan overlaps Management Unit 6 Lake George Unit (S15N06E, S15N05E, and S15N04E), this amendment rescinds all current PWSAP land use plan requirements and recommendations, and functions as the land use plan under AS 38.04.065 for this area.

The management intent, plan designations, and management guidelines for these lands is described in detail within the Plan; this management plan shall be the guiding management document for these lands.

SC-07-002 classifies land within the PUA as Public Recreation and Wildlife Habitat. Reclassification is necessary since this Plan will function as a state land use plan as well as the management plan. This LCO is based upon the plan designations contained in the PUA, which co-designates state land as Public Recreation-Dispersed and Habitat.

Alternatives Considered

Two alternatives were considered in the drafting of this amendment:

- A. Null Alternative – status quo. The PWSP would continue to be used as the guiding management document for the three townships that now are within the PUA.
- B. Amendment of the PWSP boundary as outlined by this plan amendment. This alternative will provide more detailed management guidance to the Department in decisions for the PUA.

Recommendation

Alternative B is the preferred course of action. The amendment to the PWSP boundary is necessary to clarify and direct the specific management of PUA lands. Alternative A has been given due consideration and has been determined not to provide the management directions necessary for the PUA under AS 41.23.230.

Evaluation of AS 38.05.065 (b) Requirements

This section of Statute requires that certain factors be considered as part of a plan ‘revision’. These factors have all been considered and are summarized as follows:

Multiple Use and Sustained Yield: Multiple Use and sustained yield, as stipulated in AS 41.23.230, has been given due consideration in this amendment. A detailed analysis can be found in the main body of the PUA plan.

Evaluation of physical, economic, and social factors: A thorough evaluation of these factors has taken place as a primary aspect of the development of the PUA plan and this amendment.

Planning and Classification for Settlement: Settlement has been determined to not be compatible with AS 41.23.230. Settlement of any portion of the PUA would create potential conflicts of surface uses and goes against the legislative directives.

Land Inventory: A land inventory was prepared as part of this plan amendment and as part of the PUA. Land Status maps as well as accompanying land statistics can be found in the appendix of the PUA plan.

Appendix F: Plan Amendments

Alternative Present and Future Uses: These uses were considered as part of the directive in AS 41.23.230. This area has been designated as a public use area by the legislature.

Adjacent non-state lands: The adjacent lands include private, borough, federal, and native lands. All of the adjacent land uses have been considered and deemed compatible and all adjacent land owners have been invited to participate in the planning process.

Potential Conflicts between mining and surface uses: Several recreational mining claims are within the PUA. These uses are compatible with, and will not be excluded by, the management plan. After analysis of the minerals and mineral potential in the area, and discussion with DNR Mining Section, it has been determined that there is no commercial potential for mining within this area. There are no foreseen conflicts of uses in this regard.

Public Participation: the public is being given several opportunities to comment on this proposal in conjunction with the proposed PUA management plan.

Approved



Commissioner
Department of Natural Resources
State of Alaska

Date

Sept. 25, 2008

STATE OF ALASKA
 DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF MINING, LAND AND WATER

LAND CLASSIFICATION ORDER
 NO. SC-07-002

- I. Name: Knik River Public Use Area Management Plan within the former area of the Susitna Area Plan and Prince William Sound Area Plans.
- II. The classifications in Part III are based on written justification contained in the adopted Knik River Public Use Area Management Plan and the plan amendments to the Susitna Area Plan and the Prince William Sound Area Plan dated 1985+1988:

Area Plan: Susitna Area Plan and prince William Sound Area Plan (Specifically, the former areas within these area plans that are now managed under the Knik River Public Use Area Management Plan.)

Adopted (X) Revised () Dated 1985 & 1988

Management Plan: Knik River Public Use Area Management Plan

Adopted (X) Revised () Dated August 13, 2008

Site Specific Plan:

Adopted () Revised () Dated _____

III. Legal Description	Acreage	Acquisition Authority	Existing Classification	Classification by this action
See plan maps ¹	268,000		Public Recreation Habitat and Harvest Resource Management	Public Recreation Wildlife Habitat

- IV. This order is issued under the authority granted by AS 38.04.065 and AS 38.05.300 to the Commissioner of the Department of Natural Resources. The above described lands are hereby designated and classified as indicated. All previous classifications are superceded by this LCO. Nothing shall prevent the reclassification of these lands if warranted in the public interest.

Classified: 
 Commissioner, Department of Natural Resources

Date: Sept. 25, 2008

¹ (Note: 'plan maps' refer to the maps in the Knik River Public Use Area Management Plan)

Appendix H: Public Trust Doctrine

The Public Trust Doctrine provides that public trust lands, waters and living resources in a state are held by the state in trust for the benefit of all the people, and establishes the right of the public to fully utilize the public trust lands, waters, and resources for a wide variety of public uses. Each state has the authority and responsibility for managing these public trust assets to assure the public rights are upheld.

The Public Trust Doctrine applies whenever navigable waters or the lands beneath those waters are altered, developed, conveyed, or otherwise managed. It also applies whether the trust lands are publicly or privately owned. Public trust lands are generally those lands below navigable waters, with the upper boundary being the ordinary high water mark. Tidelands, shore lands of navigable lakes and rivers, as well as the land beneath oceans, lakes and rivers are usually considered public trust lands.

The Alaska Constitution contains numerous provisions embracing principles of the Public Trust Doctrine that require the state to exercise authority to ensure that the right of the public to use navigable waters for navigation, commerce, recreation, and related purposes is protected. In Alaska, the Public Trust Doctrine extends beyond those submerged lands in which the state holds title to include all waters that are navigable. The state's waters are themselves reserved to the people for common use.

The Alaska Constitution (Article VIII, sections 1, 2, 3, 6, 13, and 14) and Alaska Statutes (38.05.127 and 38.05.128) contain some of the provisions, which are the legal basis for applying the Public Trust Doctrine in Alaska. In Alaska, this doctrine guarantees the public's right to engage in activities such as commerce, navigation, fishing, hunting, trapping, and swimming, while also providing for the protection of areas for ecological study.

The Alaska Constitution provides that “free access to the navigable or public waters of the state, as defined by the legislature, shall not be denied any citizen of the United States or resident of the state, except that the legislature may by general law regulate and limit such access for other beneficial uses or public purposes.” The Alaska Supreme Court has concluded “the provisions in Article VIII [of the Constitution] were intended to permit the broadest possible access to and use of state waters by the general public.” *Wernberg v. State*, 516 P. 2d 1191, 1198-9 (Alaska 1973). The Alaska legislature has broadly defined the navigable and public waters available for public use in AS 38.05.965. Moreover, the legislature has endorsed a broad interpretation of the Public Trust Doctrine constitutionalized in Article VIII in finding that:

- “Ownership of land bordering navigable or public waters does not grant an exclusive right to the use of the water and any rights of title to the land below the ordinary high water mark are subject to the rights of the people of the state to use and have access to the water for recreational purposes or any other public purposes for which the water is used or capable of being used consistent with the public trust.” Sec. 1, Ch. 82, SLA 1985.
- The legislature has also declared that the right to use state waters does not include the right to enter or trespass upon private lands. Nevertheless, with 99 percent of Alaska in public ownership at statehood, state laws providing that the transfer of land to private parties also provide for public access to navigable waters have had broad effect. For instance, AS 38.05.127 implements the state constitutional guarantee of access to navigable waters under Article VIII, Section 14. Under the statute, the Commissioner of the Alaska Department of Natural Resources must “provide for the specific easements or rights-of-way necessary to ensure free access to and along the body of water, unless the Commissioner finds that regulating or eliminating access is necessary for other beneficial uses or public purposes”. The State’s responsibilities to implement the Public Trust Doctrine are considered and used throughout this plan. Any management actions will be consistent with the Public Trust Doctrine as defined by the Alaska Constitution, statutes, court decisions, and public involvement.

These statutes and concepts are considered and used throughout this plan. Any management actions will be consistent with the public trust doctrine as defined by the Alaska Constitution, statutes, court decisions, and public involvement.

Appendix I: Legislation

Sec. 41.23.180. Purpose of AS 41.23.180 - 41.23.230.

The purpose of AS 41.23.180 - 41.23.230 is to establish the area described in AS 41.23.230 as the Knik River Public Use Area. The Knik River Public Use Area is established to

- (1) perpetuate and enhance
 - (A) general public recreation;
 - (B) public enjoyment of fish and wildlife;
- (2) protect and maintain migratory waterfowl nesting areas; habitats for moose, Dall sheep, and brown bear; and other fish and wildlife habitat so that traditional public use of fish and wildlife populations may continue;
- (3) provide an area for the public to enjoy the full spectrum of public uses, including maintenance and enhancement of off-road motorized vehicle and nonmotorized recreational opportunities;
- (4) allow
 - (A) continued motorized access for miners and owners of private property in the Knik River Public Use Area; and
 - (B) additional public uses of the area determined by the commissioner to be compatible with this section.

Sec. 41.23.190. Management.

- (a) The commissioner is responsible for the management of the land and mineral estate within the Knik River Public Use Area consistent with the purposes of AS 41.23.180. After adequate public hearings, the commissioner may designate incompatible uses and shall adopt and may revise a management plan for the Knik River Public Use Area. The management plan must include provisions for the enforcement of the plan and compliance with the requirements of the plan.
- (b) The commissioner of fish and game, the Board of Fisheries, and the Board of Game are responsible for the management of fish and game resources and public use of fish and wildlife in the Knik River Public Use Area consistent with the purposes of AS 41.23.180

- (c) The Knik River Public Use Area may not be managed as a unit of the state park system.
- (d) The commissioner shall identify wetland areas within the Knik River Public Use Area and provide for the protection and use of the wetland areas in the management plan.

Sec. 41.23.200. Incompatible uses.

- (a) Except as provided in this section, the commissioner may prohibit or restrict uses determined to be incompatible with the purposes of the Knik River Public Use Area under AS 41.23.180 within the state-owned land and water described in AS 41.23.230.
- (b) Nothing in AS 41.23.180 - 41.23.230 prohibits the Department of Fish and Game from engaging in rehabilitation, enhancement, and development of fish and wildlife habitat within an area described in AS 41.23.230 that is consistent with the purposes stated in AS 41.23.180.
- (c) The commissioner may not restrict
 - (1) lawful fishing, hunting, or trapping rights allowed under a regulation of the Board of Fisheries or the Board of Game in the Knik River Public Use Area; or
 - (2) the use of weapons, including firearms, in the Knik River Public Use Area except in locations where the commissioner determines that the use of weapons constitutes a threat to public safety.
- (d) The commissioner shall
 - (1) allow the Knik River Public Use Area to be used for activities that are compatible with the reasons for establishing the public use area in AS 41.23.180 and include all-terrain vehicles, aircraft, watercraft, airboats, snowmobiling, horseback riding, hiking, bicycling, dog sledding, cross-country skiing, skijoring, camping, hunting, fishing, wildlife viewing, photography, and, where permitted, mineral exploration and mining; and
 - (2) recognize the existing off-road motor vehicle trails and the access those trails provide to areas in the Knik River Public Use Area, make accommodations that will provide the shortest possible route to avoid critical habitat, conduct trail rehabilitation in a way that minimizes damage, maintain and enhance off-road motor vehicle options and opportunities in the Knik River Public Use Area, and provide for increased use of the public use area.
- (e) The commissioner of public safety and the commissioner of fish and game shall have necessary access for fish and game management, research, and enforcement purposes.

Sec. 41.23.210. Enforcement authority.

- (a) In the Knik River Public Use Area described in AS 41.23.230 , the following persons are peace officers of the state for the purpose of enforcing the provisions of AS 41.23.180 - 41.23.230 and regulations adopted under AS 41.23.180 - 41.23.230:
 - (1) an employee of the department or other person authorized by the commissioner;
 - (2) a peace officer, as that term is defined in AS 01.10.060.
- (b) A person designated in (a) of this section may, when enforcing the provisions of AS 41.23.180 - 41.23.230 or a regulation adopted under AS 41.23.180 - 41.23.230,
 - (1) execute a warrant or other process issued by an officer or court of competent jurisdiction;
 - (2) administer or take an oath, affirmation, or affidavit; and
 - (3) arrest a person who violates a provision of AS 41.23.180 - 41.23.230 or a regulation adopted under AS 41.23.180 - 41.23.230.

Sec. 41.23.220. Penalty.

- (a) A person who violates a provision of AS 41.23.180 - 41.23.230 or a regulation adopted under AS 41.23.180 - 41.23.230 is guilty of a violation as defined in AS 11.81.900 .
- (b) The supreme court shall establish by order or rule a schedule of bail amounts for violations under (a) of this section that allow the disposition of a citation without a court appearance.

Sec. 41.23.230. Knik River Public Use Area.

Subject to valid existing rights, state-owned land and water and the state land and water acquired in the future that lie within the boundaries described in this section are designated as the Knik River Public Use Area, are reserved for all uses compatible with their primary function as public use land, and are assigned to the department for control and management:

- (1) Township 15 North, Range 4 East, Seward Meridian;
- (2) Township 15 North, Range 5 East, Seward Meridian;
- (3) Township 15 North, Range 6 East, Seward Meridian;

Appendix I: Legislation

(4) Township 15 North, Range 7 East, Seward Meridian

Section 3: NW1/4NW1/4

Section 4: N1/2NE1/4, N1/2NW1/4

Section 5: N1/2NE1/4, NW1/4

Section 6: SW1/4SE1/4, N1/2SE1/4, SW1/4, N1/2

Section 7: SW1/4NW1/4, N1/2NW1/4;

(5) Township 16 North, Range 2 East, Seward Meridian

Section 1: Portions located below the ordinary high water of Knik River

Section 2: Portions located below the ordinary high water of Knik River

Section 3: Portions located below the ordinary high water of Knik River;

(6) Township 16 North, Range 3 East, Seward Meridian

Sections 1 - 3

Section 4: Portions located below the ordinary high water of Knik River

Section 5: Portions located below the ordinary high water of Knik River

Section 6: Portions located below the ordinary high water of Knik River

Section 9: Portions located below the ordinary high water of Knik River

Section 10: Portions located below the ordinary high water of Knik River

Sections 11 - 13

Section 14: Portions located below the ordinary high water of Knik River

Section 23: Portions located below the ordinary high water of Knik River

Section 24: Portions located below the ordinary high water of Knik River;

(7) Township 16 North, Range 4 East, Seward Meridian;

(8) Township 16 North, Range 5 East, Seward Meridian;

(9) Township 16 North, Range 6 East, Seward Meridian;

(10) Township 16 North, Range 7 East, Seward Meridian

Section 6: NW1/4SE1/4, S1/2SE1/4, W1/2

Section 7

Sections 17 - 20

Section 28: NW1/4SW1/4, S1/2SW1/4

Sections 29 - 32

Section 33: S1/2NE1/4, SE1/4, W1/2

Section 34: SE1/4SW1/4, W1/2SW1/4;

(11) Township 17 North, Range 2 East, Seward Meridian

Section 36: Portions located below the ordinary high water of Knik River;

(12) Township 17 North, Range 3 East, Seward Meridian

Sections 1 - 5

Sections 9 - 16

Section 17: S1/2

Sections 20 - 29

Section 31: NE1/4NE1/4, S1/2NE1/4, SE1/4, SW1/4 located below the ordinary high water of Knik River

Sections 32 - 36;

(13) Township 17 North, Range 4 East, Seward Meridian;

(14) Township 17 North, Range 5 East, Seward Meridian;

(15) Township 17 North, Range 6 East, Seward Meridian;

(16) Township 18 North, Range 6 East, Seward Meridian.

Appendix J: Implementation of Commercial Use Policy

A land use authorization from the Southcentral Regional Land Office of the Division of Mining, Land, and Water will be required for commercial use activities taking place within the PUA. Commercial use includes guiding, outfitting, tours, and rental services. Commercial use also includes the solicitation or selling of liquids or edibles for human consumption, and vending of goods, wares, services, or merchandise. Possession of a commercial recreation authorization does not grant a preference right for obtaining future authorizations nor for obtaining land use permits, leases, or other types of permits. Authorizations are non-transferable.

Considerations for Issuing Commercial Use Authorizations

DNR will consider the following criteria before issuing a commercial authorization.

1. Public use values in the Knik Rive Public Use Area will be maintained and protected;
2. Public safety, health, and welfare will not be adversely affected;
3. The activity is consistent with the goals and management intent of the plan; and recreational and natural resources will not be adversely affected.

Grounds for Suspension of Revocation

The following is a list of violations which may result in the revocation or suspension of an authorization.

The following may result in suspension or revocation of a commercial authorization.

1. Violation within the Knik River Public Use Area of laws or regulations protecting public safety and peace
2. Violation of state or federal fish or game regulations
3. Repeated or willful non-compliance with authorization requirements
4. Failure to pay required fees

Allocation

DNR will not limit the number of commercial use authorizations, unless an assessment of the commercial use warrants such a decision and if adequate justification for such an action is found to exist. DNR will monitor commercial use and may determine if limitations are appropriate for the future.

Commercial Camps

Commercial use involving overnight camps must have a land use authorization. A land use authorization provides a guide/outfitter with an authorization to establish a camp at a variety of locations throughout the PUA. Commercial camps generally serve as a center for commercial operations, providing overnight accommodations for guests, guides, and employees. Camps generally include tents for shelter and cooking, and a human waste disposal system. Commercial camps do not include resource management camps or mining camps.

The following guidelines apply to commercial camps on state land.

1. *Term of Use* – A land use permit will be issued for the term of actual use of the camp for the authorized activity, or the minimum length of time required by the applicant to carry out the intended use. Land use permits provide authorization on an annual basis, and in some cases for up to five years. Camps located in Public Use Sites may remain in one place for up to seven days before they must be disassembled and moved to another location at least one mile away. They are not allowed to return to the vacated site for a period of four days. Long term commercial camps will not be authorized in public use sites.
2. *Commercial Use* – Land use permits authorize overnight commercial camps within the Knik River Public Use Area. Land use permit will not be authorized for personal camps.
3. *Siting Criteria* – Camps will be sited consistent with the management intent for the unit. In order to protect public safety, minimize the negative impacts on water quality and public access, and to protect heritage sites, commercial camps will not be authorized:
 - A. in Public Use Sites if operating for more than seven (7) days;
 - B. within 100 feet of a waterbody or wetland;
 - C. near identified heritage sites;
 - D. if they block public easements, heavily used trails identified in the TMP, or seismic lines.

Fees

DNR has established fees for authorizations related to commercial use and will apply these to land authorizations within the PUA. The cost of the permit shall be based on the following:

- **Commercial Day Use Activity.** All commercial businesses using the Knik River Public Use Area on a day use only basis must obtain a land use authorization, and will be charged an annual fee, plus a Visitor Day fee.
- **Commercial Camp Activity.** All commercial businesses using the Knik River Public Use Area on a multiple day overnight basis that utilizes overnight camps must obtain a land use authorization, and will be charged an annual fee, plus a Visitor Day fee.