

**Chapter 2**  
**Areawide Land & Water Management Policies**

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# 1 Chapter 2

## 2 Areawide Land & Water Management Policies

### 3 Introduction

#### 4 5 Summary

6  
7 This chapter includes goals, management intent, management guidelines, and proposed  
8 regulations that apply to state lands in the Recreation Rivers. The policies in this chapter  
9 consist of goals and management guidelines. Goals are the general conditions the department  
10 is trying to achieve, and guidelines are specific directions that will be applied to land and  
11 water management decisions as resource use and development occur. For management intent  
12 on borough lands, contact the Matanuska-Susitna Borough.

13  
14

#### 15 Definitions

16

17 Throughout the plan, the terms *Recreation River, rivers, and corridors* are used. Recreation  
18 Rivers includes all land and water (including the uplands, shorelands, and water columns)  
19 designated under the Recreation Rivers Act (AS 41.23.500(1-6)). *River(s)* includes the water  
20 column designated under the act. *River corridor(s) or corridor(s)* includes the uplands  
21 designated under the act. *Uplands* are defined as lands above ordinary high water. *Shorelands*  
22 include land belonging to the state that is covered by navigable water up to the ordinary high  
23 water mark. For further definitions see the glossary in Appendix A.

24  
25

#### 26 Goals

27

28 The Recreation Rivers Act states that the primary purpose for the establishment of the six  
29 Recreation Rivers is the maintenance and enhancement of the land and water for recreation.  
30 The act states that the primary purpose for the management of the six Recreation Rivers is for  
31 a variety of resources and uses including fish and wildlife, recreation, economic use, the  
32 enjoyment of the public, multiple use of the uplands, and the accommodation of access.

33

34 To meet these goals, state land and water in the Recreation Rivers will be managed for<sup>1</sup>:

35

36 **Public Ownership.** Retain the Recreation Rivers in public ownership for public use.

37

---

<sup>1</sup> The order of the goals listed throughout this chapter are not listed in order of priority.

1 **Recreation.** Maintain and enhance the Recreation Rivers for recreation.

2  
3 **Fish and Wildlife.** Manage, protect, and maintain the fish and wildlife populations and  
4 habitat on a sustained-yield basis.

5  
6 **Public Use.** Protect and enhance public use and enjoyment of the Recreation Rivers,  
7 including ensuring the availability of public use sites to meet the needs of all users.

8  
9 **Economic Use.** Allow continued economic uses.

10  
11 **Mitigation Measures.** Manage upland activities for multiple use within the Recreation  
12 Rivers using mitigation measures to alleviate potential adverse effects on water quality and  
13 stream flow.

14  
15 **Access.** Accommodate access for resource uses including recreation and tourism within or  
16 adjacent to the Recreation Rivers.

17  
18 **Spectrum of Opportunities.** Provide for a spectrum of recreation opportunities on the six  
19 Recreation Rivers.

20  
21 **Monitoring.** Monitor conditions to ensure that the desired recreation opportunities are  
22 maintained through time.

23  
24 **Education.** Promote public understanding and appreciation of the resource and public  
25 values.

26  
27 **Management.** Formulate policies and specific guidelines for short- and long-term  
28 management.

## 31 **Management Intent**

32  
33 The goals listed above will be met by managing state land through management intent  
34 statements. Management intent describes the future condition that is desired. Three general  
35 classes of management intent were developed to provide diverse recreation opportunities to  
36 satisfy the public's varying preferences. The class assigned to each area is similar to current  
37 use patterns. Management intent classes range along a recreation opportunity spectrum that  
38 includes Class I, Class II, and Class III areas: Class I areas provide primitive recreation  
39 opportunities; Class II areas provide semi-primitive recreation opportunities; Class III areas  
40 provide recreational opportunities in a more developed setting. Management decisions on  
41 whether proposed land uses are compatible and which guidelines apply will be based on  
42 these general management intent statements, guidelines, and specific management intent for  
43 the subunit. The management intent class for each subunit is shown in Map 2.1 on the  
44 following page and described in Table 3.1 in Chapter 3.

# SUSITNA BASIN RECREATION RIVERS MANAGEMENT PLAN MANAGEMENT INTENT FOR SUBUNITS

## MAP 2.1



### MANAGEMENT UNITS & SUBUNITS

#### 1. Little Susitna River

- 1a. Lower Little Susitna River
- 1b. Middle Little Susitna River
- 1c. Upper Little Susitna River

#### 2. Deshka River

- 2a. Mouth Of Deshka River
- 2b. Lower Deshka River
- 2c. Middle Deshka River
- 2d. Neil Lak
- 2e. The Forks
- 2f. Kroto Creek
- 2g. Lower Moose Creek
- 2h. Oilwell Road
- 2i. Upper Moose Creek

#### 3. Talkeetna River

- 3a. Lower Talkeetna River
- 3b. Middle Talkeetna River
- 3c. Clear (Chunilna) Creek
- 3d. Talkeetna Canyon

#### 4. Lake Creek

- 4a. Lake Creek Mouth
- 4b. Lower Lake Creek
- 4c. Middle Lake Creek
- 4d. Upper Lake Creek
- 4e. Chelatna Lake

#### 5. Talachulitna River

- 5a. Mouth of Talachulitna River
- 5b. Talachulitna Canyon
- 5c. Middle Talachulitna River
- 5d. Talachulitna Creek
- 5e. Judd Lake
- 5f. Upper Talachulitna River

#### 6. Alexander Creek

- 6a. Lower Alexander Creek
- 6b. Upper Alexander Creek
- 6c. Alexander Lake
- 6d. Sucker Creek

Land Use Designations only apply to land owned by the Alaska Department of Natural Resources, as indicated by the management units on the map. And due to size, some management units may not display on the map. There may be some private parcels contained within management units, but designations do not apply to non-state lands. This map is for graphic representation only and intended only to be used as a guide.



1

**2 Regulations**

3

4 The 1991 plan proposed regulations necessary to implement the area-wide and unit-specific  
5 management policies for the Recreation Rivers. In May of 1991 these regulations (11 AAC  
6 09.005-900) went in effect. Because the management policies in the 1991 plan were adopted  
7 by reference, the regulations (11 AAC 09.005) will be amended as appropriate to conform  
8 with this plan revision. Specifically, this plan proposes changes to management guidelines  
9 related to shoreline development to conform with best management practices which affects  
10 11 AAC 09.030. Potentially, changes may be needed to 11 AAC 09.900 to further clarify  
11 definitions. All regulations, whether or not specifically indicated, apply only to state land and  
12 water in the Recreation Rivers.

13

14

**15 Guidelines**

16

17 The following guidelines are specific directives that will be applied to management  
18 decisions. ADNR will use criteria included in the guidelines when considering permit or  
19 lease applications on state land. All Chapter 2 guidelines, whether or not specifically  
20 indicated, apply to all state land in the Recreation Rivers. For additional guidelines, see  
21 *Management Guidelines* for each unit and subunit in Chapter 3.

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## **Public Use Sites**

### **Goals**

**Public Use.** Protect and enhance public recreation use and enjoyment of public use sites.

**Protect Values.** Protect the public recreation value of these sites.

### **Management Guidelines**

Public use sites are sites on state land and water that have been identified as particularly important for public access, fishing, camping, or other recreation or public use. The management intent is to protect the opportunity for the public to use these sites, and to protect the public value of the sites. Sixty-nine (69) public use sites have been identified in the Recreation Rivers. When uplands are in borough or private ownership, the public use site and its guidelines apply only to the land below ordinary high water. See the unit maps in Chapter 3 that show these sites.

Several guidelines in Chapter 2 apply to these sites. For example, commercial camps are not allowed in public use sites. Improvements such as public facilities, docks, boat ramps, and public airstrips may be allowed. Camping may be restricted to identified sites if a campground is constructed or if designated campsites are identified. Public use sites, because of their high value for public use, will receive higher levels of management attention than other less heavily used areas.

The list of sites is based on the best available information. As use patterns change and more information becomes available, new sites are likely to be identified and existing sites deleted. ADNR should work with the Recreation Rivers Advisory Board and the Alaska Department of Fish & Game to identify additional sites. Additions or deletions from the list of the public use sites requires a “Minor Change” to the plan. See *Procedures for Plan Review, Modification, and Amendment* in Chapter 4. Also see *Public Use Sites* in Chapter 2.

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## Special Management Areas

### Goals

**Access.** Accommodate reasonable access improvements to support uses on private and state lands located in these areas.

**Improvements on Private Land.** Allow reasonable improvements on state lands to support uses of private lands.

### Management Guidelines

Special management areas are areas on state land and water where specific developments are proposed or where clusters of private land are located. Their designation as special management areas acknowledges these circumstances, and the need for a different management intent for levels of development and recreation experiences than surrounding public land. There are thirteen (13) special management areas shown in the unit maps in Chapter 3. Special management areas are located in Class I areas. Special management areas will be managed as Class II areas. Motorized access is allowed in these areas even when they are located along non-motorized river segments. When uplands are in private or borough ownership, the special management area only includes the land below ordinary high water and the water column. Additions to or deletions from the list of special management areas require a “Plan Amendment.” See *Procedures for Plan Review, Modification, and Amendment* in Chapter 4. Also see *Special Management Areas* in Chapter 3.

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# Riparian Management Areas

## Goals

**Opportunities for Development.** Accommodate opportunities for small-scale developments and access improvements for public, commercial, and agency use.

**Shoreline Vegetation.** Maximize the amount of shoreline remaining in a natural timbered or vegetated state.

**Habitat.** Maintain the functional integrity of fish and wildlife habitat at no less than existing levels of productive capability.

**Scenery.** Protect and maintain the scenic qualities of rivers, lakes, and their viewsheds.

**Shorelands.** Minimize disturbance of lands below ordinary high water and associated with wetlands and floodplains.

**Uplands.** Minimize the degradation of the land adjacent to the rivers and lakes which may have deleterious effects on water quality, stream flow, and hydrology.

**Public Use.** Protect and maintain public uses of the rivers, shorelines, and associated riparian areas.

**Safety.** Protect the public from hazardous structures or channel modifications in or over the river, or along the shoreline.

**Structures.** Ensure the long-term public use of the Recreation Rivers by minimizing the construction of long-term habitable private facilities on state lands. These include cabins for private use, trapping cabins, remote cabins, and unauthorized cabins.

**Water Quality and Quantity.** Protect riparian zones to maintain high water quality. Riparian zones filter runoff; reduce nutrient and sediment loads; regulate water flow; retain floodwaters; and provide shade and temperature refugia for aquatic life.

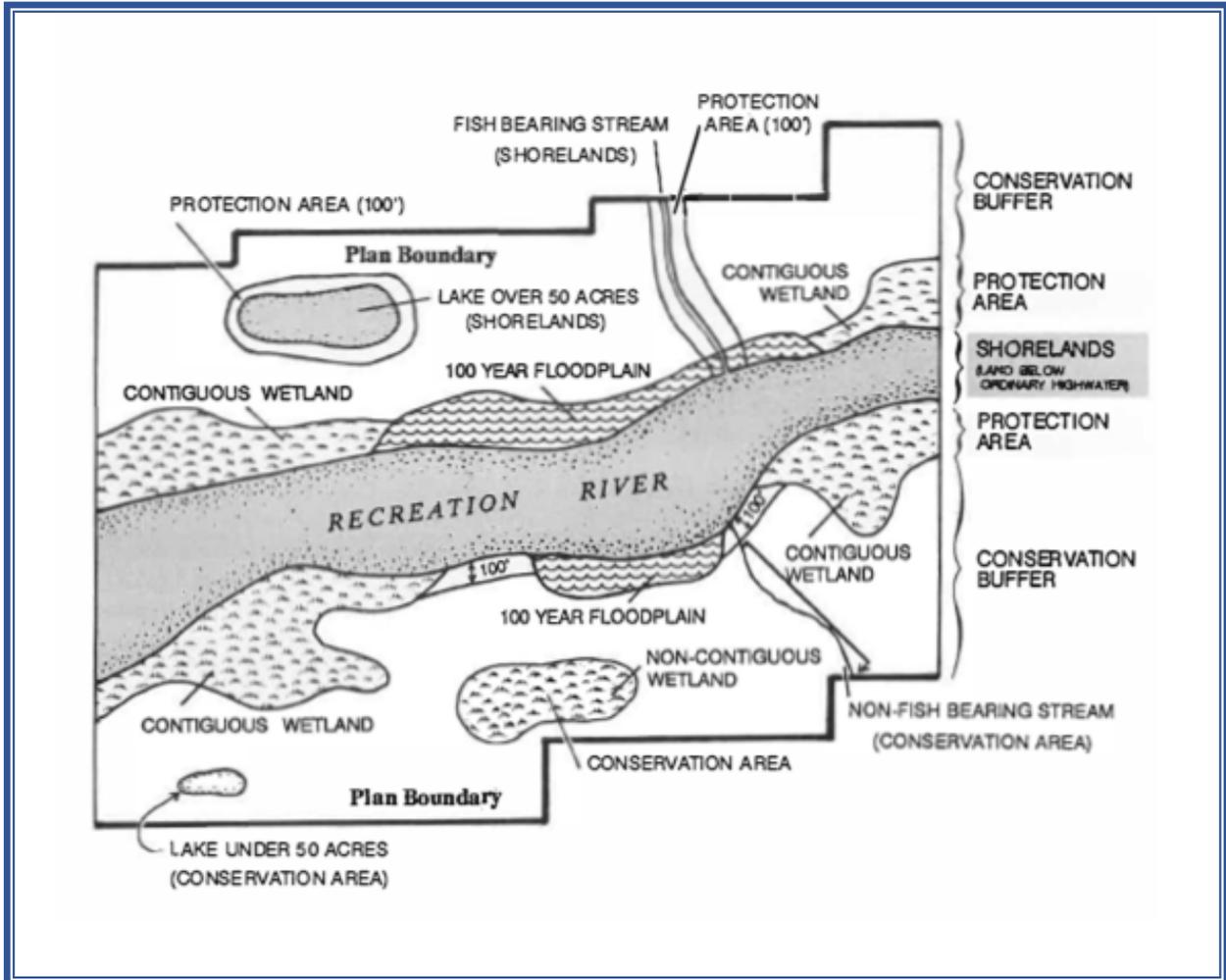
**Consolidate Improvements.** Consolidate permanent structures, when feasible and prudent, to areas where there are already significant improvements on both public and private lands.

## Management Guidelines

**Riparian Management Areas.** Riparian management areas include three areas: land and water below ordinary high water, protection areas, and conservation areas. Special guidelines

1

2 **Figure 2.1: Riparian Management Areas**



3



1 apply to these areas. Activities in riparian management areas shall be authorized consistent  
2 with the Clean Water Act Section 404 process where it applies.

### 5 **Land and Water Below Ordinary High Water**

7 *Description:* This includes water and land-below-ordinary-high-water on navigable river  
8 channels, lakes over 50 acres, and fish-bearing streams. Ordinary high water is the mark  
9 along the bank or shore up to which the presence and action of the nontidal water are so  
10 common and usual, and so long continued in all ordinary years, as to leave a natural line  
11 impressed on the bank or shore, indicated by erosion, shelving, changes in soil  
12 characteristics, destruction of terrestrial vegetation, or other distinctive physical  
13 characteristics [from 11 AAC 53.900(23)].

15 *Intent:* The management intent for the land below ordinary high water or in the waterbody is  
16 to protect the water quality and quantity, fish and wildlife habitat, hydrologic regime, riparian  
17 ecosystem, and recreation uses of the river. In general, only those activities that are water-  
18 dependent should be allowed below or within 100 feet of ordinary high water. These  
19 activities are defined as those that must have direct access or proximity to, or be located in,  
20 the water to fulfill their purpose.

### 23 **Protection Area**

25 *Description:* The protection area includes contiguous wetlands, the 100-year floodplain, or  
26 100 feet from the ordinary high-water mark, whichever is greater (see *Figure 2.1*).  
27 Contiguous wetlands are defined as wetlands which have visible evidence of a surface water  
28 connection with the six Recreation Rivers or their tributaries. The 100-year floodplain is the  
29 point to which the six rivers or their tributaries will flood, on average, once every 100 years  
30 or that area that has a one-percent chance of being flooded in any given year. The minimum  
31 100-foot width of the protection area applies to all navigable or fish-bearing waterbodies and  
32 to lakes over 50 acres.

34 There are some guidelines in the plan that apply only to development within one-hundred-  
35 foot buffers along waterbodies. They apply to activities such as commercial camps, storage  
36 of large volumes of petroleum products, and material sales. A 75-foot, rather than one-  
37 hundred-foot, setback ordinance applies to all borough and private lands.

39 For this management plan, wetlands are further divided into two classes. Contiguous  
40 wetlands have a visible surface water connection with the Recreation Rivers or their  
41 tributaries. Non-contiguous wetlands have no apparent surface-water connection.

43 There may be exceptions where the minimum protection area is wider (e.g, high banks with  
44 low soil stability or forest susceptibility to windthrow). The minimum width of the protection

1 area along navigable waters, fish-bearing streams, and lakes over 50 acres should be  
 2 expanded in sloping areas as follows:  
 3

<u>Average Side Slope</u>	<u>Minimum Buffer Width</u>
20-40%	125'
40% or greater	150'

4  
 5 In forested areas, the minimum protection area should be widened as necessary to increase  
 6 resistance to windthrow in areas subject to strong winds.

7  
 8 *Intent:* The primary intent of guidelines applying to the protection area is to minimize  
 9 disturbance to rivers and their associated ecosystems so that they may maintain their function  
 10 in a dynamic natural state, thus enabling the fish and wildlife resources to maintain critical  
 11 life functions and productivity.

12  
 13 In the protection area, few activities which would degrade the integrity or function of the  
 14 riparian zone, floodplain, contiguous wetlands, or the adjacent waterbodies will be allowed.  
 15 Only those uses which are water-dependent should be allowed within 100 feet of or below  
 16 ordinary-highwater. Uses may also include bridges, roads, and utilities that must cross rivers  
 17 as long as they are constructed consistent with the *Upland Access* guidelines. Water-  
 18 dependent uses are defined as those that must have direct access or proximity to, or be  
 19 located in, the water to fulfill their purpose. When located in the floodplain, uses and  
 20 structures must also comply with the borough flood damage prevention ordinance.

### 21 22 23 **Conservation Buffer**

24  
 25 *Description:* The conservation buffer includes all the land in the Recreation Rivers that is  
 26 located outside the protection area and above ordinary-high-water mark. This also includes  
 27 non-contiguous wetlands that are not directly connected by surface waters with the  
 28 Recreation Rivers or their tributaries and located outside the 100-year floodplain. Also  
 29 included in this area are lakes under 50 acres and non-navigable, non-fish bearing streams.

30  
 31 *Intent:* The purpose of the conservation area is to provide a vegetative shield for critical  
 32 resources in the protection area. Removal of natural vegetation in this area should be  
 33 minimized. Without the pollution dissipation function provided by the conservation buffer,  
 34 the inner protection area would be vulnerable to degradation.  
 35

## Upland Development

### Management Guidelines

**General Guidelines.** The following general guidelines should be applied to development one hundred feet or more landward from ordinary high water in the Recreation Rivers:

1. *Vegetation.* Removal of vegetation shall be limited to the minimum necessary to accomplish the allowed use.
2. *Disturbance.* Surface disturbance, particularly in the protection areas, shall be minimized.
3. *Fill.* Fill shall be limited to only that needed for the project's structural integrity.
4. *Revegetation.* Disturbed soil areas shall be revegetated as soon as feasible and prudent after disturbance and no later than the next growing season. Natural revegetation is acceptable if the site is suitable and will revegetate itself within the next growing season.
5. *Contours.* Pre-existing contours should be maintained when feasible and prudent.
6. *Consolidation.* Joint use and consolidation of facilities will be encouraged wherever it is feasible and prudent to do so. Facilities shall be designed and sited to accommodate future development and avoid unnecessary duplication of facilities. The feasibility of using an existing facility shall be evaluated before the construction of a new facility is authorized.
7. *Ordinances.* Projects in the floodplain shall comply with the borough floodplain hazard protection ordinance, which requires engineering plans prior to construction.

**Resource Management Camps.** Resource management camps are facilities established for resource or recreation management, or for scientific study. They are generally constructed by natural resource agencies such as ADNR or ADF&G, the borough, universities, or non-profit groups such as the Cook Inlet Aquaculture Association. Resource management camps must be authorized by a land use permit.

These facilities benefit a wide range of river users and therefore may be authorized in any subunit. The following guidelines should be followed where feasible and prudent:

1. To avoid contributing to crowding at public use sites, camps unrelated to the management or protection of the resources in these sites should not be located in or near these sites unless the location of the camp at the site complements the public use of the site.
2. To avoid damaging new sites and for more efficient management of the rivers by different agencies, new camps should be located near existing resource management

1 camps, such as the ADF&G camps on the Lower Deshka River, Lake Creek, and  
2 Talachulitna River.

3 3. Camps should be located at least 100 feet from the rivers and should be sited to  
4 minimize evidence of human use as seen from the river. This may not always be  
5 possible for water-dependent structures such as weirs, sonar sites, fish counting  
6 stations, or fish trap devices. If such facilities must be located on the river, they  
7 should be rustic in nature, and constructed of materials that visually blend into the  
8 surroundings.  
9

10 **Remote Cabins and Trapping Cabins.** Construction of private cabins on state lands is not  
11 compatible with the management intent for these rivers. Remote cabins and trapping cabin  
12 permits will not be authorized in the corridors. Existing trapping cabin permits may be  
13 renewed if they do not create conflicts with fish or wildlife, habitat, recreation, or other uses  
14 in the subunit.  
15

16 **Unauthorized Cabins.** ADNR should remove unauthorized cabins on state land from the  
17 corridors. Actions should first focus on unauthorized cabins in Class I subunits (particularly  
18 where cabins are visible from the river), where they represent a significant liability, or are  
19 located in important habitat areas.  
20

21 **Communication Towers, Antennae, and Long Wires.** These should be sited to avoid or  
22 minimize visibility from the river and conflicts with air traffic patterns for airports and  
23 landing areas.  
24

25 **Utilities** (including powerlines, telephone lines, and pipelines). Oil and gas gathering and  
26 feeding lines will be addressed on a case-by-case basis. Also see *Fish and Wildlife Habitat,*  
27 *Trumpeter Swans, and Bald Eagles* and *Subsurface Resources, Oil and Gas* in this chapter.  
28

29 Guidelines for construction of these are listed below:  
30

- 31 • Utilities shall be designed so as not to be a hazard to river or air navigation or public  
32 safety.
- 33 • Utilities shall be designed using best management practices and extra effort should be  
34 made to minimize required maintenance.
- 35 • Utilities shall be designed to minimize the width of clearing corridors.
- 36 • Utilities shall be designed to cross the river and the corridors at 90 degrees or as near  
37 perpendicular as possible.
- 38 • Construction of utility projects below ordinary high water or in the airspace above  
39 waterbodies may be allowed if the project is in the best public interest. Utilities which  
40 serve only a few users and cross waterbodies that receive high public use shall be  
41 discouraged.

- 1 • All construction below ordinary high water shall normally occur between May 15 and  
2 July 15 when there is the least potential for damage to fish or migratory birds. This  
3 period may vary depending on the ADF&G Title 16 Permit.
- 4 • Utilities must only encourage use for public access where appropriate along  
5 easements. If the public is using an easement in a damaging way, more appropriate  
6 access should be encouraged nearby.

7  
8 **Other Guidelines Affecting Upland Development.** Several other guidelines may affect  
9 upland development. See the following sections of this chapter.

- 10
- 11 Shoreline Development
- 12 Recreation
- 13 Fish & Wildlife Habitat
- 14 Commercial
- 15

## Shoreline Development

### Management Guidelines

The following guidelines should be used for all types of shoreline development below or within 100 feet of ordinary high water.

1. *Title 16 Permit.* A fish habitat (Title 16) permit is required from ADF&G for all in-water and shoreline construction work, including the placement of docks in the Recreation Rivers. This permit will specify measures required of the applicant to protect fish habitat. The ADF&G Habitat Division will evaluate proposed project design for effects on river flows, hydraulics, and fish habitat before construction begins.
2. *Ordinary High Water.* Only water-dependent uses may be allowed below or within 100 feet of ordinary high water. Water-dependent uses are those that can be carried out only on, in, or adjacent to water areas because the use requires access to the waterbody.
3. *Storage of Petroleum Products.* To help protect waterbodies from oil spills, no more than 55 gallons of fuel, oil, or other liquid petroleum products may be stored on state land, water, or associated structures within 100 feet of a waterbody. Fifty-five gallon drums stored within 100 feet of the river must be within an impermeable-diked area with a capacity of 110 percent of the largest amount of fuel stored. Underground storage of petroleum products in the Recreation River is prohibited. Additional best practices include: storing as little fuel as practical near surface waters; having secondary containment; protecting storage containers from snow and ice damage; and conducting regular inspections to ensure pipes, connections, and structures supporting the fuel are all in good condition. Any spill to water, and any spill over one gallon on soil, must be reported immediately to ADEC.
4. *Bank Disturbance.* Bank disturbance shall be minimized. Trees and shrubs shall be preserved as much as possible to support bank stabilization.
5. *Water Circulation.* Projects below ordinary high water or along the banks of a waterbody shall be located, designed, and maintained so that natural water circulation patterns are not significantly interrupted, unless the changes are an integral part of the project purpose.
6. *Engineering.* The project will be reviewed through applicable agency review processes, including the Clean Water Act Section 404 process. Within ADNR, DGGS should have the opportunity to review project designs to assess their potential effects on the river's hydrology and shoreline change potential. Projects in floodplains shall comply with the borough flood damage protection ordinance, which requires engineering plans. A structure will not be allowed if there is little likelihood of success or the project is not sufficient to withstand a 100-year flood event.

- 1 7. *Temporary Fills*. Temporary fill shall be completely removed after the completion of  
2 a project requiring fill.
- 3 8. *Use of Shorelands Where Uplands are in Private Ownership*. ADNR will consult  
4 with the private upland landowner and use its best professional judgement to  
5 determine if a proposed use occurs on state-owned shorelands. ADNR will retain the  
6 right to issue a permit or lease for uses that are not prohibited over the objection of  
7 adjacent landowners. However, ADNR will carefully consider comments from the  
8 private landowners and others when making a decision.
- 9 Applications for shoreland uses that require use of private uplands will not be  
10 considered until there is a written agreement between the applicant and the upland  
11 owner(s) approving the necessary use. The term of the lease or permit should not be  
12 longer than the term of agreement between the applicant and the upland owner. If the  
13 applicant has not applied for the use of adjacent uplands, the application must show  
14 how all the necessary associated uses will be accommodated on the shorelands.
- 15 9. *Construction Season*. All in-water construction shall occur in the shortest practical  
16 time.
- 17 10. *Revegetation*. Disturbed soils shall be revegetated as soon as feasible and prudent  
18 after disturbance and no later than the next growing season. Natural revegetation is  
19 acceptable if the site is suitable and will revegetate itself within the next growing  
20 season. Plants selected to be used for revegetation should be native species that may  
21 be currently found within the habitat. Additionally, to prevent the introduction of  
22 invasive species, seed used in revegetation projects should be certified weed-free.
- 23 11. *Domestic Waste*. Facilities that collect, transport, or treat domestic waste must meet  
24 all separation distances outlined in 18 AAC 72 or are required to obtain a waiver prior  
25 to construction from ADEC.

## 28 **Types of Development**

29  
30 **Erosion Control & Streambank Rehabilitation Projects**. Requests for permits for erosion  
31 control and streambank rehabilitation projects on the Recreation Rivers will be evaluated on  
32 a case-by-case basis by DMLW and other appropriate agencies. Depending on the type of  
33 project, riprap, gabions, drop structures, coir logs, brush layers, trenched willows, rootwad  
34 revetments, cabled spruce trees, and the planting of native vegetation may all be approved  
35 methods for bank stabilization. However, as technologies and materials improve, other  
36 techniques may be approved. General criteria that will be used to evaluate a proposed project  
37 include whether the project is in the best public interest, effects the hydrology of the river,  
38 impacts fish and wildlife habitat, and is a hazard to navigation.

39  
40 Human-caused erosion can be slowed by maintaining and promoting a healthy riparian  
41 corridor, decreasing foot traffic along the shoreline, decreasing boat speeds, and by parking  
42 boats along floating docks, walkways, and stairways into the river rather than on banks.

1 Many techniques found in ADF&G's *Streambank Revegetation and Protection Guide* can be  
2 used to help slow the rate of human-caused erosion.

- 3
- 4 1. *Structures to Protect Private Property.* Building erosion control structures to prevent  
5 the erosion of private property is generally discouraged because of its detrimental  
6 effects on the river and adjacent property. Before a project is approved, the applicant  
7 shall demonstrate that there is no feasible or prudent alternative to constructing an  
8 erosion control structure. Bank protection may be allowed as part of bridge  
9 construction.
- 10 2. *Reclamation.* Structures or improvements designed to reclaim land from the river will  
11 not be allowed, except when determined to be in the best public interest. Structures  
12 will not be authorized to create additional private property by filling in a river.
- 13 3. *Maintenance.* Erosion control and streambank rehabilitation projects should be  
14 designed to minimize the need for maintenance. Bank erosion control and streambank  
15 rehabilitation measures shall be limited to the areas where erosion is excessive and  
16 should not create further bank disturbance.
- 17 4. *Materials.* No materials shall be removed from below ordinary high water except to  
18 create a flat base for the toe of a structure.
- 19 5. *Removal of Vegetation.* Removal of vegetation shall be limited to that which is  
20 necessary to accomplish the allowed use. Organic materials such as trees, brush, or  
21 soil shall not be deposited in the waterbody unless specifically authorized. The  
22 structure will be revegetated above ordinary high water by spreading overburden and  
23 planting native species such as grasses and woody vegetation such as willows and  
24 alders. The materials used shall be free of loose dirt or gravel below ordinary high  
25 water. For some types of structures, materials may be required to be placed on filter  
26 fabric.
- 27 6. *Construction Period.* All in-water construction and maintenance shall normally occur  
28 between May 15 and July 15 when there is the least potential damage to fish or  
29 migratory birds. This period may vary depending on the ADF&G Title 16 permit.
- 30 7. *Design.* The structure shall be designed so as not to be a hazard to river navigation.

31  
32 **Cabled Trees.** Trees cabled to the bank for bank protection may be allowed. In some areas  
33 this method has proven to be cost-effective, successful in reducing erosion, and in providing  
34 fish habitat. Cabled trees provide temporary protection until vegetation has been established,  
35 or a more permanent bioengineering solution can be developed. Using trees already in the  
36 river or which are moved from another area where they were a hazard to navigation are  
37 preferred but not required. If cut from banks, trees should be taken from sufficiently far away  
38 so as not to accelerate bank erosion. Trees shall be firmly cabled to the bank to withstand a  
39 100-year flood event. More information can be found in ADF&G's *Streambank Revegetation  
40 and Protection Guide*.

41  
42 **Drop Structures.** These are structures that are placed on the bed of the river to redirect  
43 flows. Drop structures have proven effective in controlling bank erosion and have less

1 potential to damage fish habitat than many other erosion control methods. However, they can  
2 be a hazard to navigation unless properly designed, constructed, and maintained. Drop  
3 structures may be considered on streams not used by boats. On navigable rivers, they must be  
4 designed, constructed, and operated to maintain or enhance navigation before they will be  
5 authorized.

6  
7 **Dolphins, Groins, Bulkheads, and Jetties.** Because these structures cause adverse effects  
8 on river hydrology, such as increasing sedimentation and loss of fish habitat, they are  
9 prohibited in the Recreation Rivers. Exceptions may be made on a case-by-case basis for  
10 bulkheads and other in-water structures associated with approved bridge construction. See  
11 *Stream Crossing* in this section.

12  
13 **Diversion Channels, Navigation Channels, Canals, Boat Slips, and Boat Harbors.** These  
14 types of improvements significantly alter stream banks, bank vegetation, river flow  
15 characteristics, and fish habitat. They are prohibited on the Recreation Rivers, except where  
16 channelization is necessary adjacent to public bridges.

17  
18 **Flood Control Levees.** Flood control levees are prohibited in the Recreation Rivers unless  
19 found to be in the best public interest. They may be authorized in areas adjacent to  
20 communities such as Talkeetna, with numerous public and private improvements subject to  
21 flooding. Temporary sandbagging during a flood may be allowed.

22  
23 **Dams.** Under Section 41.23.440(2), the plan will develop long-range guidelines and  
24 management priorities to “protect, maintain, or enhance the free-flowing nature of the river.”  
25 Dams are prohibited on the main stem of the six rivers and their major tributaries. Major  
26 tributaries include those that are either boatable, have high value fish runs, or are frequently  
27 used for bank fishing. These include: Nancy Lake Creek and Government Creek (Little  
28 Susitna River); Kroto Creek, Moose Creek, Trapper Creek, No-name Creek (RM 14), Cabin  
29 Creek, Amber Lake Creek, and Gate Creek (Deshka River); Clear Creek, Larson Creek,  
30 Sheep River, Disappointment Creek, Iron Creek, Fish Creek, Prairie Creek, Cache Creek  
31 (Talkeetna River); Yenlo Creek, Camp Creek, Home Creek, Sunflower Creek, Coffee Creek,  
32 Friday Creek, Talachulitna Creek, Upper Talachulitna River, and Wolf Lake Creek  
33 (Talachulitna River); Sucker Creek, Pierce Creek, and Trail Creek (Alexander Creek). These  
34 guidelines apply only to these portions of the above-listed streams that are in the Recreation  
35 River designated boundaries.

36  
37 Dams may be allowed on minor tributaries approved by ADF&G including for fisheries  
38 enhancement programs. Dams on minor tributaries containing fish must allow for fish  
39 passage.

40  
41 **Trams and Cables.** Trams may be authorized under permit if there is a demonstrated public  
42 need, and the structure is not a hazard to river or air navigation.

43  
44 **Anchor Buoys and Anchor Markers.** Because the rivers are generally too narrow to safely  
45 accommodate anchor buoys and markers and these devices are often used to reserve prime

1 fishing spots or other high value areas, they are prohibited with a few exceptions. They may  
2 be allowed at the mouth of Lake Creek under the conditions listed below. They are also  
3 generally allowed on lakes if they are not a hazard to boat or float plane navigation, and they  
4 are clearly marked with the owner's name. These guidelines will be established by  
5 regulation.

6  
7 Although the confluence area of Lake Creek and the Yentna River is wide enough to safely  
8 accommodate anchor buoys and markers, the public has expressed concern that these have  
9 been used in the past to reserve fishing spots. However, buoys are needed to safely fish in the  
10 fast-flowing water of the Yentna River. To address this concern, at the mouth of Lake Creek  
11 the following guidelines apply to anchor buoys and anchor marker buoys:

- 12  
13 1. *Navigation.* Buoys shall not block the primary navigation channel to Lake Creek.
- 14 2. *Time.* Buoys and markers shall not remain in place for more than six hours after  
15 which they must be pulled and cannot be reset for one hour in the same vicinity from  
16 which they were removed.
- 17 3. *Unattended Buoys.* Buoys shall not remain unattached to boats for more than 30  
18 minutes after which they will be subject to removal. Unoccupied boats shall not be  
19 attached to buoys for any length of time.
- 20 4. *Switching Occupants.* Boats may not switch off using the same buoy in the same  
21 location unless the buoy is pulled.  
22 The buoy cannot be reset in the same location for one hour.
- 23 5. *Marking Buoys.* Buoys shall have the name of the business or name of the individual  
24 using the buoy. If an individual or company has more than one buoy, each buoy shall  
25 have a different number to ensure that they can be monitored.

26  
27 **Other Types of Buoys.** Buoys or signs on floats may be allowed by permit to mark  
28 floatplane landing areas and no-wake areas or placed by agencies for resource or recreation  
29 management purposes. They may also be authorized for non-profit or other groups serving a  
30 public purpose if the use is consistent with the management intent for the subunit. Also see  
31 *Anchor Buoys and Anchor Markers* in this section and *Signs* in the General Education section  
32 under Management Guidelines near the end of this chapter.

33  
34 **Boat Storage.** Boat storage is defined as keeping a boat in one place more than four days in  
35 summer (from May 15 to August 31) and more than 14 days in winter (from September 1 to  
36 May 14). This includes boats attached to the bank by a line, pulled up on the shorelands, or  
37 placed on the uplands. Boat storage does not include boats tied to anchor or marker buoys,  
38 anchored to the bottom, or attached to docks. See guidelines for *Docks, Buoys and Marinas*  
39 in this section. Keeping a boat in one spot for less than 4 days in summer and up to 14 days  
40 in winter does not require a permit. Storage of boats may be allowed for longer than these  
41 periods consistent with the following guidelines:  
42

- 1        1. *Winter.* To avoid boats being washed away during spring break-up, during the period  
2            when waterbodies are frozen, boats may not be kept below ordinary high water.
- 3        2. *Private Land.* Boats may be stored on state shorelands or tied to the bank  
4            immediately adjacent to private land by the landowner without a permit during the  
5            ice-free season.
- 6        3. *Camps.* Boats may be stored by the permittee when the boats are adjacent to  
7            authorized commercial or resource management camps.
- 8        4. *Designated Storage Areas.* Any other boat storage shall be authorized by permit in  
9            designated areas. Any boat owner or agency may apply to designate an area for boat  
10          storage. Approved areas should be located so that boats: do not hinder navigation, are  
11          not likely to wash away, are consolidated as much as possible to avoid a proliferation  
12          of sites, do not block public access, and do not result in damage to the banks of  
13          waterbodies.

14  
15 Boats that are not stored consistent with these guidelines may be impounded. The need for a  
16 designated boat storage areas has been identified in Chapter 3 by subunit for Neil Lake, the  
17 mouth of the Deshka, Chelatna Lake airstrip, and the middle Talachulitna River.

18  
19 **Boat Ramps.** Boat ramps are prohibited in Class I areas. Ramps may be authorized in Class  
20 II areas, Class III areas, and special management areas. Boat ramps shall be designed and  
21 constructed consistent with the following guidelines:

- 22  
23        1. No material shall be removed from the affected waterbody except that which is  
24            necessary for placement of the boat ramp.
- 25        2. Ramps will not be located in important fish spawning or rearing areas.
- 26        3. Ramps shall be designed so that little or no maintenance is required.
- 27        4. In-water construction work shall be completed in the shortest practicable time.
- 28        5. Ramps will be designed so as not to increase erosion or significantly alter hydraulic  
29            characteristics either upstream or downstream of the project.

30  
31 Also see *Recreation, Public Facilities* in this chapter.

32  
33 **Floating Docks.** Community docks, marinas, and docks located in public use sites may be  
34 authorized by permit if they meet the guidelines listed below. All other floating docks are  
35 generally allowed and do not need an ADNR permit as long as they meet the guidelines listed  
36 below. All docks require an ADF&G Title 16 Permit if they are in waters containing  
37 anadromous fish.

38  
39 Floating docks shall be removed prior to ice forming on the waterbody. During winter, docks  
40 and associated boats and equipment must be stored consistent with the boat storage  
41 guidelines in this section. It is the responsibility of the boat owner to retrieve docks or parts  
42 of docks if they break loose from the site where they were stored.

1 The total surface area of the dock may not exceed 100 square feet. Docks shall not extend  
 2 more than 15 feet from the edge of the water of a lake or river at any water level. However,  
 3 in limited circumstances on lakes only, docks may extend further than 15 feet from the edge  
 4 of a lake if specific conditions such as low water levels warrant, and it is determined that it  
 5 would not be a hazard to public access and navigation. If deviating from the 15-foot limit,  
 6 docks shall only extend the minimum distance necessary to achieve the purpose. Walkways  
 7 or ladders extending beyond the ordinary-high-water for purposes of connecting docks with  
 8 the shoreline shall not exceed four feet in width. Docks and access ramps should use light  
 9 penetrating materials to the extent practicable along streambanks and lakeshores to protect  
 10 riparian vegetation (board spacing of ½ inch or more is preferred over water).

11  
 12 Docks shall be designed and the boats tied to them in a manner that they do not create a  
 13 hazard to, or impede, or restrict water or air navigation. Boats tied to any docks in the water  
 14 do not require a boat storage permit.

15  
 16 To avoid contaminating waterbodies, non-treated or pressure-treated construction materials  
 17 are preferred over surface-treated materials that do not hold toxic preservatives well. Floating  
 18 docks shall be constructed using materials that will not become waterlogged or sink when  
 19 punctured. Styrofoam shall not be used for floatation unless fully commercially encapsulated  
 20 in plastic or other means of containment. Wood used for dock construction shall be pressure-  
 21 treated and shall not be treated with any preservative containing pentachlorophenol or  
 22 creosote. Wood preservatives shall not be applied using surface applications such as painting  
 23 or spraying.

24  
 25 Docks are prohibited on rivers in Class I areas. Docks are generally allowed or may be  
 26 authorized by permit on lakes in Class I areas and in Special Management Areas as long as  
 27 they are consistent with the dock guidelines. Docks in public use sites require a permit and  
 28 will only be authorized if they are consistent with the dock guidelines and management intent  
 29 for the public use site and are either located immediately adjacent to privately owned uplands  
 30 or will be used for public purposes such as for a public campground. Also see *Floating*  
 31 *Facilities, Commercial Marinas, and Floating Mobile Docks* in this section.

32  
 33 **Stationary Docks.** Cantilevered docks, and docks supported by fill, rocks, log cribbing, or  
 34 other materials affixed to the shorelands are prohibited. Pile-supported docks may be allowed  
 35 on lakes consistent with applicable floating dock guidelines.

36  
 37 **Floating Facilities.** The public was generally opposed to allowing floating facilities that  
 38 provided overnight accommodation on the six rivers. They also opposed commercial  
 39 operations that sold goods and food in the six rivers, particularly when these activities  
 40 occurred in public use sites. The public thought that this type of activity was incompatible  
 41 with the public use of state waterways and their recreation values. They also thought that  
 42 there were already ample opportunities for this type of activity on private lands. Use or  
 43 storage of floating facilities will not be authorized in the planning area. Floating facilities  
 44 include floathomes, floating stores, floating food vendors, floatcamps, floating lodges, and  
 45 floating residential or commercial facilities located on state waters or grounded on state

1 shorelands. Floating facilities may, however, temporarily pass through the Recreation Rivers  
2 when enroute to other areas along the Susitna, Yentna, and Skwentna Rivers. Engaging in  
3 soliciting, selling, or peddling liquids or edibles for human consumption, or distributing  
4 circulars, or hawking, peddling, or vending goods, wares, services, or merchandise from  
5 floating facilities or boats is generally prohibited. There are some exceptions for marinas.  
6 Also see *Marinas* (below) and *Commercial, Prohibited Commercial Activities* elsewhere in  
7 this chapter.

8  
9 **Marinas and Community Docks.** Marinas include docks used for commercial or public  
10 purposes, such as those associated with lodges or campgrounds. Marinas used for  
11 commercial purposes may provide limited services such as boat moorage, boat rentals, fuel,  
12 and oil which may be required by the public for access to the Recreation Rivers, particularly  
13 in those areas furthest from the railbelt. Community docks are docks built and maintained by  
14 more than one landowner. Adjoining property owners are encouraged to cooperatively design  
15 and construct community floating docks instead of building one dock for each landowner. All  
16 guidelines for floating docks, stationary docks, and floating facilities described in the  
17 previous sections apply. However, the minimum size of the dock may be larger than 100  
18 square feet to serve more users. Also see *Commercial*, in this chapter.

19  
20 **Floating Mobile Docks.** These are self-propelled floating, mobile docks which are often  
21 used for fishing. Their use is allowed if they have U.S. Coast Guard numbers and comply  
22 with ADNR boating and commercial use regulations (if they are used for commercial use).

23  
24 **Ladders, Ramps, Walkways and Steps.** These structures require ADNR land use permits.  
25 Below ordinary high water the following guidelines apply. They are prohibited during the  
26 ice-free season and in Class I areas year-round. Surface-treated or creosote-treated materials  
27 shall not be used in contact with bodies of water. Their width shall not exceed 4 feet. They  
28 shall not block, impede, or be a hazard to public access and navigation. They require an  
29 ADF&G Title 16 Permit. They shall not be authorized if they cause significant disturbance to  
30 banks of waterbodies. Structures located in public use sites should be consistent with the  
31 management intent for those sites.

32  
33 **Stream Crossings.** The findings and intent section of the Recreation Rivers Act states, “The  
34 designation of the six rivers and their corridors is not intended to become an undue  
35 impediment to .... the development of access within, across, and around the rivers and their  
36 corridors.” The following guidelines are to accommodate stream crossings while mitigating  
37 effects on recreation, water quality, and fish and wildlife habitat. (Also see *Trails Action*  
38 *Plan* in Chapter 4 and *Upland Access, Roads* in this chapter).

39  
40 *Preferred Type of Stream Crossing.* In areas where there is frequent vehicle traffic,  
41 bridges are the preferred method for crossing streams, rather than fording. Fording should  
42 be avoided in spawning areas when spawning fish or eggs are present. If culverts are  
43 used, bottomless-arch culverts are preferred over round or elliptical culverts in fish  
44 spawning habitat. Any crossing of streams containing anadromous fish must be in  
45 compliance with an ADF&G Title 16 permit.

1 *Habitat.* Road and trail crossings must provide for fish passage and habitat protection. All  
2 water crossings should be engineered to avoid interference with spawning areas.

3 *Hydrology.* At a minimum, bridges and culverts shall be designed to pass a 50-year flood  
4 event without damage to the structure or road. Any anticipated impact of bridge or  
5 culvert construction affecting stream volume, velocity, backwater, direction, sediment  
6 transport, or substrate characteristics shall be evaluated for significance and shall not  
7 cause a rise in upstream flood elevation or increase in erosion. Bridges and culverts shall  
8 be designed to comply with all federal, state, and borough permit requirements. Where a  
9 regulatory floodway has been designated or where studies are underway to establish a  
10 regulatory floodway, the design of bridges and culverts shall be consistent with standards  
11 established by federal, state, and local government agencies for the administration of the  
12 National Flood Insurance Program. Freeboard shall be provided, where practicable, to  
13 protect bridge structures from debris and scour-related failure. Road drainage should be  
14 discharged per the guidelines and requirements of the Alaska Department of  
15 Environmental Conservation (See ADEC's *Alaska Stormwater Guide*).

16 *Clearance.* Bridges and culverts shall provide adequate clearance for boat, pedestrian,  
17 horseback, and large game passage whenever these uses occur or are anticipated. All  
18 bridges shall be designed to provide adequate clearance for all watercraft that normally  
19 use the river during normal annual high water.

20 *Construction Period.* All in-water construction and maintenance shall occur normally  
21 between May 15 and July 15 when there is the least potential to damage fish habitat. This  
22 period may vary depending on the ADF&G Title 16 Permit.

23 *Season.* In-water construction work shall be completed in the shortest practicable time.

24 *Materials and Fill.* Only the minimum amount of material necessary to form the base for  
25 a bridge or culvert shall be removed from below the ordinary high-water level in the  
26 immediate vicinity of the structure. All fill materials shall be obtained from upland  
27 sources. Fine sediments shall be prevented from entering the river by using clean fill,  
28 geotextile barriers, or other measures where necessary. Any waste material shall be  
29 disposed of outside the protection area.

30 *Bank Disturbance.* Bank protection measures may be allowed in areas where engineers  
31 have determined that erosion is excessive for that particular river.

32 *Consolidation of Access.* Where feasible and prudent, stream crossings shall be  
33 consolidated.

34 *Bank Protection.* Bank protection measures should be considered for all areas where  
35 disturbance has occurred. All exposed areas should be protected or revegetated.

36 *Spawning and Rearing Areas.* When feasible and prudent, crossings of waterbodies  
37 should be located outside of important spawning and rearing areas.

38  
39 **Priority for Bridge Sites.** Where feasible and prudent, the following criteria for  
40 consideration of alternate bridge crossing sites should be used (listed below in descending  
41 order of priority).

- 1 1. Crossing outside rather than inside the Recreation Rivers.
- 2 2. Crossing in Class II or III areas or in special management areas.
- 3 3. Crossing in Class I areas where there are no restrictions on motorized transport.
- 4 4. Crossing in Class I areas where there are restrictions on motorized transport.

5

6 **Private Bridges.** Private bridges are prohibited across the following main stems of rivers  
7 frequently used for boating unless they are determined to be in the public interest. This  
8 guideline applies only to the portions of the below-listed streams that are in the Recreation  
9 River boundaries.

10

- 11 1. Little Susitna River - Downstream from the Shushana Road bridge and upriver from  
12 the Edgerton-Parks Road bridge
- 13 2. Deshka - Downstream of Amber Lake Creek on Kroto Creek and downstream from  
14 the Oilwell Road crossing on Moose Creek
- 15 3. Talkeetna River - Entire river
- 16 4. Lake Creek - Chelatna Lake downstream to the Yentna River
- 17 5. Talachulitna River - Forks downstream to the mouth
- 18 6. Talachulitna Creek - Judd Lake downstream to the Forks
- 19 7. Alexander Creek - Alexander Lake downstream to the Susitna River

20

21 **Ice Bridges.** Ice bridges may be authorized on a case-by-case basis and must be consistent  
22 with Title 16 guidelines. Ice bridges should be located in areas that require little or no  
23 disturbance to riverbanks.

24

25 **Other Guidelines Affecting Shoreline Development.** Several other guidelines may affect  
26 shoreline development. See the following sections of this chapter.

27

- 28 Upland Development
- 29 Commercial
- 30 Upland Access
- 31 Water & Solid Waste
- 32 Materials
- 33 Education

34

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## **Recreation**

### **Goals**

**Quality Experience.** Protect and enhance public use and enjoyment of the Recreation Rivers.

**Areawide Opportunities.** Provide for a spectrum of recreation opportunities on the six Recreation Rivers.

**River-segment Opportunities.** Provide specific recreation opportunities on river segments.

**Signs of use.** Minimize overcrowding, litter, and human waste conditions in heavily used areas.

**Scenic Qualities.** Maintain and enhance for viewing the existing characteristic natural landscape within the Recreation Rivers.

**Public Use Sites.** Ensure the availability of public use sites to meet the needs of all users.

**Public Facilities.** Provide public facilities for the protection of the natural resources, and to provide for public access, convenience, and safety.

**Challenge and Risk.** Encourage self-reliance and maintain the opportunity for users to encounter challenges and risks inherent in the natural environment, particularly on the more remote rivers.

**Health and Safety.** Minimize human-caused risks resulting from developments or particular activities which may endanger the public.

**Education.** Promote public understanding and appreciation of the resource values in the Recreation Rivers.

**Monitoring.** Monitor conditions to ensure that the desired recreation opportunities are maintained through time.

### **Management Guidelines**

**Recreation River Permits.** *Recreation Rivers Permits* (11 AAC 09.200) may be issued for activities that are generally allowed activities on other state lands but are restricted in the Recreation Rivers. Recreation River permits may also be issued for activities that are not consistent with the Recreation Rivers *Generally allowed uses* (11 AAC 09.030). This type of

1 permit may be issued for activities such as large events or for large assemblies. Existing  
2 types of authorizations such as land use permits and rights-of-way may be used whenever  
3 possible.  
4

5 **Primitive Tent Camps.** Examples of primitive tent camps include portable camps such as  
6 pup tents, tarps supported by poles, and other similar designs. They require no authorization  
7 on state land throughout the Recreation Rivers under the following conditions. Between May  
8 15 and August 31, primitive camps may remain in one place for up to 96 hours (four nights)  
9 before they must be disassembled and moved to another location at least one-mile away.  
10 Between September 1 and May 14, primitive camps may remain in one site for up to 14 days  
11 before they must be moved. Exceptions to this limit may be made for camping in developed  
12 public facilities (see next section). Campers may also seek a permit to camp for longer  
13 periods. Also see *Commercial, Commercial Camps* in this chapter.  
14

15 **Storing Equipment and Vehicles.** Storing equipment or parking vehicles is generally  
16 allowed in the Recreation Rivers under the following conditions. Between May 15 and  
17 August 31, vehicles and equipment may remain in one place for up to 96 hours (4 nights)  
18 before they must be moved to another location at least one-mile away unless authorized.  
19 Between September 1 and May 14, there is no limit on the time that these may be stored on  
20 state land. Storage of boats is addressed under *Shoreline Development, Boat Storage* in this  
21 chapter.  
22

23 **Public Facilities.** Under Section 41.23.470(d), “To enhance public use and enjoyment of a  
24 recreation river corridor under a management plan adopted under AS 41.23.440, the  
25 commissioner may provide for the construction and operation of commercial facilities such  
26 as lodges, campgrounds, and boat launches.”  
27

28 The public generally opposed building developed public facilities in the Recreation Rivers.  
29 However, public facilities may be necessary for certain river mouths and road accessible  
30 areas where public use increases to the extent where degradation of the natural environment,  
31 public health, and the recreation experience may result without management actions.  
32

33 *Primitive Public Facilities.* These include improvements such as privies, fire rings, log  
34 benches, and minimally developed campsites. These facilities are compatible in heavily  
35 used public use sites. The highest priority sites for primitive facilities are those where  
36 there is excessive site destruction including the proliferation of campsites, multiple fire  
37 rings, compaction of soil, or damage to vegetation. Additional consideration should be  
38 given to separation distance requirements between privies and rivers. However, each  
39 public use site should be considered on a case-by-case basis.

40 *Developed Public Facilities.* These include significant improvements such as hardened  
41 campsites, parking areas (in road accessible areas), toilets, and caretaker facilities. Public  
42 docks and boat ramps are discussed elsewhere in this chapter.  
43

44 Improved campsites in both primitive and developed public facilities shall not be constructed  
45 in a manner that blocks bank access along the river. When designing public facilities, the

1 department will consider access for the handicapped. Public facilities shall be built consistent  
2 with general guidelines for upland development in this chapter. Also see *Commercial*,  
3 *Commercial Campgrounds* in this chapter and *Other Recommendations, Commercial*  
4 *Facilities* in Chapter 4.

5  
6 **Public Use Cabins.** ADNR will manage public-use cabins only if there are adequate funds to  
7 upgrade unauthorized cabins or build, maintain, and operate new cabins. Public use cabins  
8 may be constructed or rehabilitated to provide the public with recreational opportunities in  
9 the Recreation Rivers. Public use cabins are prohibited in Class I areas. Existing  
10 unauthorized cabins in Class II, III and special management areas will be evaluated for their  
11 conversion to public use cabins on a case-by-case basis. See *Upland Development*,  
12 *Unauthorized Cabins* in this chapter.

13  
14 To minimize vandalism, cabins should not be located near the road system except where they  
15 are designed to provide opportunities for use by the handicapped. Cabins should be sited so  
16 they are not visually obtrusive from the river. However, some cabins may be visible from the  
17 river or lake, particularly unauthorized cabins which have been converted to public use  
18 cabins. Cabins should not be located in moose concentration areas identified by ADF&G, in  
19 public use sites, or in areas of intensive public use. Additional consideration should be given  
20 to separation distance requirements between privies supporting public use cabins and the  
21 rivers. On-site analysis by ADNR in consultation with ADF&G will be required prior to  
22 construction or conversion. If a cabin becomes difficult to manage, the state maintains the  
23 option to remove it.

24  
25 The department limits occupation of public use cabins to those who have reserved and paid  
26 for their use (11 AAC 09.020). Agreements may be made with recreational groups for  
27 construction, maintenance, and operation of public use cabins. Groups who construct cabins  
28 under such an agreement may reserve the cabin at certain times for exclusive use by the  
29 group but will not have exclusive year-round use.

30  
31 **Camp Fires.** Dead and down wood may be used for a cooking or warming fire, unless the  
32 department has closed the area to fires during the fire season (11 AAC 09.030 (3)(C)).

33  
34 **Use of Weapons.** Under Section AS 41.23.420, ADNR may not restrict the use of weapons,  
35 including firearms, within the Recreation Rivers except in sites of high public use, such as  
36 picnic areas, boat ramps, campgrounds, and parking areas when it is determined that the use  
37 of weapons constitutes a threat to public safety. Under state law, discharge of firearms is  
38 prohibited from or across a highway or developed trail [AS 11.61.210(a)(2) and  
39 11.81.900(a)(24)].

40  
41 The most heavily used area in the Recreation Rivers is the mouth of the Deshka River. This  
42 area has intense fishing pressure, high public use, private residences, and public facilities.  
43 Between May 15 and August 31, discharge of weapons is prohibited within one-quarter mile  
44 of the Deshka River on state land and water between the mouth and the ADF&G camp at

1 approximately river mile 2 (11 AAC 09.030 (5)(C)). During restricted periods, weapons may  
2 be used in defense of life and property, or as a signaling device in emergencies.

3  
4 **Fireworks.** Fireworks are prohibited unless authorized by a permit.

5  
6 **Assemblies and Events.** Assemblies of more than 15 people in Class I areas and more than  
7 50 people in all other areas are generally allowed (11 AAC 09.030 (4)(A-B)) between May  
8 15 and August 31. A permit will also be required for any promotional event or entertainment  
9 event, including an organized athletic event, race, fishing derby, or spectator event, whether  
10 or not an admission fee is charged, that occurs between May 15 and August 31 [11 AAC  
11 09.030 (4)(C)]. Bonding may be required at the discretion of the department. This will ensure  
12 that concerns such as public safety, natural resource protection, sanitation, and compatibility  
13 of events with the management intent for the river, including crowding during peak use  
14 periods, are addressed when large assemblies or events are planned. Permittees may be  
15 required to provide sanitation facilities, litter receptacles, fireplace, or other temporary  
16 improvements to accommodate participants.

17  
18 **Marking Natural Objects.** Several trees and rocks in and along the Recreation Rivers have  
19 been spray-painted to mark mining locations, rocks, and trails. Natural objects such as trees  
20 and rocks within 100 feet of the river may not be painted, blazed, or similarly marked. When  
21 marking is necessary, flagging is encouraged, rather than marking natural objects, as long as  
22 it is removed at the end of the season.

23  
24 **Closures and Use Management.** The department should develop regulations that allow  
25 closures and other management actions to ensure that:

- 26  
27 1. Upon a determination that the action is necessary for the maintenance of public health  
28 and safety, protection of environmental or scenic values, protection of natural or  
29 cultural resources, aid to scientific research, implementation of management  
30 responsibilities, equitable allocation and use of facilities, or the avoidance of conflict  
31 among visitor use activities, the director may:
- 32 A. Establish, for all or a portion of the Recreation Rivers, a reasonable schedule of  
33 visiting hours, impose public use limits, or close all or a portion of a Recreation  
34 River to all public use or to a specific area or activity;
  - 35 B. Designate areas for a specific use or activity, or impose conditions or restrictions  
36 on a use or activity; or
  - 37 C. Terminate a restriction, limit, closure, designation, condition, or visiting hour  
38 restriction imposed under (1) or (2) of this subsection.
- 39 2. A closure, designation, use or activity restriction or condition, or the termination or  
40 relaxation of one, which is of a nature, magnitude and duration that will result in a  
41 significant alteration in the public use pattern of the Recreation River, will adversely  
42 affect the Recreation Rivers natural, aesthetic, scenic, or cultural values, or will

1 require a long-term or significant modification in the resource management objectives  
2 of the unit, must be adopted as a regulation.

- 3 3. Except in emergency situations, before implementing or terminating a restriction,  
4 condition, public use limit or closure, the director shall prepare a written determination  
5 justifying the action. That determination must set out the reasons the restriction,  
6 condition, public use limit, or closure authorized under paragraph (1) of this section has  
7 been established, and an explanation of why less restrictive measures will not suffice, or  
8 in the case of a termination of a restriction, condition, public use limit, or closure  
9 previously established under paragraph (1) of this section, a determination why the  
10 restriction is no longer necessary and a finding that the termination will not adversely  
11 impact Recreation River resources. This determination will be available to the public  
12 upon request.
- 13 4. To implement a public use limit, the director may establish a permit, registration, or  
14 reservation system.
- 15 5. No person may violate a closure, designation, use or activity restriction or condition,  
16 schedule of visiting hours, or public use limit. When a permit is used to implement a  
17 public use limit, violation of the terms and conditions of the permit is prohibited and  
18 may result in the suspension or revocation of the permit.

19  
20 **Volunteers.** If funding and staffing allow, ADNR should designate a coordinator for  
21 volunteers to assist recreation rivers staff. The coordinator would recruit volunteers and  
22 organize work projects. If volunteers or groups offer to construct public improvements in the  
23 corridor, ADNR should work with them to develop a work plan with project standards,  
24 timeliness, and plans for long-term management of the improvements. Volunteers could  
25 serve as Camp Hosts, help to clean up refuse, and conduct use counts. Volunteers could also  
26 assist in educating users on the management plan and policies unique to the area. Volunteers  
27 should never be used in conjunction with any enforcement actions.

28  
29 **Crowding and Use Limits.** Crowding and overuse were identified as problems by users on  
30 some river segments during the 1991 planning process. At the time, users reported more  
31 camping competition, fishing competition, or encounters with other groups than they desired.  
32 Since the 1991 plan process, use of the river corridors has decreased significantly. The  
33 questionnaire responses related to this plan revision indicated that users share similar  
34 crowding concerns and therefore wanted guidance relating to limiting use levels to remain in  
35 the plan in case use increases in the future. While the planning process has provided  
36 substantial information about users' standards for various impacts, there is less information  
37 about relationships between use levels and impacts.

38  
39 There are several different methods of reducing "interaction" impacts in order to meet users'  
40 tolerances or standards. One of the most direct methods is to limit use (develop a permit  
41 system). Use limits should only be implemented when the impacts from overuse cannot be  
42 mitigated in any other way, if the relationship between use and impacts are known, and if  
43 there is strong public support.

44

1 While use limits are one alternative for addressing crowding issues in the future, they are not  
2 proposed for any segment of the Recreation Rivers at this time. However, the following  
3 programs to reduce these conflicts are proposed:  
4

5 *Monitoring of Whitewater Stretches.* Three of the Recreation Rivers offer wilderness-  
6 oriented whitewater opportunities: the Talkeetna River Canyon, stretches of the  
7 Talachulitna River, and Lake Creek. On these reaches there is a strong consensus among  
8 users about the type of experience desired, acceptable levels of impacts for types of  
9 experiences, and the appropriateness of use limits if use and impacts continue to increase.  
10 For these river segments, specific “impact standards” have been prescribed (see *Chapter*  
11 *3. Talkeetna, Lake Creek, and Talachulitna* subunits). These standards are the targets for  
12 evaluating the need for a permit system. A monitoring program could be proposed if a  
13 need develops to observe changes in impact levels (see *Chapter 4, Monitoring*). If impact  
14 levels become greater than the prescribed standards, and mitigation efforts have been  
15 unsuccessful at reducing those impacts, a use limit system may be implemented.  
16

17 *Other River Segments.* Standards for interaction impacts in other subunits are not  
18 proposed in this plan. No need for use limits is anticipated in the near future. However, a  
19 monitoring program could be proposed in the future to gauge use and impact levels if  
20 appropriate. In addition, future planning efforts should set standards for these other  
21 subunits. Standards focus attention on recreation experience quality, allow managers to  
22 define the type of experience to be provided, guide monitoring programs, and provide a  
23 way to measure the effectiveness of management alternatives. However, throughout the  
24 Recreation Rivers planning process, users emphasized addressing litter and resource  
25 damage impacts first. These impacts are less directly tied to use levels.  
26

27 **Use Allocation.** If use limits are adopted, a use allocation or permit system will need to be  
28 developed. Developing a fair and workable permit system will require a number of decisions  
29 to be made, many of which depend upon the proposed use limit level, access characteristics,  
30 the type of use on the segment, and legal constraints. Extensive discussions with interested  
31 groups and the public will be needed. This plan defers specific decisions on any allocation to  
32 the time when a permit system is needed. Also see *Commercial, Allocation* in this chapter.  
33

34 Any use allocation system for the Recreation Rivers should attempt to meet the following  
35 objectives:  
36

- 37 1. Be simple and easy to understand and use;
- 38 2. Minimize “no shows” and make unused permits available to other users;
- 39 3. Be flexible (allow for reasonable changes in users’ plans, group composition,  
40 weather, water levels, etc.);
- 41 4. Provide stability for guide businesses;
- 42 5. Give no preference based solely upon past use of a river.

1        6. Be responsive to the relative amount of use demanded by the private and commercial  
2            sectors; and

3        7. Be the same procedure for all users.  
4

5        **Other Guidelines Affecting Recreation.** Several other guidelines may affect recreational  
6            activities. See the following sections of this chapter.

7  
8        Shoreline Development

9        Commercial

10       Upland Access

11       Water & Solid Waste

12       Heritage Resources

13       Education

14       Enforcement  
15

## Fish & Wildlife Habitat

### Goals

**Sustained Yield.** Manage, protect, and maintain fish and wildlife populations and habitat on a sustained-yield basis.

**Recreation and Economic Use.** Ensure continued recreation and economic use of and enjoyment by the public including activities such as fishing, hunting, wildlife viewing, and trapping.

**Ensure Access to State Lands and Waters.** Ensure access to state lands and waters where appropriate to promote or enhance responsible public use and enjoyment of fish and wildlife resources.

**Mitigate Habitat Loss.** Avoid or minimize reduction in quality of fish and wildlife habitat where resource development projects occur.

**Functional Integrity of Lands.** Maintain the functional integrity of land supporting crucial life cycle stages of important fish and wildlife indicator species.

### Management Guidelines

**Bald and Golden Eagle Protection Act.** The Bald and Golden Eagle Protection Act (‘Eagle Act’) prohibits the take of bald and golden eagles, their parts, nests, and eggs either directly (such as by shooting or collecting parts) or indirectly (such as by disturbance or visual changes to the landscape). Under the Eagle Act, “disturb” means to agitate or bother an eagle to a degree that causes or is likely to cause injury, a decrease in productivity, or nest abandonment. Eagles are found in almost all landscapes across Alaska, including grasslands and tundra, and should be considered early in the project planning stage.

The U.S. Fish and Wildlife Service has developed spatial and temporal buffers to assist with planning activities and siting facilities to avoid take of eagles. The recommended practices are designed to prevent human disturbance to eagles and their nests, particularly during the nesting season, when eagles are most sensitive to disturbance. If activities cannot be conducted outside the eagle nesting season or the recommended spatial buffers around eagle nests cannot be implemented, an Eagle Take or Eagle Nest Take permit may be needed.

Contact the Alaska Region of the U.S. Fish and Wildlife Service to obtain the most current information on nest locations; technical guidance for project activities near eagle nests, including buffer recommendations; and assistance with any necessary permits.

1 **Eagles and Timber Harvesting.** Under the Forest Resources Practices Act, timber  
2 harvesting is prohibited within 330 feet of eagle nesting trees. The Susitna Forestry  
3 Guidelines also prohibits forestry activities from March 15 through August 31 within 660  
4 feet of known eagle nesting trees. If a nesting tree is not occupied by June 15, operations can  
5 occur between June 15 and August 31 between 330 feet and 660 feet from the nest tree.

6  
7 ADNR, ADF&G, and the USFWS periodically review existing eagle policies and may  
8 develop new statewide guidelines. If new guidelines are adopted by ADNR, they can be  
9 applied to the Recreation Rivers areas without an amendment to the plan.

10  
11 **USFWS Authority over Eagles.** The U.S. Fish and Wildlife Service (USFWS) has authority  
12 for managing bald eagle populations. To protect bald eagle populations in the Recreation  
13 Rivers, USFWS will be notified of all planned timber harvests. Notification will occur  
14 through interagency notification of the five-year timber sale schedule and Forest  
15 Management Reports for individual sales. Where timber sales contain eagle nesting trees, the  
16 Division of Forestry & Fire Protection will design the sale in consultation with ADF&G and  
17 USFWS. Nesting sites were mapped by USFWS from their bald eagle surveys and provided  
18 to ADNR during the development of the plan.

19  
20 **Bears and Garbage.** Management efforts will emphasize the prevention of bear/human  
21 conflicts.

22  
23 Bear encounters should be minimized by:

- 24  
25 1. Increasing public education on bear behavior, and how to deal with bears and garbage  
26 in the wild. This includes brochures, signs, and interpretive displays;
- 27 2. Increasing public information about areas of high bear density;
- 28 3. Recommending high density bear areas be avoided;
- 29 4. Notifying the public on a temporary basis when there is a high likelihood of  
30 bear/human conflicts; and monitoring those areas to determine when it is appropriate  
31 to remove the warning signs;
- 32 5. Providing food caches, sealable drums, or bear wires to elevate food in high-use  
33 camping areas where there is a history of bear encounters.

34  
35 Bear/human encounters are most common where bears regularly acquire human food or  
36 garbage. Once bears become habituated to human food or garbage, options for management  
37 become limited, expensive, ineffective, and unacceptable to some members of the public. To  
38 avoid this:

- 39  
40 1. State and municipal policies and regulations regarding food storage and garbage  
41 disposal should be rigorously enforced. If staff become aware of violations, they  
42 should notify the offender and the appropriate enforcement agency. Improper storage  
43 of food, disposal of garbage, or a similar attractive nuisance [5 AAC 42.10(a)(1)] will

- 1 not be considered as a justifiable defense of life or property. Persons who kill a bear  
2 that was attracted to improperly stored food or garbage may be subject to prosecution.
- 3 2. Large volumes of organic products generated by camps or other facilities that may  
4 attract bears shall be incinerated in a facility that meets ADEC standards for  
5 combustion residue (less than 5 percent unburned combustibles).
- 6 3. Existing unauthorized open pit waste disposal sites on state land in the Recreation  
7 Rivers shall be closed. Solid waste disposal on state lands in the Recreation Rivers is  
8 prohibited.
- 9 4. Disposal of garbage from authorized facilities on state lands should be by incineration  
10 (daily preferred). Alternatively, garbage can be transported to an ADEC-approved  
11 regional disposal site or borough waste transfer station. Temporary storage of garbage  
12 prior to incineration or backhaul should be in a bear-proof enclosure (building,  
13 container, or fence).

14  
15 State regulations prohibit the feeding of bears and other large predators or intentionally  
16 leaving human food or garbage in a manner that attracts animals (5 AAC 92.230). Another  
17 state regulation defines a person's rights and responsibilities in defending himself or his  
18 property from wild animals (5 AAC 92.410). These regulations give the individual  
19 responsibility, guidance, and authority to deal with unavoidable bear/human conflicts.  
20 Problem bears can often be shot under normal hunting regulations.

21  
22 **Trumpeter Swan Nesting Areas.** In trumpeter swan nesting areas, all land uses that would  
23 disturb nesting swans or detrimentally alter nesting habitat will be prohibited from April 1  
24 through August 31 within at least one-quarter mile of waterbodies identified as trumpeter  
25 swan nesting sites. The area where seasonal restrictions apply may be increased or decreased  
26 if the potential level of damage or disturbance warrants change. This determination will be  
27 made by ADNR in consultation with ADF&G and the U.S. Fish and Wildlife Service. If a  
28 waterbody that has been used for nesting is not occupied by June 15, potentially disturbing  
29 activities may be allowed within the one-quarter mile zone after June 15.

30  
31 Construction of transmission lines in swan nesting habitat should be avoided. If transmission  
32 lines are constructed, they should be sited in forested areas and kept close to treetop level.  
33 Wires crossing rivers, marshes, and other open spaces should be marked so that they are  
34 visible to swans. Wires should be strung in one horizontal plane rather than in multiple,  
35 vertical stacks.

36  
37 **Habitat Enhancement.** Habitat enhancement activities for fish or wildlife species may occur  
38 when biological or population data indicate improvements in survival, reproduction, or  
39 population numbers can and need to be increased through habitat enhancement or  
40 rehabilitation activities. Enhancement projects will be described in a habitat enhancement  
41 plan prepared by ADF&G and approved by DMLW. Also see Chapter 4, *Other*  
42 *Recommendations, Fisheries Enhancement on Lake Creek.*

43

1 **Moose Habitat Enhancement.** Moose habitat enhancement activities may only occur in  
2 vegetation types where regrowth of preferred moose browse species, including hardwood  
3 types is likely. ADF&G should first enhance areas outside the Recreation Rivers where these  
4 conditions can be met. If these conditions cannot be met outside the Recreation Rivers,  
5 enhancement may be considered for Class II and III areas and special management areas. If  
6 these conditions cannot be met in these areas, enhancement may be considered for Class I  
7 areas. Habitat enhancement in the Recreation Rivers shall be done in a manner that enough  
8 undisturbed vegetation is left along the rivers to provide visual screening from enhanced  
9 areas. Techniques may include hydroaxing, crushing, burning, and timber harvest, and shall  
10 be described in a moose habitat enhancement plan.

### 11 12 13 **Invasive Species Concerns.**

#### 14 15 *Elodea*

16  
17 *Elodea* is the first known aquatic invasive plant to establish populations in Alaska. The  
18 original introduction of *Elodea* was likely from aquarium stocks, but the plant has since  
19 spread to several different areas throughout the state, including Alexander and Sucker Lakes  
20 within the Recreation River corridors. Only a small fragment of the plant is needed to  
21 establish a population and can be transported via flowing water, by wildlife or through  
22 anthropogenic sources such as boats, floatplanes or gear. The submerged aquatic plant thrives  
23 in cold, shallow, slow-moving water and can grow rapidly enabling the aggressive  
24 development of monocultures and the displacement of native species. The thick mats of  
25 vegetation decrease water flow leading to higher rates of sedimentation and potentially great  
26 impacts to the productivity of aquatic ecosystems. To prevent future introductions, ADNR  
27 established a quarantine that prohibits the import, transport, purchase, or distribution of the  
28 plant or plant parts within the state of Alaska.

29  
30 The Division of Agriculture will work towards eradication within impacted waterbodies.  
31 Additionally, the division will coordinate outreach and education efforts to prevent the future  
32 spread of *Elodea*. Please see the Division of Agriculture's *Invasive Plants and Agricultural*  
33 *Pest Management Program* for more information.

#### 34 35 *Northern Pike*

36  
37 Northern pike are a native fish species found throughout much of Alaska but do not occur  
38 naturally south and east of the Alaska Range. Pike were illegally introduced by anglers to  
39 Bulchitna Lake in the Yentna River drainage in the 1950's and subsequently spread  
40 throughout the Susitna River Basin through flood events and additional illegal introductions.  
41 The Alexander Creek drainage has been particularly impacted by pike after intentional illegal  
42 stocking of Alexander Lake in the 1960's. Over the next several decades, pike began to  
43 spread downstream until they were believed to occupy all available habitat in Alexander  
44 Creek by the 1990's. The Alexander Creek drainage is considered to be the highest invasive  
45 northern pike control priority by ADF&G. Northern pike are an apex predator and can have

1 large impacts to the fish community in waterbodies they occupy. ADF&G will continue an  
2 aggressive approach for removal of northern pike from impacted waterbodies within the  
3 Susitna Basin.  
4

5 **Mitigation.** When issuing permits or leases, or otherwise authorizing the use or development  
6 of state lands, ADNR will recognize the requirements of the activity or development and the  
7 benefits it may have to habitat when determining stipulations or measures needed to protect  
8 fish and wildlife or their habitats. The costs of mitigation relative to the benefits to be gained  
9 will be considered in the implementation of this policy.  
10

11 All land use activities will be conducted with appropriate planning and implementation to  
12 avoid or minimize adverse effects on fish and wildlife or their habitats.  
13

14 The department will enforce stipulations and measures, and will require the responsible party  
15 to remedy any significant damage to fish and wildlife, or their habitats, that may occur as a  
16 direct result of the party's failure to comply with applicable law, regulations, or the  
17 conditions of the permit or lease.  
18

19 When determining appropriate stipulations and measures, the departments will apply, in  
20 order of priority, the following steps. Mitigation requirements listed in other guidelines in  
21 this plan will also follow these steps.  
22

- 23 1. Avoid anticipated, significant adverse effects on fish and wildlife or their habitats  
24 through siting, timing, or other management options.
- 25 2. When significant adverse effects cannot be avoided by design, siting, timing, or other  
26 management options, the adverse effect of the use or development will be minimized.
- 27 3. If significant loss of fish or wildlife habitat occurs, the loss will be rectified, to the  
28 extent feasible and prudent, by repairing, rehabilitating, or restoring the affected area  
29 to a useful state.
- 30 4. ADNR will consider requiring replacement with or enhancement of fish and wildlife  
31 habitat when steps 1 through 3 cannot avoid substantial and irreversible loss of  
32 habitat. ADF&G will clearly identify the species affected, the need for replacement or  
33 enhancement, and the suggested method for addressing the impact. Replacement or  
34 enhancement of similar habitats of the affected species in the same region is  
35 preferable. ADNR will consider only those replacement and enhancement techniques  
36 that have either been proven to be, or are likely to be effective and that will result in a  
37 benefit to the species impacted by the development. Replacement or enhancement  
38 will only be required by ADNR if it is determined to be in the best interest of the state  
39 either through AS 38.05.035(e) or the permit the review process. Replacement may  
40 include structural solutions, such as creating spawning or rearing ponds for salmon,  
41 creating wetlands for waterfowl; or non-structural measures, such as research or  
42 management of the species affected, legislative or administrative allocation of lands  
43 to a long-term level of habitat protection that is sufficiently greater than that which  
44 they would otherwise receive, or fire management to increase habitat productivity.

- 1 **Other Guidelines Affecting Fish and Wildlife Habitat.** Other guidelines may affect fish
- 2 and wildlife issues. See the following sections of this chapter.
- 3
- 4 Upland Development
- 5 Shoreline Development
- 6 Commercial
- 7 Upland Access
- 8 Water and Solid Waste
- 9 Forestry
- 10 Subsurface Resources
- 11 Materials
- 12 Enforcement
- 13

1  
2 **Commercial**

3  
4 **Goals**

5  
6 **Opportunities.** Provide a mix of commercial and noncommercial public use opportunities.

7  
8 **Economy.** Contribute to the local, regional, and statewide economy.

9  
10 **Generate Revenue.** Generate revenue to help manage the rivers.

11  
12 **Standards.** Develop standards for commercial operators in order to protect public safety and  
13 natural resources.

14  
15 **Conflicts.** Reduce apparent conflicts between user groups.

16  
17  
18 **Management Guidelines**

19  
20 **Commercial Use Permits.** A commercial-use permit (11 AAC 09.300) shall be required for  
21 commercial recreational use of state-owned land, water, or resources in the Recreation  
22 Rivers. Permits will be issued annually. Commercial recreation includes guiding, outfitting,  
23 flight, boat shuttle, and rental services or engaging in soliciting, selling, or peddling liquids  
24 or edibles for human consumption, or distributing circulars, or hawking, peddling, or vending  
25 goods, wares, services, or merchandise within the Recreation Rivers. This includes recreation  
26 businesses that may be based on private lands inside the corridors, such as lodges, that use  
27 state land or water in the Recreation Rivers. The permit system is intended to meet  
28 Recreation Rivers management objectives for protecting and enhancing recreational and  
29 natural values, and compensating the state for the commercial use of its land and resources.  
30 Possession of a commercial permit does not grant a preference right for obtaining future  
31 commercial permits nor for obtaining land use permits, leases, or other types of  
32 authorization. Permits are non-transferrable. All recreation-related businesses operating in  
33 the Recreation Rivers, no matter how small, are required to have a commercial-use permit.  
34 There are exceptions for businesses operating exclusively on borough or private land (e.g.,  
35 cottage industries), non-recreation related businesses (e.g., commercial trapping, mining, oil  
36 and gas exploration), or businesses that briefly cross the Recreation Rivers enroute to other  
37 areas such as businesses traveling up the Yentna, Skwentna, or Susitna rivers to areas outside  
38 the Recreation Rivers. The borough should be contacted for information on commercial  
39 permits required for use of borough lands.

40  
41 **Standards.** The following standards are required of owners and employees of all recreation-  
42 related businesses operating in the Recreation Rivers:  
43

- 1 1. Liability insurance: Insurance must be held (by owner with binder for employees).  
2 The level of insurance required will be established by ADNR, may vary from year-to-  
3 year (depending on levels of insurance offered by commercial carriers), and the  
4 amount required will appear on the permit application.
- 5 2. First aid training: Current CPR and basic first aid certification, or equivalent. This  
6 requirement does not apply to employees who do not accompany clients in the  
7 Recreation Rivers.
- 8 3. Possession of applicable licenses (e.g., state business license, fishing or guiding  
9 license, U.S. Coast Guard license, FAA license where required).
- 10 4. Possession of appropriate safety gear in the vessel (e.g., personal floatation devices,  
11 first aid kit).
- 12 5. Vessels must clearly display ADNR commercial permit registration numbers and  
13 their business name.
- 14 6. Keep a log of the number of clients served.
- 15 7. Payment of commercial-use permit fees.
- 16 8. Physical address in the event the company must be contacted in an emergency.

17  
18 **Fees.** Fees for commercial use permits for the Recreation Rivers are established in 11 AAC  
19 05.210. Fees should be reasonable and consistent with those used by other state agencies for  
20 similar purposes. The costs of managing the Recreation Rivers should not rely entirely on  
21 revenues from commercial-use permits. The cost of the permit is based on the following:

- 22  
23 1. *Annual Fee.* Each business must pay an annual fee.
- 24 2. *Drop-off and Pick-up Fee.* For clients that are not accompanied by an employee of  
25 the business after they are dropped off or before they are picked up, a drop-off and  
26 pick-up fee will be charged. The fee will be generally based on a percent of the total  
27 gross revenue from the trip, rather than the number of people transported. This will  
28 ensure that short-inexpensive trips do not pay a disproportionate percentage of  
29 revenues compared with longer and more costly trips.
- 30 3. *Per-client-day Fee.* Businesses will pay a per-client-day fee when clients are  
31 accompanied by an employee of the business.
- 32 4. *Boat Rentals.* Rental boats include all boats that are used for commercial operations  
33 in the Recreation Rivers that are operated primarily by clients, guests, or customers in  
34 exchange for payment or other compensation for use of the boat. Businesses renting  
35 boats for use on the Recreation Rivers must have a commercial use permit and pay an  
36 additional charge for each rental vessel used in the Recreation Rivers, even if the  
37 business is located outside the Recreation Rivers. The commercial-use permit shall  
38 require that rental boats be in a safe condition and the boat rented with basic safety  
39 equipment such as life vests, oars, and lines. Boats shall also be equipped to conform  
40 with all applicable U.S. Coast Guard and state laws and regulations. Each boat shall  
41 be clearly marked with a company name and ADNR boat registration number.

1 **Criteria for Issuing Commercial Use Permits.** ADNR will consider the following criteria  
2 before issuing a commercial-use permit.

- 3
- 4 1. Recreational, natural, or heritage resources will not be adversely affected;
- 5 2. Public use values in the Recreation Rivers will be maintained and protected;
- 6 3. Public safety, health, and welfare will not be adversely affected, and
- 7 4. The activity is consistent with the goals and management intent in the plan.
- 8

9 **Prohibited Commercial Activities.** Commercial-use permits will generally not be  
10 authorized for engaging in soliciting, selling, or peddling liquids or edibles for human  
11 consumption; or distributing circulars, or hawking, peddling, or vending goods, wares,  
12 services, or merchandise to the general public in the Recreation Rivers. The intent of this  
13 guideline is based on concerns that these types of activities can significantly detract from the  
14 recreation experience, particularly when they occur in heavily used public use sites during  
15 the peak-use season. This guideline does not apply to businesses providing goods or services  
16 to clients who have made prior arrangements to purchase the goods or services with the  
17 business prior to entering the Recreation Rivers or who have made arrangements on private  
18 lands. Renting boats or providing limited services from marinas necessary for accessing the  
19 river in remote areas (such as providing boat moorage and selling fuel and oil) may be  
20 authorized. (See *Shoreline Development, Marinas* in this chapter.)

21

22 **Grounds for Suspension or Revocation.** The following are listed by two levels of violations  
23 of state laws, regulations, or permit stipulations which may result in permit revocation or  
24 suspension. These conditions will be implemented through regulations. Also see *Chapter 4,*  
25 *Other Recommendations, Denying Permits and Leases.*

26

27 *Type I.* The following will result in automatic suspension and may result in revocation of a  
28 commercial-use permit.

- 29
- 30 1. Loss of required level of liability insurance.
- 31 2. Loss or expiration of U.S. Coast Guard license, if required.
- 32 3. For commercial-use permit holders:
  - 33 A. Loss of Alaska sport fishing license or hunting guide license by court action; or
  - 34 B. Conviction of a violation of state or federal fish or game regulations resulting in a  
35 fine of \$350 or greater. Convictions include violation of laws prohibiting  
36 transportation of illegally harvested fish or game.
- 37 4. Conviction of gross public safety violation related to applicable activity (for example,  
38 a fish guide convicted for operating a boat or aircraft while intoxicated or reckless  
39 endangerment).
- 40 5. Failure to pay the commercial use permit fee.

- 1 6. Gross violation within the Recreation Rivers of laws or regulations protecting public  
2 safety and peace.
- 3 7. Repeated or willful non-compliance with permit stipulations.
- 4 8. Conviction for violation of two regulations established for the Recreation Rivers  
5 within a one-year period, or three convictions in a five-year period.

6  
7 *Type II.* The following may result in suspension or revocation of a commercial-use permit.  
8

- 9 1. Convictions for violation within the Recreation Rivers of laws protecting public  
10 safety or peace.
- 11 2. Conviction for violation of any state or federal fish or game law e.g., exceeding fish  
12 or game limits, allowing clients to exceed take-limits, wanton waste, fishing during a  
13 closed season, retaining protected species, using illegal gear or methods, or  
14 transporting illegally harvested fish or game.
- 15 3. Allowing a non-permitted guide to operate a permitted vessel for commercial  
16 activities without a permitted operator aboard, except in an emergency.
- 17 4. Conviction for violation of regulations established for the Recreation Rivers.
- 18 5. Non-compliance with permit stipulations.

19  
20 **Allocation.** Until the effects of a commercial-use permit program, boating regulations, and  
21 camping limitations have been assessed, the department will not limit the number of  
22 commercial-use permits issued. ADNR should continue to monitor commercial use to  
23 determine if a limitation may be appropriate in the future. Criteria for determining  
24 unacceptably high levels of use may include standards such as numbers of encounters at  
25 campsites and number of encounters on the rivers. If use threatens to exceed standards, limits  
26 on the number of permits issued may be required. If limitations are required, only those types  
27 of commercial operations directly related to overcrowding or resource damage may be  
28 limited. Limitations should apply only to peak use periods. Also see *Recreation, Use*  
29 *Allocation* in this chapter.  
30

31 **Lodges.** Additional lodges on state land within the corridors are prohibited for the following  
32 reasons:  
33

- 34 1. *Compatibility.* Lodges are not compatible with management intent for Class I areas,  
35 which is to maintain a primitive setting.
- 36 2. *Crowding.* Class II, Class III, and Special Management Areas contain an abundance  
37 of private land. Only a handful of the 30 lodges that were operating during the  
38 development of the original plan are still in operation. While crowding is not as much  
39 of a concern as during the previous planning effort, because of the approximately 460  
40 private parcels, the potential for more lodges to be developed in the future exists  
41 should current river use increase. Building additional lodges on state lands could  
42 result in significant overcrowding.

- 1           3. *Public Input.* Responses to the user questionnaire during the scoping process  
2           demonstrated opposition to new lodges on state lands.  
3

4       **Commercial Camps.** Unlike primitive tent camps, commercial camps remain in one site for  
5 longer than 4 days and require a land use permit (11 AAC 09.330). They generally serve as a  
6 center for commercial operations, providing overnight accommodation for guests, guides,  
7 and employees. They generally include tents for sleeping, a cook tent or shelter, a storage  
8 area, and human waste and gray-water disposal systems. Commercial camps do not include  
9 resource management camps or mining camps. See *Recreation, Primitive Tent Camps;*  
10 *Upland Development, Resource Management Camps; and Subsurface Resources, Siting of*  
11 *Structures* in this chapter.

12  
13 The following guidelines apply to commercial camps on state land.

- 14  
15           1. *Peak Season.* During the peak season, May 15 to August 31, the number of permits  
16 authorized for commercial camps on state lands in the Recreation Rivers will be  
17 limited to nine. This limitation is intended to provide for continued economic uses of  
18 the rivers, while addressing public concerns about over-crowding and a proliferation  
19 of development of long-term camps on state lands within the Recreation Rivers. Sites  
20 will be restricted to the following subunits: two on the Lower Deshka (2b), two on the  
21 Middle Deshka (2c), two on Neil Lake (2d) (subunit, not on the lake) and three on the  
22 Lower Alexander (6a). No more than one permit per river will be issued to a business.  
23 During the off-season period, from September 1 to May 14, a land use permit is  
24 required for commercial camps remaining at one site for longer than 14 days. An  
25 unlimited number of off-season camps may be allowed in all subunits.
- 26           2. *Term of Use.* A land use permit for a commercial camp will be issued for the term of  
27 actual use of the camp for the authorized activity, or the minimum length of time  
28 required by the applicant to carry out the intended use. Permits will not be authorized  
29 for use exceeding one year.
- 30           3. *Commercial Use.* Commercial camps will not be authorized for private camps.  
31 Permits may only be issued to commercial operations that have a Recreation Rivers  
32 commercial use permit.
- 33           4. *Siting Criteria.* Camps will be sited consistent with the management intent for the  
34 subunit and applicable guidelines. Camps should be sited with adequate physical  
35 separation from common uses such as other commercial camps, trails, and private  
36 land. In order to protect public safety, minimize the negative impacts on water quality  
37 and public access, and to protect heritage sites, commercial camps will not be  
38 authorized:
- 39           A. in public use sites;  
40           B. below ordinary high water;  
41           C. within 100 feet of a waterbody or in a wetland;  
42           D. near identified heritage sites;

1 E. if they do not minimize evidence of human activity as seen from the river; or

2 F. if they block public easements, heavily used trails, or seismic lines.

3 5. *Levels of Use.* The permit applicant shall be required to specify the estimated number  
4 of clients, guests, and employees that will occupy the camp at any one time and over  
5 the term of use. Following a review of the application by ADNR, ADF&G, ADEC,  
6 and the Matanuska-Susitna Borough, limitations on the number of clients using the  
7 camp may be attached to the permit, if in the opinion of the agencies, the number of  
8 clients represents a threat to the resource which cannot be adequately mitigated  
9 through standard stipulations. A decision to limit the number of clients must describe  
10 the reason for the limitation.

11 6. *Fees.* Fees for commercial camps are established under 11 AAC 05.210. During the  
12 peak season, when the number of permitted commercial camps is limited, fees for  
13 camps should provide a fair return to the state. Fees should not be so high that small  
14 operators cannot afford them. If demand for permits exceeds supply, ADNR may  
15 consider a lottery.

16  
17 **Commercial Campgrounds.** Privately built and operated campgrounds may be authorized  
18 under the following conditions (also see *Recreation, Public Facilities* in this chapter):  
19

20 1. *Class I Areas.* They are prohibited in Class I areas and public use sites in Class I  
21 areas.

22 2. *Construction Guidelines.* They must be constructed consistent with *Upland*  
23 *Development, Management Guidelines* listed in this chapter.

24 3. *Competition.* If leased under AS 38.05.070 or 38.05.073, campgrounds must be  
25 consistent with AS 41.23.470(d) which does not allow leasing of a campground if the  
26 facility is in competition with a private facility or enterprise. Competition is defined  
27 by this plan to include competition within (not between) each Recreation River. Also  
28 see *Other Recommendations, Commercial Facilities* in Chapter 4.

29 4. *Public Need.* The decision to authorize this type of facility shall include the  
30 availability of similar facilities nearby, the availability of private parcels nearby that  
31 could meet this need, existing levels of public use and crowding, and the public need  
32 for such a facility.

33 5. *Public Use.* Such facilities shall be open to the public although fees for use of  
34 improvements and services may be required.

35 6. *Improvements.* Because the public was opposed to additional lodges on state land in  
36 the Recreation Rivers (see *Lodges* in this section), cabins, wall-tents, and other types  
37 of walled structures provided by the lessee to accommodate overnight guests will not  
38 be authorized in these campgrounds.  
39  
40

1 **Other Guidelines Affecting Commercial Activities.** Several other guidelines may affect  
2 commercial activities. See the following sections of this chapter.

3

4       Subsurface Resources

5       Enforcement

6

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## General Access

### Goals

*See Boating, Upland Access, Air Access, and Special Management Areas* in this chapter.

### Management Guidelines

**Permits for Access to Private Land and Mining Locations.** A permit is required for all motorized access to private land or active mine operations that cross state land or water closed to motorized use<sup>2</sup>. Permits for motorized access may be issued across closed areas to private lands or mine operations when there is no feasible and prudent alternative to provide access for this use. Fees may be waived in cases where they would constitute an undue hardship on the permittee or act to discourage compliance with the permit requirement. Filing fees may not be waived. Also see *Upland Access, Access to Private Land and Mining Camps*.

**Government Use of Motorized Transportation.** The operation of motorized vehicles including boats, aircraft, helicopters, and ground vehicles in non-motorized areas by governmental agency for the purposes of law enforcement, emergency search and rescue, medical evacuations, or fire suppression is allowed. For the purposes of fish, game, recreation, or natural resource management when the means of travel meets the requirements for generally allowed uses for general state land, the use in non-motorized areas is allowed by permit.

**Other Guidelines Affecting General Access.** Several other guidelines may affect general access. See the following sections of this chapter:

- Shoreline Development
- Boat Access
- Upland Access
- Air Access
- Subsurface Resources

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<sup>2</sup> “Motor Use” refers to motors associated with vessels, aircraft, and vehicles used for transportation, not use of motors such as chainsaws and generators.

1

## 2 **Boat Access**

3

### 4 **Goals**

5

6 **Spectrum of Boating Opportunities.** Provide for a spectrum of boating opportunities on the  
7 six Recreation Rivers.

8

9 **Specific Opportunities on River Segments.** Provide specific motorized and non-motorized  
10 boating opportunities on individual river segments.

11

12 **Public Safety and Property.** Protect public safety and property through the established of  
13 no-wake areas and float-plane landing areas.

14

15 **Minimize Conflicts.** Minimize conflicts between user groups while providing opportunities  
16 for boaters on all rivers.

17

18 **Public Trust Doctrine.** Maintain consistency with the Public Trust Doctrine in the Alaska  
19 Constitution.

20

21

### 22 **Management Guidelines**

23

24 **Overall Management Intent.** Specific restrictions on boating have been developed to  
25 achieve two different goals. The primary goal is to provide for a range of recreation  
26 opportunities on the six rivers. This includes providing for motorized and non-motorized  
27 recreation experiences. The second goal concerns boating safety. Boating guidelines were not  
28 based on the protection of riverbanks and fish habitat from powerboat-caused erosion.  
29 Although these effects may be occurring, relationship between powerboats and these impacts  
30 has not been conclusively shown at any site in the Recreation Rivers at this time.

31

32 References to powerboats include all boats propelled by a motor, including jetboats, prop-  
33 driven boats, hovercraft, airboats, and hydroplanes. Personal watercraft and floatplanes are  
34 exceptions. Personal watercraft are discussed later in this section. Floatplanes are covered  
35 under *Air Access* in this chapter.

36

37 The following section describes the relationships between boating guidelines and these goals,  
38 outlines the factors that were considered in developing guidelines, and identifies which river  
39 segments are affected.

40

41 **Recreation Experience.** Information from public comments, the user questionnaire and  
42 public meetings shows that a significant number of floaters and bank anglers believe their  
43 recreation experiences are compromised by the use of motorized boats. Specific concerns  
44 include: noise impacts, boat speeds, and wake sizes. Many floaters and bank anglers define

1 high quality experience in terms of the absence of motorized use. However, powerboaters  
2 have expressed concern that opportunities for powerboat access should be maintained. To  
3 balance the concerns of these competing interests, provide quality floating and bank fishing,  
4 and provide for both powerboat and floatboat use, some river segments have been seasonally  
5 designated as “non-motorized,” “powerboats only,” or have been left unrestricted.

6  
7 **Safety.** Boating safety is a prime concern on the Recreation Rivers. Although few boating  
8 fatalities or serious accidents have been documented, users have identified safety problems,  
9 particularly in congested areas. To address these problems, some river segments have been  
10 designated as “voluntary no-wake areas.”

11  
12 **Erosion and Other Environmental Impacts.** There is concern that erosion and damage to  
13 fish habitat may be increasing as a result of extensive powerboat use on some river segments.  
14 The U.S. Department of the Interior, University of Alaska and ADF&G conducted a  
15 cooperative research project to study the effects of jetboats on fish. This study conducted in  
16 Katmai National Park/Preserve demonstrated that at water depths of 13-23 cm multiple jet  
17 boat passes resulted in almost 100% sockeye embryo mortality while at depths greater than  
18 23 cm mortality was less than 20% (*Effects of Jet Boats on Salmonid Reproduction in*  
19 *Alaskan Streams*, Gregg E. Horton, September 1994). Numerous studies have shown that  
20 boat wake impacts can contribute to shoreline erosion and increased turbidity. Habitat loss  
21 through shoreline erosion reduces fish spawning and rearing habitat.

22  
23 **Other Factors.** In addition to the recreation experience and safety goals, other variables that  
24 were considered include:

- 25
- 26 1. *Accommodating Access to Private Land.* Non-motorized areas were not established in  
27 areas where property owners commonly reach their land by powerboat. If powerboats  
28 offer the only practical access to private property in or adjacent to the river corridors,  
29 landowners may be issued a permit to use powerboats in the non-motorized area to  
30 reach their land. See *General Access, Permits for Access to Private Land and Mine*  
31 *Locations* in this chapter.
  - 32 2. *Minimizing Restrictions.* Non-motorized areas are only designated for segments  
33 where the current demand for non-motorized opportunities is considered significant.  
34 Similarly, no-wake areas are only proposed for areas where congestion is significant  
35 and safety risks are high.
  - 36 3. *Accommodating Use.* Non-motorized areas are generally designated in areas that  
37 receive relatively little or no powerboat use. These areas typically include the upper  
38 segments of rivers where there is considerable whitewater or other impediments to  
39 safe powerboat use. Conversely, frequent powerboat-use areas are not restricted to  
40 powerboat use. Exceptions include segments of the Little Susitna River where there is  
41 demand for both motorized and non-motorized use. On this river, the plan prescribes  
42 alternating non-motorized and powerboat-only weekends during the fishing season.
  - 43 4. *Physical Characteristics of the Rivers.* Non-motorized areas generally begin and end  
44 at landmarks identified as common limits of most current powerboat travel. No-wake

1 areas begin and end at landmarks identified as common limits of boat and bank angler  
2 congestion.

3 5. *Seasons.* Non-motorized and powerboat-only periods generally apply to fishing  
4 seasons when conflicts between users occur most often. During periods of low water,  
5 motorized users (and particularly jetboat users) should be careful not to damage  
6 salmon spawning beds or other habitat.

7 6. *Future Technologies and Potential conflicts.* Non-motorized areas on the Talachulitna  
8 River and Lake Creek are established on segments that do not currently receive  
9 powerboat use. This limitation on use is based on the concern that future technologies  
10 will allow powerboats access to traditionally non-motorized areas. Defining these  
11 areas before motorized access is possible will prevent future conflicts and preserve  
12 traditional use patterns.

13  
14 **Regulations.** Non-motorized and powerboat-only areas have been established by regulation.  
15 No-wake areas are all voluntary and do not require regulations. Both voluntary and  
16 regulatory areas should be marked by signs at their upper and lower limits. River segments,  
17 seasons, and justifications are described under *Management Guidelines* for each management  
18 unit in Chapter 3. Table 2.1 summarizes the regulations.

19  
20 **Types of Areas.** Following is a description of the three types of areas included in Table 2.1.

21  
22 1. *Non-motorized Areas.* The operation of a powerboat is prohibited on designated river  
23 segments during designated non-motorized periods. Motors in or attached to boats are  
24 allowed as long as they are not operated in the non-motorized area.

25 2. *Powerboat-only Areas.* Boats that are not powered by motors are prohibited on the  
26 designated segment of the Little Susitna River on the second and fourth weekends of  
27 each month between May 15 and August 20.

28 3. *Voluntary No-wake Areas.* In these areas signs may be placed to encourage boaters to  
29 operate at speeds less than five-miles per hour. Compliance is voluntary and these  
30 areas are not established by regulations.

31  
32 **Personal Watercraft.** With the exceptions of where the Susitna, Skwentna, and Yentna  
33 rivers overlap with the Recreation Rivers, personal watercraft are prohibited (11 AAC 09.030  
34 (1)(H)). This prohibition is based on concerns for safety, recreation experience, and shore-  
35 nesting birds. Also see *Appendix A* for a definition of *Personal Watercraft*.

36  
37 **Registering Commercial Boats.** See *Commercial, Standards* in this chapter.

38  
39 **Access to Private Lands.** See *General Access, Permits for Access to Private Land and*  
40 *Mining Locations* in this chapter.

41

1 **Table 2.1: Non-Motorized Areas, Voluntary No-Wake Areas, and Safety Signs**

River	Segment	River Miles	Regulation or Sign	Dates
Little Susitna River	Parks Highway	67.5 - 69.6	No-Wake Voluntary, One-Year Trial Basis	May 15 - August 20
Little Susitna River	Nancy Lake Creek to Game Refuge Boundary	33.2 - 60.5	Non-motorized	Alternating weekends May 15 - August 20
Deshka River	Mouth	0.0 - Island	No-wake, Voluntary	May 15 - August 20
Deshka River	Silver Hole	3.8 - 4.9	Place sign: "Reduce speed to 5 MPH when anglers present"	May 15 - August 20
Deshka River	Forks to 2 mi. below Amber Lake Creek and Forks to 3 mi. below Oilwell Road	0.0 - 19.1 (Kroto Creek)  29.7 - 54.2 (Moose Creek)	Non-motorized, Recommendation to Board of Fish to open lower Moose Creek to salmon fishing	May 15 - August 20
Lake Creek	Whitewater	8.1 - 51.2	Non-motorized	May 15 - August 20
Talachulitna Creek	Lower	0.0 - 17.0	Non-motorized	June 15 - August 20
Talachulitna River	Canyon	9.0 - 18.2	Non-motorized	June 15 - August 20
Alexander Creek	Upper	23.0 - 38.3	Non-motorized	May 15 - August 20
Alexander Creek	Pierce Creek Confluence	7.4	Place sign that cautions large boats above this point	May 15 - August 20

2  
3 **Public Trust Doctrine.** Under the Alaska Constitution the state has special duties and  
4 management constraints with respect to state-owned land underlying navigable waters. The  
5 Alaska Constitution contains principles commonly known as the public trust doctrine. This  
6 doctrine requires the state to exercise authority to ensure that the right of the public to use  
7 navigable waters for navigation, commerce, recreation, and related purposes is not  
8 substantially impaired.

9  
10 The Alaska Constitution (Article VIII, sections 3, 13, and 14) and Alaska Statutes (38.05.127  
11 and 38.05.128) are the legal basis for applying the public trust doctrine in Alaska. This  
12 doctrine guarantees the public right to engage in such things as commerce, navigation,  
13 fishing, hunting, swimming, and protection of areas for ecological study.

14  
15 The Constitution provides that "free access to the navigable or public waters of the state, as  
16 defined by the legislature, shall not be denied any citizen of the United States or resident of  
17 the state, except that the legislature may by general law regulate and limit such access for  
18 other beneficial uses or public purposes." Eliminating private upland owners' reasonable  
19 access to navigable waters may result in compensation.  
20

1 Both federal and state laws providing for the transfer of land to private parties also provide  
2 for public access to navigable waters. Implementing the state constitutional guarantee of  
3 access to navigable waters under Article VIII, Section 14, AS 38.05.127 requires that the  
4 state commissioner of natural resources must “provide for the specific easements or rights-of-  
5 way necessary to ensure free access to and along the body of water, unless the commissioner  
6 finds that regulating or eliminating access is necessary for other beneficial uses or public  
7 purposes.”

8  
9 It has never been held that any lands normally subject to the public trust doctrine in Alaska  
10 are exempt from it, including land occupied and developed.

11  
12 These statutes and concepts are considered and used throughout this plan. Any management  
13 actions will be consistent with the public trust doctrine as defined by the Alaska Constitution,  
14 statutes, court decisions, and public involvement.

15  
16 **Other Guidelines Affecting Boat Access.** Several other guidelines may affect boat access.  
17 See the following sections of this chapter:

- 18
- 19 Shoreline Development
- 20 Recreation
- 21 Fish & Wildlife Habitat
- 22 Commercial
- 23 General Access
- 24 Boat Access
- 25 Air Access
- 26 Education
- 27 Enforcement
- 28
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## Upland Access

### Goals

**Support Management Intent.** Accommodate an upland transportation system that supports the management intent for each subunit and is integrated with other region-wide transportation needs.

**Minimize Adverse Impact.** Accommodate a transportation system with minimal adverse impacts on water quality, riparian and wetland areas, the terrestrial environment, and recreation uses.

**Promote Efficiency.** Accommodate a transportation system that uses energy efficiently and encourages compact, efficient development patterns including consolidating upland access routes.

**Promote Public Safety.** Ensure transportation systems are designed, constructed and maintained to an appropriate standard to accommodate the anticipated volume and type of use.

**Protection of Special Trails.** Protect high-value trails such as the Iditarod Race Trail and the Iditarod National Historical Trail.

### Management Guidelines

**Transportation Planning.** When road transportation routes are proposed that may pass through the Recreation Rivers, interagency review should occur at the scoping phase of route planning to allow agencies to identify important habitat and recreation areas in order to assist with the selection of a route.

**Consolidation of Access.** Joint use and consolidation of surface access routes will be encouraged wherever feasible and prudent. Surface access should be designed and sited to accommodate future development and avoid unnecessary duplication. The feasibility of using an existing road or trail should be evaluated before the use of a new transportation route is authorized.

**Large Vehicle Use in Winter.** The department requires a permit for use of vehicles over 1,000 lbs. in winter. Travel is restricted to periods when there is adequate snow or frost (11 AAC 09.030 (1)(E)). See *ORV's, Snowcover* in this section. Permit stipulations will be consistent with existing ADNR requirements for use of large ground contact vehicles in winter. Permits will be reviewed in consultation with ADF&G. Winter roads for timber

1 harvest or transport should be consistent with the Forest Resources and Practices Act and the  
2 Susitna Forestry Guidelines.

3  
4 **Access Intent.** Public comments show the public does not support additional roads to access  
5 the recreation resources in the corridors. Roads strictly for access to recreation opportunities  
6 within the Recreation Rivers are not proposed at this time. There are, however, resources,  
7 private lands, and transportation needs in and adjacent to the corridors which may require  
8 land access.

9  
10 There are four general classes of roads and trails in and adjacent to the corridors. Many  
11 guidelines in this section specify which of the four types of access they apply to.

- 12  
13 1. *Pedestrian Trails.* These are designed to accommodate pedestrians and animals.
- 14  
15 2. *Small Vehicular Trails.* These are designed to accommodate vehicles with a gross  
16 vehicle weight of 1,000 lbs. or under, pedestrians, travel by dogsled, animals,  
17 snowmachines, two and three-wheeled vehicles, and small ORV's.
- 18  
19 3. *Large Vehicular Trails.* These are designed to accommodate vehicles with a gross  
20 vehicle weight of over 1,000 lbs., pedestrians, travel by dogsled, animals,  
21 snowmachines, two- and three-wheeled vehicles, small or large ORV's, track  
22 vehicles, or four-wheel-drive vehicles.
- 23  
24 4. *Roads.* These are designed to accommodate highway vehicles including pedestrians,  
25 travel by dogsleds, animals, snowmachines, two- and three-wheeled vehicles, small or  
26 large ORV's, track vehicles, four-wheel drive vehicles, automobiles, or trucks.

27 **Priority for Siting Roads** (other than ice roads). Where feasible and prudent, the following  
28 criteria for consideration of alternative road locations should be used. These are listed below  
29 in descending order of priority:

- 30 1. Outside rather than inside the corridor.
- 31 2. In Class II or III areas or special management areas.
- 32 3. In Class I areas where there are no restrictions on motorized transport.
- 33 4. In Class I areas where there are restrictions on motorized transport.

34 Roads crossing rivers should be designed in accordance with the American Association of  
35 State Highway Transportation Officials (AASHTO) design manual. When safe to do so, site  
36 distances should be minimized to enhance aesthetic qualities. Also see *Shoreline*  
37 *Development, Bridges* in this chapter.

## 1 **Roads and Both Types of Vehicular Trails**

2  
3 *Class I Areas.* In Class I areas, roads and vehicular trail development shall be minimized to  
4 maintain the undeveloped character of the corridors and to minimize impacts on habitat,  
5 water quality, and vegetation.

6  
7 *Non-motorized Areas.* Roads and both types of vehicular trails may be built in non-motorized  
8 areas if they are built with public funds or when they are in the public interest.

9  
10 *Access to Private Lands in Class I Areas.* Private landowners may construct roads and  
11 vehicular trails to their property as long as the use provides a need for which there is no  
12 feasible and prudent alternative. A road or vehicular trail from private land to a Recreation  
13 River should not be permitted in Class I areas if the proposed route is not the primary form of  
14 access to the property. Also see *General Access, Permits to Private Land and Mineral*  
15 *Locations and Subsurface, Motorized Access* in this chapter.

16  
17 *Protection of Hydrologic Systems.* To minimize adverse impacts to the environment, and  
18 risks of degradation to fish and wildlife habitat and water quality, roads and vehicular trails  
19 will not be approved in the protection area unless there is no feasible and prudent alternative  
20 route. Roads and vehicular trails may also be located in the protection area to access private  
21 land, a mining operation with a plan of operation or land use permit, to access a bridge  
22 crossing, or where the route is in the public interest. Road and vehicular trail construction  
23 will occur only where it can be demonstrated that road design, construction, use, and  
24 maintenance will avoid, minimize, or otherwise mitigate impacts to important fish and  
25 wildlife habitat. Additionally, roads should be constructed to minimize slope instability.  
26 These types of access improvements should be located to avoid influencing the quality and  
27 quantity of water in adjacent rivers and lakes, or detracting from the recreational use of the  
28 waterway. When routing through wetlands or peat, culverts shall be installed to enable free  
29 cross-drainage. Construction should be minimized in areas where the seasonal water table is  
30 within four feet of the surface. Where feasible and prudent, topsoil from road or vehicle trail  
31 construction shall be used for restoration of disturbed areas.

32  
33 In potential problem areas, excavation and soil disturbance should be minimized.

34  
35 *Erosion.* Where feasible or prudent use methods to decrease runoff, erosion, and  
36 sedimentation by methods such as re-seeding, surface roughening, and diversion dikes.

## 37 38 39 **Pedestrian Trails**

40  
41 *Trail Damage.* Frequent foot traffic on riverbanks can trample vegetation and cause the loss  
42 of vegetation. This may result in increased bank erosion from riverflow and surface runoff,  
43 and the loss of fish habitat along the banks. Efforts should be made to locate pedestrian trails  
44 away from the river. Where this is not possible, trails should be stabilized through techniques  
45 such as constructing board walks or trail hardening.

**Trails**

*Signs.* Trail signs would be beneficial in several locations. These include areas with unclear trailheads and trail routes or where resource damage is likely to occur.

*Iditarod Race Trail.* The race trail passes through the Susitna River near the confluence with the Deshka River, the Yenta River near the confluence with Lake Creek, and the Skwenta River northeast of the corridor. Rerouting the trail may be permitted in specific instances in consultation with the Iditarod Trail Committee. A 400-foot wide (200 feet on either side of the centerline) buffer will be located along the trail corridor. No permanent structure or equipment should be placed in the trail corridor if it would adversely affect the trail experience or access along the trail. Where necessary, trail crossings may be permitted to allow access to lands on either side of the trail. Temporary facilities for the Iditarod race and other events that use the trail during the winter may be allowed provided they are removed during the ice-free season. An annual permit for Iditarod related events is not required. Also see *Forestry, Iditarod Trail, and Events* in this chapter. The location of these trails are shown on subunit maps in Chapter 3.

**Bridges.** See *Shoreline Development; Bridges, and Stream Crossings*.

**Closures.** Where detrimental to management of fish and wildlife habitat, recreation, or other resources, roads and trails may be closed to the public and rehabilitated when in the public interest.

**Section Line Easements.** Section line easements require a survey before improvements are built. The width depends on when the land was conveyed to the state. The Matanuska-Susitna Borough has platting authority for section line easements within the corridors. Development of section line easements in Class I subunits is discouraged. No vacations are recommended at this time.

**Parking Areas.** Parking areas are prohibited below annual high water and in contiguous wetlands. All parking areas should be visually screened from the rivers with natural vegetation.

**Off-Road Vehicles (ORV).** The trend of increased ORV use in the corridors is likely to continue as more access is developed near the Recreation Rivers. To prevent damage to wetlands, stream banks, steep banks, areas with poorly drained soils, areas with sensitive vegetation, and the recreation experience in non-motorized areas, ADNR has developed the following regulations:

1. *Permits.* To protect soils, water, vegetation, and habitat, ORV use is restricted to existing trails except when there is adequate snow cover (see 3 below). Permits for exceptions will be evaluated on a case-by-case basis.
2. *Non-motorized Areas.* In areas adjacent to river segments subject to seasonal powerboat restrictions (see subunit maps in Chapter 3), ORV use is subject to the

1 same seasonal limits on motorized travel, except when authorized by permit or the  
2 use occurs on designated trails. (See *Designated Trails* in this section.) This limit  
3 does not apply in special management areas. See *Boating Access, Regulations* in this  
4 chapter.

- 5 3. *Snow Cover*. Use of off-road vehicles 1,000 lbs. or under is allowed throughout the  
6 corridors when the department gives public notice that snow cover and ground frost is  
7 sufficient to prevent damage to the vegetation. ADNR will announce each year when  
8 there is adequate/inadequate cover in the fall and spring through news releases or  
9 other means. Adequate cover may vary between rivers so more than one public  
10 announcement may be required each spring and fall depending on the snow  
11 conditions. The general standard for adequate ground protection from vehicle damage  
12 will be one foot of snow and one foot of frost. This standard may be altered to allow  
13 for variation in winter conditions. For example, deep snow may prevent freezing but  
14 offer adequate ground protection. If the ground is not frozen to a depth of at least one  
15 foot, an additional foot of snow is needed for winter ORV travel. Use of off-road  
16 vehicles in winter over 1,000 lbs. requires a permit. See *Large Vehicle Use in Winter*  
17 in this section.

18  
19 **Access to Private Land and Mining Locations.** Permits for exceptions to restrictions on  
20 off-road vehicle uses described in the previous section may be issued to allow access to  
21 mining activities or to private property when there is no feasible and prudent alternative to  
22 provide access for this use. Permit applicants shall apply to use a designated trail (see next  
23 section). Permits for off-road access to active mining locations will only be issued for  
24 purposes of carrying out mining operations authorized by a land use permit or an approved  
25 plan of operations. Also see *General Access, Permits for Access to Private Land and Mining*  
26 *Locations* in this chapter.

27  
28 **Designated Trails.** Previous sections refer to travel restricted to designated trails in non-  
29 motorized areas. To designate a trail, an individual or organization must submit a map and a  
30 written description which includes:

- 31  
32 1. how the trail will be used;  
33 2. how damage to state land and water such as rutting and damage to fragile vegetated  
34 areas will be prevented; and  
35 3. how the construction and use of the trail will be compatible with other uses;  
36 4. where materials to be used are located;  
37 5. how timber will be disposed of; and  
38 6. how the trail will be constructed.

39  
40 DMLW through the interagency review process will review trail applications and decide on  
41 the need for and suitability of the proposed route, and its compatibility with other recreation  
42 uses and management policies. When a trail is designated, a right-of-way should be issued  
43 and recorded on status plats so that the trail can be properly located. Bearings and distances

1 should be included in the description of the trail. Centerlines may be necessary in areas  
2 where land status is complex. As more trails are designated, DMLW shall restrict ORV's to  
3 designated trails during the snow-free season throughout the corridors rather than just  
4 existing trails. Also see *Trails Action Plan* in Chapter 4.

5  
6 At this time, ORV use is restricted to existing trails. However, even repeated use by all  
7 ground-pressure vehicles in sensitive environments on existing trails may result in long-term  
8 damage. Such areas include wetlands, erodible soils, or steep banks. After suitable trails are  
9 identified and designated through the trails action plan (see Chapter 4) or other means, off-  
10 road vehicles during the snow-free season should be restricted to designated trails throughout  
11 the planning area rather than just existing trails. See *Trails Action Plan* in Chapter 4.

12  
13 If an application for a designated trail is approved from a private landowner or mine claimant  
14 for motorized access through a non-motorized area, ADNR may consider designating the  
15 trail for public access if:

- 16  
17 1. a determination is made that increased public use will not significantly contribute to  
18 the deterioration of the trail;
- 19 2. the trail or its use is consistent with the management intent for the area.

20  
21 DMLW, in consultation with the borough and ADF&G, may designate special purpose trails  
22 in motorized areas to provide new recreational opportunities or to resolve conflicts between  
23 uses. Where possible, consultation with affected user groups will be conducted prior to  
24 designation of such trails, and users will be encouraged to construct and maintain such  
25 special purpose trails.

26  
27 **Other Guidelines Affecting Upland Access.** Several other guidelines may affect upland  
28 access. See the following sections of this chapter:

- 29  
30 Shoreline Development
- 31 General Access
- 32 Boat Access
- 33 Subsurface Resources
- 34 Heritage Resources

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## **Air Access**

### **Goals**

**Access.** Allow development of public air access to the Recreation Rivers when it is consistent with the management intent of the plan.

**Liability.** Minimize liability to the state from unsafe airstrips or floatplane landing areas or the proliferation of public airstrips.

### **Management Guidelines**

**Public Airstrips.** The Recreation Rivers currently have good air access. However, this plan does not preclude development of additional airstrips. With the exceptions listed below for private airstrips, airstrips developed on state land should be made available for use by the general public. If an applicant requests airstrip development associated with some other type of land-use authorization, the applicant must submit the application for the airstrip with the application for the associated use. Federal Aviation Regulation, Part 157, requires FAA notification before construction, establishment, alteration, or deactivation of civil airports, including floatplane bases. Specific airstrips are discussed in Chapter 3 for subunit 2a (mouth of Dëshka) and 4e (Chelatna Lake). In addition to airstrips, waterbodies are very important in both winter and summer for public air access.

**Airstrip by Class Areas.** Airstrip development may be authorized in Class II, Class III, and Special Management Areas. Airstrip development may be allowed in these areas if:

1. There is a demonstrated significant public need for the airstrip; and
2. There are no feasible alternatives to meet the public need for increased access that would not significantly impact habitat, recreation or other uses.

Airstrip development is discouraged in Class I areas and non-motorized areas because they are inconsistent with the management intent for these areas. In general, airstrips developed entirely on public land should be made available for use by the general public.

**Private Airstrips.** Private airstrips are discouraged throughout the Recreation Rivers. Exceptions to this policy may be considered on a case-by-case basis. In considering exceptions, the division will consider the plan goals, management intent, and:

1. Opportunities for alternate access;
2. Analysis of surrounding terrain and topographic features;
3. Habitat values, recreation uses in the area, and riparian vegetation and hydrology;

- 1 4. Existence of previously or naturally cleared areas;
- 2 5. Benefits to the public including reciprocal easements for public use;
- 3 6. Opportunities for consolidating airstrips or joint-use airstrips when more than one
- 4 applicant is likely to apply for airstrips in adjacent areas;
- 5 7. FAA input and requirements, and;
- 6 8. Other public and agency comments.
- 7

8 A written decision must be prepared that addresses each airstrip application stating the  
9 reasons for approving or denying the use. The factors listed above will be considered along  
10 with any other relevant information when reaching a decision. Renewal of expired rights-of-  
11 way for airstrips will be considered on a case-by-case basis.

12 **Floatplane Landing Areas.** See Chapter 3, Subunit 2a, *Floatplane Landing Area*.

13 **Airstrips for Mining Operations.** Since airstrips for mining operations are usually for  
14 restricted use, and any areas where mining leases may occur are in Class I areas where  
15 motorized access is seasonally limited, construction of new airstrips will not be permitted for  
16 mining operations. This does not preclude mine claimants from applying for airstrips for  
17 exclusive use outside the corridors.

18 **Blocking Airstrips.** Public use airstrips shall not be blocked by individuals without the prior  
19 authorization from ADNDR (AS 02.20.050). This does not preclude ADNDR from closing  
20 existing airstrips for safety reasons or other management concerns.

21 **Aircraft and Helicopter Landing.** On the land and water in river segments subject to  
22 seasonal powerboat restrictions shown on maps in Chapter 3, aircraft and helicopter landings  
23 are subject to the same seasonal motor prohibitions. The intent is to provide for a non-  
24 motorized recreation experience during the fishing season along these river segments. (See  
25 *Boat Access, Regulations* in this chapter and in Chapter 3.) This restriction does not apply to  
26 Special Management Areas (also shown on maps in Chapter 3) where aircraft and helicopter  
27 landings are allowed. There are also exceptions for access to private lands and mining  
28 locations. See *General Access, Permits for Access to Private Land and Mining Locations* in  
29 this chapter. The Federal Aviation Administration should be contacted by the department to  
30 ensure that these non-motorized areas are shown on the *NOAA Sectional Maps* and the *NOAA*  
31 *Government Flight Information Publication Supplement, Alaska*.

32 **Aircraft Storage.** Floatplanes and wheel planes kept below ordinary high water shall be  
33 stored consistent with the boat storage guidelines. See *Shoreline Development, Boat Storage*  
34 in this chapter.

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41

1 **Other Guidelines Affecting Air Access.** Several other guidelines may affect air access. See  
2 the following sections of this chapter:

- 3
- 4 Upland Development
- 5 Shoreline Development
- 6 General Access
- 7 Boat Access
- 8 Subsurface Resources
- 9

## 1 2 **Water & Solid Waste**

### 3 4 **Goals**

5  
6 **Water Quantity.** Reserve adequate water quantities to provide for recreation and fish and  
7 wildlife habitat for each river system throughout the year.

8  
9 **Water Quality.** Manage upland activities for multiple use within the corridors using  
10 mitigation measures to alleviate potential adverse effects on water quality.

11  
12 **Wetlands.** Protect the hydrologic, habitat, and recreational values of public wetlands.

13  
14 **Litter and Solid Waste.** Reduce litter, solid waste, and human waste deposition in the  
15 corridors in order to protect recreational values, water quality, and public health.

### 16 17 18 **Management Guidelines**

19  
20 **Litter.** Litter and other signs of use were identified as a serious problem in the Recreation  
21 Rivers. Users were almost unanimous in saying that a “no litter” standard should be in place  
22 throughout the Recreation Rivers. To address this concern, the department should adopt a  
23 regulation prohibiting littering or bringing waste or refuse into the Recreation Rivers for its  
24 disposal. A public education program should be developed by ADNR, in cooperation with  
25 the Matanuska-Susitna Borough and user groups, which stresses the “pack-it-in - pack-it-out”  
26 ethic. This should include signage at common access points. Other management tools to  
27 reduce litter should include providing staff for litter pick-up patrols and working with  
28 volunteer groups to expand this effort. The department should also work with commercial  
29 operators interested in picking up litter, in lieu of paying commercial-use permit fees. ADNR  
30 and the borough should consider contracting for litter pick-up if staff is short and funding is  
31 available. Funding these management options is a high priority.

32  
33 Providing dumpsters or trash cans in remote locations in the corridors is not encouraged at  
34 this time. However, as funding allows, the borough, ADF&G, and DPOR may provide  
35 dumpsters at major road accessible boat launches such as the Deshka Landing, Susitna  
36 Landing, Little Susitna Access, and the Talkeetna boat launch, to encourage private  
37 landowners and the public not to dispose of garbage within the Recreation Rivers. Operators  
38 of private boat launches are also encouraged to provide these facilities for their customers.

39  
40 **Solid Waste.** Landfills, dumps, and burial of solid waste and litter will not be authorized on  
41 state lands in the Recreation Rivers. ADNR should identify unauthorized disposal sites and,  
42 in coordination with ADEC, close these sites.

1 **Wastewater Disposal Systems.** All commercial guide camps on state lands are required to  
2 meet ADEC regulations for wastewater systems. No wastewater disposal systems such as  
3 leach fields and septic systems will be allowed on the shorelands. Wastewater disposal  
4 systems elsewhere in the Recreation Rivers shall comply with ADEC regulations at  
5 18 AAC 72.

6  
7 **Other Signs of Use.** Other than litter, the most common signs of use along the rivers is the  
8 accumulation of toilet paper and unburied human waste. ADEC recommends that for one-  
9 time individual use, human defecation should be at least 100 feet from any stream or  
10 waterbody and away from campsites or other areas frequented by people. All fecal materials  
11 and tissues should be buried in a small hole, covered with soil, packed down, and vegetation  
12 replaced. To protect public health, the public education program proposed for the Recreation  
13 Rivers should include information on the proper disposal of human waste. (See *Public*  
14 *Education.*)

15  
16 **Privies.** Consistent with ADEC regulations, privies must be located at least 100 feet from the  
17 nearest waterbody, and the bottom of the pit must be at least 4 feet above the water table.

18  
19 **Drinking Water.** Commercial facilities are required to provide water from an approved  
20 drinking water source. In addition, approved public drinking water sources are necessary at  
21 the mouths of the Deshka River, Clear Creek, Lake Creek, Talachulitna River, and Alexander  
22 Creek. The cost of providing public sources of drinking water at these sites with public funds  
23 is prohibitively expensive because of new EPA regulations. Until approved public drinking  
24 water sources are developed at these locations, the public should be warned, through a public  
25 education program, not to drink untreated surface water.

26  
27 **Wastewater Treatment Plants.** Large-scale waste treatment plants for municipalities,  
28 subdivisions, manufacturing, or industry are prohibited in the Recreation Rivers.

29  
30 **Fuel Storage.** No more than 55 gallons of fuel, oil, and other liquid petroleum products may  
31 be stored on state land or water, or associated structures, within 100 feet of any waterbody.  
32 Fifty-five gallon drums stored within 100 feet of the river must be within an impermeable-  
33 diked area with a capacity of 110 percent of the largest amount of fuel stored. Underground  
34 storage of petroleum products in the Recreation River is prohibited. Additional best practices  
35 include: storing as little fuel as practical near surface waters; having secondary containment;  
36 protecting storage containers from snow and ice damage; and conducting regular inspections  
37 to ensure pipes, connections, and structures supporting the fuel are all in good condition. Any  
38 spill to water, and any spill over one gallon on soil, must be reported immediately to ADEC.

39  
40 **Bears and Garbage.** (See *Fish and Wildlife* in this chapter.)

41  
42 **Storm Drains.** Private storm drains may not discharge into the Recreation Rivers or their  
43 tributaries. Public storm drains may be allowed if settling ponds and grease separators are  
44 used to maintain water quality, a maintenance schedule is planned and undertaken,  
45 appropriate erosion control measures are taken (where erosion is a problem), and pre-existing

1 contours are maintained. When storm drains discharge into wetland, perforated pipe to  
2 dissipate water should be used.

3  
4 **Water Intake Structures.** When issuing appropriations for waters in fish-bearing streams,  
5 ADNR will require that water intake structures be installed that do not entrap, impinge, or  
6 injure fish. Water intake structures will be screened and intake velocities will be limited.  
7 Support structures should be designed to prevent fish from being led into the intake. Other  
8 effective techniques may also be used to achieve the intent of this guideline. Screen size,  
9 water velocity, and intake design will be determined in consultation with ADF&G.

10  
11 **Instream Flow.** In accordance with AS 41.23.420(b), “The commissioner shall reserve to the  
12 state under AS 46.15.145 an instream flow (see glossary) or level for the water in the rivers  
13 described in AS 41.23.500 that is adequate to achieve the purposes of AS 41.23.400.” ADNR  
14 should establish reservations of water (also called instream flow reservations) through a  
15 reservation of water application in accordance with AS 46.15.145 and 11 AAC 93.141-147.  
16 It is recommended that continuous stream flow monitoring and data collection programs be  
17 established on all six recreational rivers with special attention to waterbodies that historical  
18 flows are poorly documented or non-existent. Any stream flow data collected will be used to  
19 establish the initial reservation of water, to complete a mandated review of the reservation in  
20 or within 10 years, in accordance with AS 46.15. 145(f), as well as to monitor and enforce  
21 instream flow reservations.

22  
23 Instream flow reservations have been established for reaches within the Little Susitna River,  
24 Deshka River, Talkeetna River, and Lake Creek. Contingent on funding and staff, instream  
25 flow reservation applications for the Talachulitna River and Alexander Creek should be filed.  
26 Some applications are based on synthetic hydrology, using sound, scientific methodology,  
27 which may require an amendment of these applications under 11 AAC 93 as additional data  
28 are acquired and analyzed.

29  
30 Until an instream flow reservation is filed, out-of-stream applications will be adjudicated  
31 consistent with AS 46.15 with consideration given to fish and wildlife, recreation, and other  
32 stream values. Notice will be given to ADF&G, ADEC, and other interested parties as  
33 required by AS 46.15.133.

34  
35 **Water Discharge from Mining Operations.** Zero discharge of pipe effluent will be allowed  
36 into the rivers from mining operations. Any discharge that requires an ADEC permit in a  
37 tributary to any of the Recreation Rivers must meet water quality standards at the point of  
38 discharge or the edge of the mixing zone.

39  
40 **Wetlands Drainage and Associated Discharge.** Wetlands serve to filter nutrients and  
41 sediments from upland runoff. They also stabilize water supplies by storing excessive water  
42 during flooding and by recharging groundwater during dry periods. In addition, wetlands  
43 provide important feeding, rearing, nesting, and breeding grounds for many species, selected  
44 recreational uses, and aesthetic values.

1 To protect these wetland values, drainage into wetlands will be authorized only in a manner  
2 that:

- 3
- 4 1. There shall be no impediment to fish passage.
- 5 2. Ditches shall not physically connect to any natural bodies of water.
- 6 3. Settling ponds and grease separators shall be used to maintain water quality. A strict  
7 maintenance schedule shall be undertaken.
- 8 4. Disturbed soil areas shall be revegetated by the next growing season. Natural  
9 revegetation is acceptable if the site is suitable and will revegetate itself within the  
10 next growing season.
- 11 5. Discharged waters shall not exceed the state water quality standards.
- 12 6. Excess material excavated from the site that is not needed for site development shall  
13 be disposed of at an upland site or outside the Recreation Rivers.
- 14 7. Side slopes shall not exceed 2:1.

15  
16 **Other Guidelines Affecting Water and Solid Waste.** Several other guidelines may affect  
17 water and solid waste. See the following sections of this chapter:

- 18
- 19 Shoreline Development
- 20 Fish & Wildlife Habitat
- 21 Commercial
- 22 Subsurface Resources
- 23 Education
- 24

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## Forestry

### Goals

**Personal Use.** ADNR will continue to make wood available for personal use within the constraints of budget, access, and habitat and recreation values and the Recreation Rivers Act. Sources of wood for personal use may include permits or sales in remote areas, personal use harvesting areas in road-accessible regions, use of wood residues incidental to clearing for other purposes, and harvest of dead and down wood.

**Commercial Use.** Make wood products available for use incidental to the construction of access or for habitat enhancement.

**Forested Land Base.** Maintain in public ownership a forested land base that is adequate to meet the needs for personal use harvest, recreation, fish and wildlife habitat, soil, and water.

**Fire.** Protect from wildfire, human life, valuable public and private forest lands, and significant human improvements.

### Management Guidelines

**Forest Resources and Practices Act.** All timber harvests must comply with the Forest Resources and Practices Act. That act and implementing regulations guide forest management, reforestation, and protection of non-timber forest resources. For more information, see *AS 41.17* and *11 AAC 95*.

**Restrictions in the Act.** The Recreation Rivers Act provides specific guidance on timber harvest on state lands within the Legislatively Designated Area. This does not apply to harvest on private or borough lands. *AS 41.23.470(b)* states that, “The commissioner may conduct only a negotiated timber or material sale under *AS 38.05.115* to provide for personal use, including house logs and firewood, or for a use incidental to the construction of access, or for habitat enhancement.

**Regulations for Personal Use.** Negotiated personal-use sales are subject to the regulations in *11 AAC 71.050*. Wood obtained for personal use may not be sold, bartered or used for commercial purposes. In the Recreation Rivers, contracts for personal-use wood will be limited to 3200 linear feet of houselogs, 10 thousand board feet of saw logs, or 10 cords of fuel wood. For each established personal-use harvesting area, the Division of Forestry & Fire Protection sets the number of cords allowed per permit.

1 **Commercial Use.** Negotiated timber sales for commercial use are allowed under  
2 AS 41.23.470(b) and 11 AAC 71.045 as long as harvest is incidental to the construction of  
3 access or for habitat enhancement.  
4

5 **Dead and Down Wood.** Generally Allowed Uses within the Recreation Rivers include using  
6 small amounts of dead-and-down wood for cooking and warming fires (11 AAC 09.030  
7 (3)(C)). To protect woody debris on the river bottoms which is important for fish habitat,  
8 cutting, burning, or removal of dead-and-down wood that is larger than seven inches in  
9 diameter and is located below ordinary high water is prohibited except under the provisions  
10 for hazard trees. See *Hazard Trees* in this section.  
11

12 **Trees of Concern.** Cutting of any size tree that is determined to pose an elevated level of  
13 risk to river navigation or public safety may only be done with an authorization which comes  
14 from Division of Forestry & Fire Protection, DMLW or ADF&G depending on the  
15 circumstances.  
16

17 **Personal Use in Road Accessible Areas.** Personal use harvest of standing timber in road  
18 accessible areas may only be allowed on the upland parcel south of Bench Lake on the upper  
19 Little Susitna River. The Division of Forestry & Fire Protection will revegetate these areas  
20 consistent with the Susitna Forestry Guidelines and AS 41.17. Negotiated sales will be  
21 available on a first-come, first-serve basis.  
22

23 **Personal Use in Non-road Accessible Areas.** Harvest of standing timber for personal use in  
24 non-road accessible areas may be allowed by negotiated personal use sales. Harvests will be  
25 by group-selection cut and revegetated with woody species including birch, spruce, aspen  
26 and willow (see *Regeneration* below). *Group Selection Cut* is a method of cutting where all  
27 the trees are harvested within a cutting unit, and where the cutting unit is less than five acres.  
28 Harvest of house logs may be harvested by the individual tree selection method.  
29

30 **Regeneration.** Personal wood harvest users in non-road accessible areas will be required to  
31 revegetate the site after harvest. Site preparation ensures prompt reforestation and benefits  
32 habitat and visual quality. Where natural regeneration, artificial seeding, or planting will be  
33 used for reforestation, a bed adequate for regeneration will be required after timber harvest.  
34 The site preparation method used will depend on site characteristics and vegetation required  
35 for reforestation and habitat. Recommended reforestation techniques will be included in the  
36 personal-use-sale contract.  
37

38 **Plan Update.** During plan updates, the planning team and advisory board will consider  
39 methods of regenerating forests including whether to recommend to the legislature that the  
40 corridors be open to commercial timber harvest. Commercial harvest in the corridors is  
41 prohibited now except under the conditions outlined in Section 41.23.470(b).  
42

43 **Timber Harvest on Borough Lands.** For forest management policies on borough lands,  
44 contact the Matanuska-Susitna Borough.  
45

1 **Commercial Use.** Harvest of timber for personal use does not include use of wood for  
2 constructing or heating commercial facilities such as lodges. Wood obtained from personal-  
3 use permits may be used to heat or construct a lodge owner's personal residence. In no case  
4 may the wood obtained through a personal use permit be bought, sold, or bartered.

5  
6 **Harvest for Habitat Enhancement.** Commercial or personal use harvest may be allowed for  
7 habitat enhancement. Habitat enhancement may only occur with concurrence from ADF&G.

8  
9 **Harvest Incidental to the Construction of Access.** Harvest incidental to the construction of  
10 access may allow adequate clearing to ensure drying of the roadbed. Clearing shall be  
11 minimized where roads cross rivers.

12  
13 **Timber Salvage.** Timber with commercial or personal-use value should be salvaged from  
14 lands that will be cleared for other uses, such as moose habitat enhancement or for  
15 transportation or utility corridors. This will be accomplished by:

- 16  
17 1. *Review.* The Division of Forestry & Fire Protection will review proposals for  
18 significant land clearing actions to evaluate whether the timber is worth salvaging and  
19 to advise the Director of the Division of Mining, Land & Water on appropriate  
20 salvage methods.
- 21 2. *Scheduling.* Major projects that involve clearing large amounts of forested land, such  
22 as for moose habitat enhancement, will be planned in advance to allow a reasonable  
23 period to arrange for and conduct salvage of the timber. This advance planning  
24 includes sufficient time to conduct inventories and harvest.

25  
26 **Public Notice.** Contracts for personal-use wood harvest are exempt from notice requirements  
27 for commercial timber sales. Designated personal-use harvest areas that will be open for  
28 multiple personal use contracts, or areas where timber cutting is for habitat enhancement,  
29 should be included in the five-year schedule of timber sales. They will be subject to the  
30 notice requirements for commercial sales consistent with the Susitna Forestry Guidelines.

31  
32 **Public Use Sites.** Because of the high public use in certain areas, the intensity of harvest of  
33 dead and down wood, and the difficulty of regeneration in areas heavily used by the public,  
34 personal use wood contracts will not be authorized in public use sites, except when cutting is  
35 necessary to construct authorized improvements. Resource agencies may remove trees of  
36 concern (e.g., standing dead trees near popular campsites).

37  
38 **Buffers.** The Forest Resources and Practices Act does not allow commercial cutting on state  
39 lands within 100 feet of anadromous and high-value resident fish waters. Harvest between  
40 100 and 300 feet along anadromous and high-value resident fish waters must be consistent  
41 with the maintenance of important fish and wildlife habitat.

42  
43 **Iditarod Trail.** The buffer width for the Iditarod Race Trail is described under *Upland*  
44 *Access, Iditarod Race Trail* in this chapter. The buffer width for the Iditarod National  
45 Historic Trail is described under *Heritage Resources, Iditarod National Historic Trail* in this

1 chapter. Timber harvest for uses incidental to the construction of access or for habitat  
2 enhancement may be permitted in the trail corridor only if such harvests protect or enhance  
3 the visual and other characteristics of the trail. Harvesting in the Iditarod National Historic  
4 Trail corridor will be designed in consultation with the State Office of History and  
5 Archeology. The approximate location of the Iditarod Race Trail and the Iditarod National  
6 Historic Trail are shown on subunit maps in Chapter 3.

7  
8 **Unauthorized Access.** Timber cutting for personal use or incidental to the construction of  
9 access shall not be for purposes of creating unauthorized access. This type of harvest will be  
10 contingent upon receiving required authorization for constructing airstrips, roads, or other  
11 types of access improvements.

12  
13 **Fire Management.** Fire suppression intensities are determined by the Alaska Interagency  
14 Fire Management Plan for the Susitna Basin. Fire management practices, including  
15 suppression and prescribed burning, are designed to implement the land management policies  
16 laid out in the land use plans for the area. Use and storage of fire retardants is allowed  
17 throughout the Recreation Rivers.

18  
19 Use of motorized equipment including boats, aircraft, and ground vehicles, for fire-  
20 suppression purposes is allowed in non-motorized areas. Because it would be difficult to  
21 manage fires in the one-mile wide corridors different from fires on adjacent lands, fire  
22 suppression levels for the corridors will be consistent with those for adjacent areas.

23  
24 **Seasonal Scheduling.** To avoid conflicts with recreational uses of the river, harvest should  
25 not occur during the peak fishing season. The peak use periods for each subunit are listed for  
26 each subunit in Chapter 3. Seasonal restrictions on harvest does not apply to areas where  
27 there is little boating or fishing, such as the upland parcel south of Bench Lake on the upper  
28 Little Susitna River. Timber harvesting during the snow-free season will be directed to well-  
29 drained sites where summer harvest can aid site preparation and reduce damage to wetlands.

30  
31 **Other Guidelines Affecting Forestry.** Several other guidelines may affect Forestry. See the  
32 following sections of this chapter:

33  
34 Fish & Wildlife Habitat

35 Upland Access

36 Heritage Resources

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## Subsurface Resources

### Goals

**Mineral and Energy Supplies.** Make metallic minerals, oil, and gas available to contribute to the energy and mineral supplies, and to the economy.

**Environmental Quality and Recreation Values.** When developing subsurface resources, minimize surface disturbance, degradation of water quality, and impairment and conflicts with recreation uses.

**Recreation Mining.** Make metallic minerals available for recreation mining.

### Management Guidelines - Mining

**Restrictions in the Act.** Under AS 41.23.470(c), “the commissioner may permit mining leasing under AS 38.05.205 on uplands within a recreation river corridor if leasing is allowed under a management plan that has been adopted by the commissioner. The commissioner shall establish appropriate conditions for permits, operating plans, and leases to mitigate the effects of mineral development activities on the environment and to prevent, to the extent practicable, degradation of the recreation uses of the river.” Map 2.2 shows the area open to new mineral entry under lease (LLO 15) and the areas closed to mineral entry under Mineral Closing Order 455.

**Mineral Leasehold Location Order.** Between RM 42.2 and RM 45.8 along Lake Creek rights to locatable minerals may be acquired only under the leasehold location system, AS 36.05.205, and may not be acquired by locating a mining claim under AS 38.05.195. This was implemented by both a leasehold location order (LLO 15) and a mineral opening order (MOO 604) which includes approximately 3,560 acres. There is a 300-foot staking setback from the ordinary high-water mark on Lake, Camp, and Sunflower creeks provided by Mineral Closing Order 455. In addition, leasehold locations may not be staked in the public use sites at the mouth of Camp and Sunflower creeks (PU 4d.1 and PU 4d.2). Leases will be restricted to 5-year periods. The lease should include language that states that if at any time the lease is in effect, the lessee has defaulted on the lease, or upon termination of the lease for any reason, the state may take possession of the property, improvements, and equipment of the lessee on the leased area as security for payment of rent due, or to indemnify lease.

**Mineral Orders.** Mineral Closing Order 455, as prescribed by the Susitna Area Plan, closed the majority of the Recreation River corridors to new mineral entry. The original 1991 Susitna Basin Recreation Rivers Management Plan called for the remainder of the corridors to be closed to mineral entry (with the exception of the portion of Lake Creek described in

1 the Leasehold Location Order above). These lands were closed under Mineral Closing Order  
2 605. Closures prevent surface use conflicts and protect high public use values.

3  
4 **Land Use Permits for Mining.** Under existing regulations, mining operations that use heavy  
5 equipment, disturb the riverbed, restrict public access, or build or use a surface structure  
6 require approval by the Division of Mining, Land & Water. This approval is generally  
7 authorized by a Land Use Permit. To simplify the permitting process, mine operators can file  
8 the Application for Permits to Mine in Alaska which serves as a combined permit application  
9 for several agencies. Copies of the Applications for Permits to Mine in Alaska will be  
10 distributed to agencies that request copies.

11  
12 **Data Needs.** The application for a Land Use Permit will include, in addition to the standard  
13 Application for Permits to Mine in Alaska questionnaire, sufficient explanation to show how  
14 the mine operator plans to comply with the plan guidelines for mineral development,  
15 rehabilitation of mine sites, relationship to scenic and heritage resources, and public access.

16  
17 **Plan of Operations for Mineral Leases.** An approved plan of operations for a mineral lease  
18 takes the place of the Land Use Permit required for unleased land. If proposed lease activities  
19 are so minor that they could take place without a Land Use Permit on unleased land, a plan of  
20 operations is not required (11 AAC 86.800).

21  
22 The plan of operations must show how the operator proposes to comply with the lease  
23 stipulations and other pertinent guidelines in this plan.

24  
25 *Data Needs.* Plans of operation will follow existing regulations given in 11 AAC 86.800. In  
26 addition, the following information will be required:

- 27  
28 1. Justification for vegetation clearing.
- 29  
30 2. Delineation of proposed access roads within the lease or accessing the lease on a  
topographic map.
- 31  
32 3. Location, size and purpose of any proposed structures and description of how visual  
guidelines will be met.

33  
34 **Approval of Plan of Operations.** ADNR will approve plans of operation required for  
35 locatable mineral leases and Land Use Permits if the plans or permit applications adequately  
36 address the guidelines of this plan, state laws and regulations, and if ADNR has consulted  
37 with and given careful consideration to the recommendations of ADF&G and ADEC. If after  
38 a reasonable period of time a negotiated solution cannot be reached with the operator, or in  
39 the event of repeated violations, violation of the plan of operations or Land Use Permits is  
40 cause for enforced cessation of operations.

41  
42 **Best Management Practices.** ADF&G will utilize its manual, *Best Management Practices*  
43 *for Placer Mining* when issuing Title 16 permits and reviewing of and commenting on the  
44 Division of Mining, Land & Water's plans of operations and Land Use Permits for mining.

1 ADF&G recommendations for rejection or modification of a Land Use Permit or a plan of  
2 operations for placer mining will be based on Title 16 and the ADF&G Best Management  
3 Practices. (This document is available from ADF&G or ADNR).  
4

- 5 1. *Removal of Vegetation.* Vegetation may be removed no more than one year ahead of  
6 mining unless unusual circumstances exist. The area of vegetation removal will be for  
7 the immediate areas of the excavations, and sites for overburden storage, settling  
8 ponds, access roads, equipment storage, and other authorized structures. The timing  
9 and extent of vegetation removal must be outlined in the mining plan.
- 10 2. *Tailings and Overburden.* Overburden and tailings will be stockpiled and/or  
11 deposited in accordance with the mining plans.
- 12 3. *Control of Run-off, Siltation and / or Pollution.* The area must be managed to  
13 minimize non-point sources of pollution.
- 14 4. *Mine Site Consultation.* To assist the mine operator in developing the operation in a  
15 manner that is as compatible as possible with public use of the area in the vicinity of  
16 the mine, an onsite pre-development conference should be held with the mine  
17 operator and ADNR, ADF&G, and ADEC officials. If agencies are unable to perform  
18 the on-site consultation due to budget or staff constraints, the plan of operations may  
19 be approved without it.  
20

21 **Water Discharge.** Zero discharge of wastewater will be allowed into the rivers or their  
22 tributaries from mining operations. Also see *Agency Implementation Responsibilities, DGGs*,  
23 in Chapter 4.  
24

25 **Siting of Structures.** Special care will be taken to site mining camps. Minimizing visual  
26 prominence of structures provides a benefit to miners by making them less noticeable to  
27 potential vandals and by promoting public acceptance of surface alterations to state lands.  
28 The following guidelines will be followed in locating mining structures, unless no feasible or  
29 prudent alternative exists.  
30

- 31 1. For existing locations, living accommodations for mineral exploration, annual  
32 assessment, or production must be setback at least one-fourth mile from ordinary high  
33 water in the main river. Living accommodations associated with locations in the area  
34 open for new mineral entry under the leasehold location system on upper Lake Creek  
35 must be located outside the corridor.
- 36 2. No full-time residences will be allowed on either existing or new locations inside the  
37 Recreation Rivers. Living accommodations must be removed at the end of each  
38 season. Use of mining locations for homesites, non-mining related business, or  
39 recreation sites is prohibited. Camps associated with recreational mining should  
40 comply with regulations for *primitive tent camps* described under *Recreation* in this  
41 chapter.
- 42 3. Structures that are not used for living accommodations may be allowed on mining  
43 operations, if, in the judgment of the Division of Mining, Land & Water, they are

1 necessary for the operation. These may remain for more than one work season but  
2 must be removed at the end of the term of use. Abandoned or unusable construction  
3 materials, equipment, or structures should be removed annually.

4 4. Structures and construction materials should be consolidated behind natural contours  
5 rather than on prominent points, or behind vegetative screens. Visibility of structures  
6 from the rivers should be minimized to the extent practical.

7 5. Structures should be grouped together where possible.

8 6. Structures should be kept to the minimum number necessary to perform mining  
9 operations.

10 7. Structures should blend with the landscape to the extent possible. For example,  
11 structures should be rustic in nature or painted a dark color to blend with the terrain.  
12 Shiny metal roofs and walls are discouraged.

13 8. Trash should be neatly contained and removed from public view. It should not be an  
14 attractive nuisance for bears. Disposal should be consistent with the solid waste  
15 guidelines in this chapter.

16  
17 **Public Access Across Mining Locations.** Public access across mining locations is usually  
18 unrestricted. Public access within an actively mined area may be restricted if authorized  
19 under an approved plan of operation, to protect public safety, or to prevent unreasonable  
20 interference with the rights of the miner. *No trespass* signs may only be posted in the  
21 immediate working area or on structures after access restrictions have been authorized by  
22 ADNR. Signs may not be used to block the public's use of legal access or intimidate the  
23 public. Facilities will not be located where they would block public access to state lands or  
24 waters.

25  
26 **Motorized Access.** Seasonal motorized transport restrictions will not apply to the use of  
27 motors or powered transport associated with assessment work or commercial production on  
28 active mining claims. See *General Access, Permits for Access to Private Land and Mine*  
29 *Claims*, and *Upland Access*. For recreational mining, motor transport or use of motorized  
30 equipment shall not be allowed in the non-motorized areas during the period when those  
31 prohibitions apply.

32  
33 **Leases for Tourism Gold Mining.** Leases for tourism-related gold-mining businesses will  
34 not be issued in the Recreation Rivers.

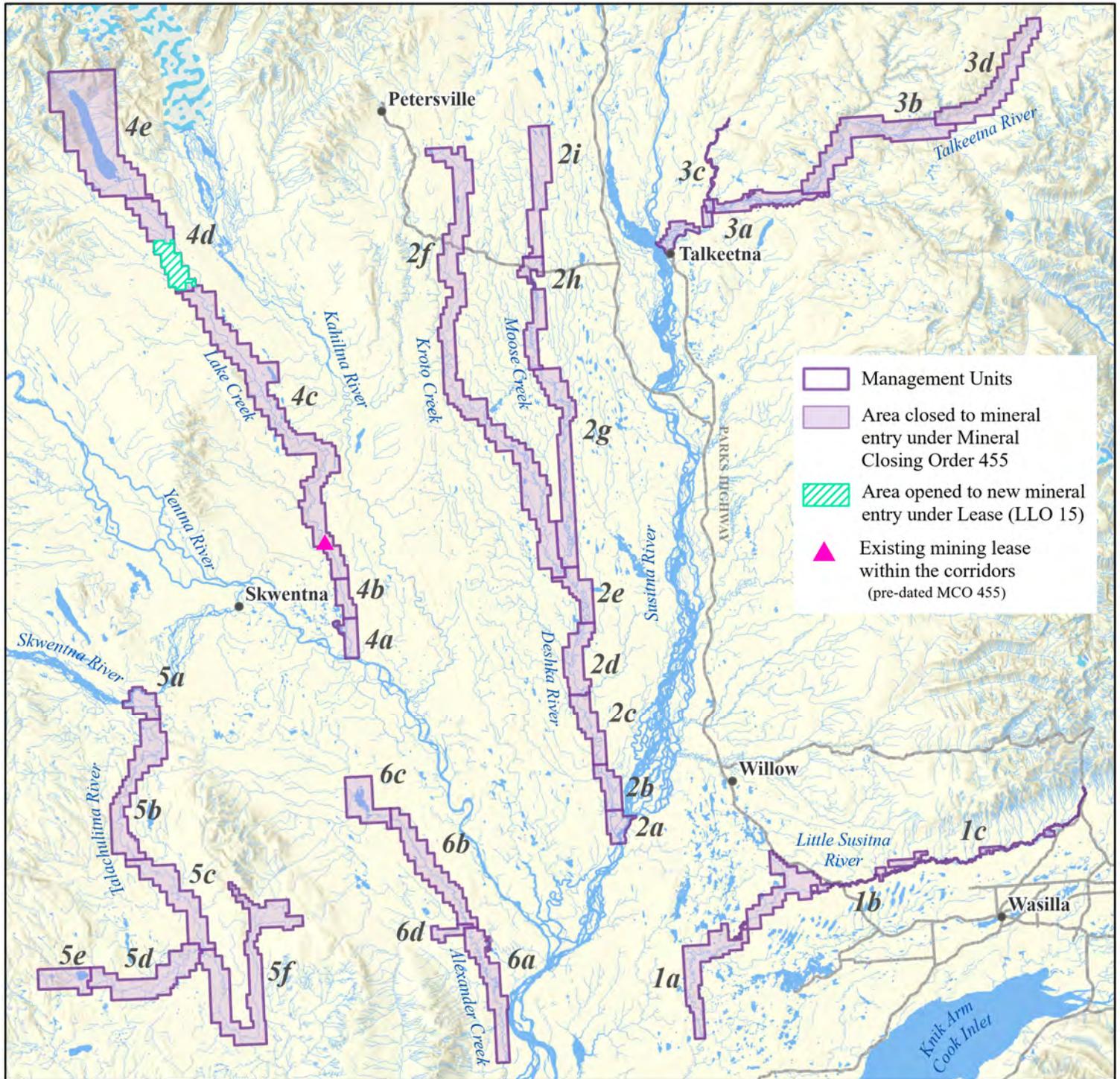
35  
36 **Suction Dredges.** Recreational mining is defined as using a suction dredge with a nozzle of  
37 six inches or less, powered by a 16 HP motor or less. Although a permit for recreational  
38 mining is not required from ADNR, a Title 16 Permit is required from ADF&G if the use is  
39 to occur in a designated anadromous waterbody. ADF&G should not allow suction dredging  
40 in the active river channels where water is flowing during the time of the activity. The use of  
41 a suction dredge larger than 6" requires an Application for Permits to Mine in Alaska or plan  
42 of operation from ADNR. Also see *Upland Access* in this section.

43

# SUSITNA BASIN RECREATION RIVERS MANAGEMENT PLAN

## Area Open to New Mineral Entry under Lease

### MAP 2.2



#### MANAGEMENT UNITS & SUBUNITS

##### 1. Little Susitna River

- 1a. Lower Little Susitna River
- 1b. Middle Little Susitna River
- 1c. Upper Little Susitna River

##### 2. Deshka River

- 2a. Mouth Of Deshka River
- 2b. Lower Deshka River
- 2c. Middle Deshka River
- 2d. Neil Lak
- 2e. The Forks
- 2f. Kroto Creek
- 2g. Lower Moose Creek
- 2h. Oilwell Road
- 2i. Upper Moose Creek

##### 3. Talkeetna River

- 3a. Lower Talkeetna River
- 3b. Middle Talkeetna River
- 3c. Clear (Chunilna) Creek
- 3d. Talkeetna Canyon

##### 4. Lake Creek

- 4a. Lake Creek Mouth
- 4b. Lower Lake Creek
- 4c. Middle Lake Creek
- 4d. Upper Lake Creek
- 4e. Chelatna Lake

##### 5. Talachulitna River

- 5a. Mouth of Talachulitna River
- 5b. Talachulitna Canyon
- 5c. Middle Talachulitna River
- 5d. Talachulitna Creek
- 5e. Judd Lake
- 5f. Upper Talachulitna River

##### 6. Alexander Creek

- 6a. Lower Alexander Creek
- 6b. Upper Alexander Creek
- 6c. Alexander Lake
- 6d. Sucker Creek

Land Use Designations only apply to land owned by the Alaska Department of Natural Resources, as indicated by the management units on the map. And due to size, some management units may not display on the map. There may be some private parcels contained within management units, but designations do not apply to non-state lands. This map is for graphic representation only and intended only to be used as a guide.



1 **Signs.** Marking mining locations should be consistent with the guidelines under *Recreation,*  
2 *Marking Natural Objects and Public Educations, Signs.*

3  
4 **Leasable Minerals other than Oil and Gas.** Coal and other leasable minerals, with the  
5 exception of oil and gas, will not be available for leasing.

## 6 7 8 **Management Guidelines - Oil and Gas**

9  
10 **Oil and Gas Leasing.** With the exception of guidelines listed below, the plan defers  
11 decisions regarding leasing for oil and gas to ADNR's existing leasing processes. The  
12 department's statewide policies for oil and gas are found in the Five Year Oil and Gas  
13 Leasing Program. Specific stipulations for oil and gas exploration, development, and  
14 production activities will be developed and applied on a case-by-case basis for each oil and  
15 gas lease sale using the lease sale process.

16  
17 **Siting Facilities.** The siting of onshore facilities, other than roads, docks, or pipeline  
18 crossings, will be prohibited within 500 feet of all fishbearing streams and lakes unless it is  
19 shown to the satisfaction of the director of the Division of Oil and Gas, after consultation  
20 with the Alaska Department of Fish & Game, that the alternative site locations outside this  
21 buffer zone are not feasible or prudent.

22  
23 Additionally, to the extent feasible, the siting of facilities within one-half mile of the banks of  
24 the main stems of the six Recreation Rivers is prohibited. Pipeline crossings must be aligned  
25 perpendicular or near perpendicular to the watercourse.

26  
27 **Seismic Exploration.** The plan defers to existing ADNR seismic exploration permitting  
28 processes. To avoid conflicts with recreation users, damage to sensitive habitats, and to  
29 protect scenic qualities of the rivers, techniques that can occur in winter and that minimize  
30 clearing of vegetation are preferred.

31  
32 **Other Guidelines Affecting Materials.** Several other guidelines may affect materials  
33 extraction. See the following sections of this chapter:

- 34
- 35 Shoreline Development
- 36 Recreation
- 37 Commercial
- 38 General Access
- 39 Upland Access
- 40

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**Materials**

**Goals**

**Material Supplies.** Make materials available for personal use, use incidental to the construction of access, or for habitat enhancement.

**Environmental Quality and Recreation Resources.** When developing material sources, minimize surface disturbance, degradation of water quality, and visual impairment.

**Management Guidelines**

**Restrictions in the Act.** Materials include the common varieties of sand, gravel, rock, peat, pumice, pumicite, clay, and sod. The Recreation Rivers Act authorizes negotiated material sales within the corridors under AS 38.05.115 to provide for personal use and for use incidental to the construction of access or for habitat enhancement. Personal use is limited to 100 cubic yards. Negotiated material sales for non-personal use are limited to 25,000 cubic yards of materials per year. Consistent with the Recreation Rivers Act, negotiated sales to state or federal agencies, political subdivisions, and charitable organizations authorized under AS 38.05.810 may be allowed.

**Location.** If feasible and prudent, material sites outside the corridors should be utilized before developing material sites located within the Recreation Rivers.

**Extraction Below Ordinary High Water.** Material extraction will not be allowed below ordinary high water (OHW) or in the protection area. Exceptions to allow extraction for habitat enhancement may occur for sites identified by ADF&G or to move a minimal amount of materials which may be necessary to provide a flat base for the toe of a structure. Elsewhere in the corridors material sales will be allowed on a case-by-case basis.

**Reclamation.** Reclamation of a material site shall be consistent with state reclamation law. At the discretion of DMLW, a bond will be required of the site developer.

**Existing ADOT/PF Pits.** There are two active ADOT/PF materials sites in the Recreation Rivers. One is a 90-acre site located in T18N, R1E, Sec. 8, on the upper Little Susitna River, off the Palmer-Fishhook Road. The eastern half of this tract has been transferred to ADOT/PF under an Interagency Land Management Transfer (ILMTADL 59287) for an undetermined duration. The second site is located on 1.3 acres on Oilwell Road where the road crosses Kroto Creek. This site is very important to ADOT/PF for maintenance of Petersville Road. ADOT/PF applied for an Interagency Management Land Agreement in 2018.

1 Materials extraction may continue from these sites under the existing authorizations. The  
2 sites will be reclaimed consistent with state reclamation law and ADOT/PF Standard  
3 Stipulations for material sources after extraction is completed. Also see *ADOT/PF Materials*  
4 *Site, Subunit 3c and ADOT/PF Materials Site, Subunit 2f* in Chapter 3.

5  
6 **Other Guidelines Affecting Subsurface Resources.** Several other guidelines may affect  
7 subsurface resources. See the following sections of this chapter:

8  
9       Shoreline Development

10       Upland Access

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## Land Status

### Goals

**Land Retention.** Retain state lands within the Recreation Rivers in state ownership.

**Land Acquisition.** Acquire private lands through purchase, lease, gift, exchange or other means when the parcel could significantly contribute to the public values and uses in the Recreation Rivers.

**Cooperation.** Cooperate between state, federal, and municipal agencies to ensure that land and water within the Recreation Rivers is managed efficiently. Cooperate, at the request of a municipality, in the planning for municipal land adjacent to the Recreation Rivers.

**Authority.** The authority under the Recreation Rivers Act only applies to those lands designated as Recreation Rivers by the legislation (AS 41.23.420(f)).

**Municipal Land.** If a municipality commits land for inclusion in the Recreation River Plan or management, the department will receive the concurrence of the municipality to the management plan proposed as it applies to municipal land. Municipal land not committed by a municipality for inclusion in a Recreation River corridor is excluded from the operation of the plan.

### Management Guidelines

**Retention in State Ownership.** State lands in the Recreation Rivers will be retained in state ownership and will be managed in accordance with the management intent and guidelines intent in the plan.

**Land Acquisition.** Under AS 41.23.460, ADNR may acquire isolated parcels of private land in the corridor by purchase, lease, gift, or exchange. Land may not be acquired for inclusion in the corridors by eminent domain. Private land may be returned to the state or borough through foreclosure, escheat, or other circumstances. ADF&G may use federal-share and matching state funds for land purchases to enhance recreational boating and sport fishing. Land purchased by ADF&G may be noted as OSL (Other State Land) on the status plat and managed by ADNR under an MOU or management agreement. Federally mandated criteria for use of parcels purchased with federal funds must be followed.

It is not the goal of the plan to acquire all private land in the Recreation River corridors. Only land that significantly contributes to the management intent for the Recreation Rivers should be proposed for acquisition. Criteria for identifying and prioritizing potential parcels for acquisition are listed below.

- 1 1. The parcel has been identified in the resource inventory or by a site inspection as  
2 containing unique habitat.
- 3 2. The parcel provides needed access to other state land or water.
- 4 3. The parcel can be used by many members of the public, thereby dispersing user  
5 pressure from other areas or increasing recreation opportunities.
- 6 4. Public ownership of the parcel would preclude uses not consistent with management  
7 intent and guidelines for the Recreation River.

8

9 Parcels should meet most of the following site criteria:

10

- 11 1. Topography and soil are suited to what the parcel will be managed for. For example,  
12 acquiring important wetlands for habitat protection would be consistent with this  
13 guideline.
- 14 2. The parcel should be free of toxic wastes, garbage, and contamination from septic  
15 systems. An environmental risk assessment should be conducted unless the parcel has  
16 had no evidence of prior use or development that may result in the disposal of wastes.  
17 The applicant may be required to collect soil samples and conduct surface and  
18 subsurface water quality tests.
- 19 3. The parcel has no significant erosion or accretion problems that could eventually  
20 render the site unusable or require expensive soil stabilization work.
- 21 4. The site does not include structures or facilities that are not suitable for public use or  
22 are not needed to fulfill the plan's management intent and guidelines.
- 23 5. The site is not surrounded by private land, unless the site will be used for access.  
24 Areas recommended for designation as Recreation Rivers are discussed in Chapter 4.

25

26 **Land Exchanges.** Land exchanges between the state and private landowners may be pursued  
27 to improve access to state lands or to protect important resources. The land exchange process  
28 is lengthy and staff intensive. When the same objective can be achieved through a  
29 cooperative agreement, it is the preferred management tool. Criteria for acquiring new lands  
30 in the corridors through an exchange are described in the previous section.

31

32 **State Selections.** All townships in the Recreation Rivers were selected by the state under  
33 Section 6(b) of the Alaska Statehood Act. Most of this land has been conveyed to the state.  
34 Any selected tracts of land that are available or become available in the future should be  
35 identified and placed on the state's land conveyance priority list (tentative approval) as a  
36 BLM high priority.

37

38 **Classifications.** Consistent with the Recreation Rivers Act and management intent in this  
39 plan, all state lands within the Recreation Rivers shall be classified under categories in  
40 11 AAC 55 as Public Recreation Land, Water Resources Land, and Wildlife Habitat Land.  
41 Borough-owned lands in the Recreation Rivers were classified by the Matanuska-Susitna  
42 Borough Assembly.

1 **Mental Health Lands.** Mental health lands are located on the lower Little Susitna River and  
2 near Talkeetna. These lands are an integral part of two Recreation Rivers and will be  
3 managed consistent with the management intent for the subunits in which they are located.  
4 However, to the extent that the plan conflicts with the Alaska Mental Health Enabling Act of  
5 1956, court decisions, and new state laws, the plan will not apply to Mental Health Trust  
6 lands within the Recreation River corridors.

7  
8 **University Lands.** Under AS 38.04.005(f), the land owned by the Board of Regents of the  
9 University of Alaska is not subject to Chapter 4 statutes of Title 38 which includes planning,  
10 classification, and inventorying processes. This plan does not apply to University lands in the  
11 Recreation River corridors.

12  
13 **Cooperative Agreement.** To ensure efficient and consistent management of lands in and  
14 adjacent to the Recreation Rivers, ADNR may enter into management agreement with  
15 different agencies and municipalities. Also see Chapter 4, *Agency Implementation*  
16 *Responsibilities*.

17

## Heritage Resources

### Goals

**Heritage Resources.** The Alaska Historic Preservation Act establishes the state’s basic goal: to preserve and protect the historic, prehistoric, and archaeological resources of Alaska. This plan will provide management consistent with that goal.

### Management Guidelines

**Site Identification.** Historic and prehistoric resources should be identified by:

1. pre-activity surveys to identify and evaluate sites in areas of high potential or known resources; or
2. surveys conducted by ADNR archaeologists or historians in compliance with the Alaska Historic Preservation Act.

**Site Protection.** Historic and prehistoric sites should be preserved and protected by:

1. review of development plans in the Recreation Rivers for impacts on historic and prehistoric sites;
2. review of permit, lease, and special use applications for impacts on historic and prehistoric sites, or probability of impacts in high and moderate potential areas; and
3. monitoring of known sites for impacts in areas of intensive fishing, camping, or other uses.

**Public Education.** Historic and prehistoric sites should be evaluated for their interpretative value. Where suitable, interpretive signs or board displays may be erected on heritage sites for the purpose of providing public education or to enhance tourism opportunities. Known heritage sites on the Little Susitna River, the mouth of the Deshka River, and the lower Talkeetna River should receive first priority because they have good public access and a high concentration of sites. (See also *Education, Signs* in this chapter.)

**Disturbance or Removal of Heritage Resources.** Per AS 41.35.200, the disturbance or removal of cultural, archaeological, or historical material on state land (including in the Recreation Rivers) is not allowed, unless authorized by the State Office of History and Archeology.

**Iditarod National Historic Trail.** The Iditarod National Historic Trail crosses the following subunits: Lower Little Susitna River (1a), Lower Alexander Creek (6a), and Upper Alexander Creek (6b). The route is located near but is southwest of Alexander Lake (6c) and

1 near but north of Talachulitna River Mouth (5a). The old Skwentna connecting trail crossed  
2 the Lake Creek Mouth (4a) subunit. For exact locations, see the subunits in Chapter 3.  
3 Minimum trail buffers should be 100 feet (50 feet on either side of the centerline). Permits  
4 and leases within the buffer should be designed in consultation with the State Office of  
5 History and Archaeology. Also see *Forestry, and Iditarod Trail*, in this chapter and BLM's  
6 *Iditarod National Historic Trail Comprehensive Management Plan (1986)*.  
7

8 **Other Guidelines Affecting Heritage Resources.** Several other guidelines may affect  
9 Heritage Resources. See the following sections of this chapter:

10

11       Forestry

12       Education

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## Education

### Goals

**Provide Information.** Provide adequate and accurate orientation and direction for visitors.

**Provide for Safety.** Promote safe recreation through informational brochures, programs, and regulations.

**Provide Awareness of Habitat Values.** Promote public awareness of habitat values, the activities which may adversely affect such areas, and potential management actions required to prevent habitat degradation.

**Provide Awareness of Regulations.** Promote public awareness of regulations and permits and the resource values upon which they are based. Also promote public awareness of the diverse opportunities within the Recreation Rivers to reduce conflicts between user groups.

**Landowner Programs.** Design and initiate an educational program on shoreline land-use practices to assist shoreline landowners in safely developing their property and adjacent state lands, while protecting river resources.

**Interpretation.** Provide interpretation services to highlight and explain points of interest such as heritage sites.

### Management Guidelines

**General Education.** Throughout the planning process education was identified by the public as an effective management tool for enhancing recreation opportunities, reducing resource damage, and minimizing user conflicts. To meet these goals, education materials should be developed cooperatively by state agencies, the borough, interested user groups, and other individuals or organizations with relevant expertise. The following education materials are appropriate in the Recreation Rivers.

1. *Public Outreach.* ADNR field staff should be made available to contact users in the Recreation Rivers and make public presentations to user groups. Information displays should be made available for loan to organizations or for special events. Education videos should also be developed and available for viewing by interested groups.
2. *Brochures.* Informational brochures should be developed on subjects relevant to the use and management of the Recreation Rivers. This may include a brochure describing each river. Topics for brochures may include, areawide regulations, boating safety, minimum impact camping techniques, legal access, and land ownership. Efforts should be made to make brochures available in foreign languages.

- 1 Brochures should be made available at boat launches, businesses, and information  
2 offices.
- 3 3. *Kiosks or Bulletin Boards.* Kiosks or bulletin boards displaying information on the  
4 Recreation Rivers should be established at key entry and exit points, and at developed  
5 facilities within or adjacent to the Recreation Rivers.
- 6 4. *Signs.* The use of signs as a management tool or for public education should be  
7 minimized in Class I areas, and elsewhere in the Recreation Rivers. Other than signs  
8 on roads, signs should be constructed of natural materials, particularly in Class I  
9 areas. Signs should be used judiciously for identifying management area boundaries,  
10 important heritage sites, safety hazards, regulations, and other important public  
11 information as determined by the department and other public agencies. The  
12 placement of signs on state lands shall be restricted to those placed by the state and  
13 other public agencies, or required by agencies, such as legal descriptions on mining  
14 claims, or a land use permit posted on a temporary camp. Commercial, “no  
15 trespassing,” and other private signs are prohibited on state lands within the  
16 Recreation Rivers. However, “no trespassing” signs may be allowed on active mining  
17 locations or safety signs for improvements under state authorization. (See *Subsurface*  
18 *Resources, Public Access Across Mining Claims.*)  
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20 The DMLW director may authorize the use of other signs, under permit, for non-profit or  
21 other groups serving a public purpose, if the use is consistent with the management of the  
22 subunit. Also see *Shoreline Development, Other Types of Buoys.*  
23

24 **Other Guidelines Affecting Education.** Several other guidelines may affect education  
25 issues. See the following sections of this chapter:  
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27 Shoreline Development  
28 Recreation  
29 Boat Access  
30 Subsurface Resources  
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## Enforcement

**Public Concerns.** Throughout the planning process, the public stated that enforcement should be a high priority. They thought that many of the problems in the Recreation Rivers could only be addressed through a combination of better education and enforcement (education needs are described in the previous section). The public cited a number of areas where enforcement was needed including: littering, long-term camps, abandonment of property, intoxication, and reckless operation of boats.

**Citation Authority.** The Recreation Rivers Act grants the commissioner authority to designate peace officers to enforce provisions of the act under AS 41.23.440(b). 11 AAC 09.050 establishes the procedure for dealing with a person's noncompliance with activity restrictions described in this plan.

ADNR should seek statutory authority and draft regulations which provide citation authority to DMLW so the plan can be fully implemented. Until this occurs, DMLW should work with the Alaska Department of Public Safety to address the public concerns described in the above section. Also see *Other Recommendations, Enforcement* in Chapter 4.

**Other Guidelines Affecting Enforcement.** Several other guidelines may affect education. See the following sections of this chapter:

- Recreation
- Commercial
- Boat Access
- Education

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