

Trails and Public Access

Goals

Public Use Opportunities. Ensure adequate opportunities for summer and winter public use of important recreation, public access, and historic trails of regional and statewide significance. Also provide for future trail and access needs.

Local Trails. Assist in establishing local trail systems that provide access to community recreation areas.

Trail Corridors. Protect or establish trail corridors to meet projected future use requirements as well as protecting current use.

Management Guidelines

I. General

- A. Retain Access.** Improve or maintain public access to areas with significant public resource values by retaining access sites and corridors in public ownership, by reserving rights of access when state land is sold or leased, by acquiring access, or by managing rights-of-way through Revised Statutes Section 2477 (RS 2477). Generally, section line easements should not be vacated unless reasonable alternative usable access can be established.
- B. Public Use of Trails.** DNR should keep trails available for public use. DNR should not authorize land uses that foreclose the ability of the public to use important trails. If a land use authorization is issued that blocks a public access route, an alternate route should be identified and established prior to the authorization. On occasion, there are trail routes, designs, or areas where a trail authorization is not appropriate because of potential resource damage, sensitive habitats, or public safety concerns.
- C. Adequate Access Rights.** Where practical and within the limits of available funding, full public rights of access should be provided when roads and trails are constructed by state or local governments. Easements should be acquired and recorded when the state acquires access rights across property in other ownerships.
- D. Limiting Access.** Developed access to public lands may be curtailed to protect public safety, to allow special uses and to prevent harm to public resources. Examples of conditions that may justify limiting public access are fire management, timber harvest operations, and high soil moisture content when traffic may cause extensive damage to roads and trails.
- E. Off-Road Travel.** Authorization for cross-country travel across sensitive tundra, wetlands, or other surface susceptible to damage should be directed toward appropriate existing trails

and roads. Appropriate trails are defined as having similar widths to the proposed mode of transportation. If no hardened trails exist, DNR should authorize transport only in winter when there is adequate ground frost or snow cover or both. This kind of authorization is usually for one-time use only, for example, for moving machinery. If the authorization is for one-time use, additional clearing that results from larger vehicle use on the trail will be discouraged. See *11 AAC 96* for Generally Allowed Uses and conditions for those uses. www.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query

F. Off Road Vehicle Management and Potential Special Use Areas. If there is significant damage to wetlands, stream banks, and other areas with poorly drained soils, or erosion and wildlife disturbance or displacement, mitigation measures should be considered. Such measures would include stabilization, such as hardening or corduroying. Other possible methods of addressing trail damage are to install educational road signs, develop a trail management plan (through acquisition of grant money), and work through cooperative agreements with other land-owners and interested groups. If these methods are not feasible, it may be appropriate for DNR to designate certain state lands within the planning area as “Special Use Lands” under *11 AAC 96*. A Special Use Lands designation that addresses trail issues may be established after mapping existing trails and analyzing trail use.

The following guidelines would be considered in the development of a Special Use Lands designation. See *11 AAC 96*.

1. DNR will map trails and designate certain trails for off-road vehicle (ORV) use. ORV trails would be designated based on their ability to support year-round ORV use without damage to public resources and the need for public access.
2. Standards may be established for Special Use Lands that specify when snow cover is sufficient to prevent damage to surface vegetation and when travel off designated trails is allowed.
3. When snow cover is not sufficient to prevent damage to surface vegetation, off-road vehicle use would be allowed only on designated trails or by permit.

II. Corridor Widths and Uses

Corridors should be designed to protect the quality of the experience of the user and to minimize negative effects, such as noise or dust, from adjacent land uses. Corridor widths may be increased to include a buffer to minimize land use and ownership conflicts, to protect privacy of adjacent landowners, to separate motorized from non-motorized uses, to allow future siting of public facilities, to allow flexibility for rerouting, or to adapt a trail to allow specific public uses or aesthetic or environmental concerns. Corridor widths may vary along the length of a trail because of the above considerations. The width of a corridor on any portion of a trail should also be based on the management intent for adjacent public land as expressed through applicable land use plans. (See *Regulations 11 AAC 51 Public Easements*.)

A. Corridors for Standard Trails. Trails of regional or statewide significance, including RS 2477 trails, on state land will be protected by publicly owned corridors that have a minimum width of 100 feet (50 feet each side of centerline). However, in no case should the width of the corridor be less than 100 feet. Local groups or users are encouraged to maintain existing

trails. Trail corridors should be designed in consultation with affected divisions of DNR, ADF&G, and DOT/PF. Activity areas of 10-40 acres may be identified along trails for activities such as camping areas and rest areas.

B. Corridors for Special Trails. Some trails require unusual widths or management practices because of historical significance or unique values. Management guidelines should be developed for such trails on a case-by-case basis. As a general policy, special trails will be protected by publicly owned corridors. These corridors will generally be wider than the 100-foot minimum trail corridor width (50 feet each side of centerline) established for standard trails.

C. Corridors for Neighborhood and Community Trails. Local trails that are not of regional or statewide significance will be identified and protected through management plans or disposal design. The following criteria should be used to determine whether a local trail should be protected by easement or public ownership.

1. If the local trail serves as a neighborhood collector trail that connects to a public open space system or a regional statewide trail and is identified prior to staking for sale, it will be kept in public ownership.
2. Use by Neighborhood Residents. If the trail is to be used mostly by neighborhood residents for their own use, it should be dedicated to the public or local government.
3. Local Pedestrian Access. If the objective is to provide local pedestrian access that is not part of an integrated neighborhood or community trail system, an easement may be used. This would typically occur when the purpose is to establish access between two lots in order to improve pedestrian circulation within the subdivision where a greenbelt and neighborhood trail system does not provide adequate access or where it is impractical to establish such an integrated trail system.
4. Buffers and Easements. In cases of land disposals where lots are not pre-designated, either a publicly owned corridor or an easement will be used to protect designated trails. If a trail has the characteristics described in 1 or 2 above, it will be retained in public ownership. If it has the characteristics described in 3 above, an easement will be reserved.

D. Land Use in Trail Corridors. Land use activities within a trail corridor, such as, permits, leases, timber sales, traplines, and material sales, should be managed to avoid adversely affecting trail use over the long term or the aesthetic character of the trail. This does not preclude trail crossings or rerouting of trails as described below.

III. Location and Construction of Trails or Roads

A. Trails in Wetlands. DNR may authorize trails across wetlands if it is determined that the proposed activity will not cause significant adverse impacts to important fish and wildlife habitat, important ecological processes, or scenic vistas, a feasible and prudent alternative does not exist, and it is determined to be in the state's best interest. A trail across a wetland may be restricted to winter use only.

Easements and rights-of-way that are issued for motorized vehicle use in summer that will not use fill should follow well-drained routes and be located away from riparian zones and wetlands wherever possible. ADF&G will be consulted to provide recommendations on easement alignment to avoid wetlands and sensitive wildlife habitats. The intent of this guideline is to avoid motorized vehicle use across wetland areas that could result in paralleling trails that eventually extend outside the easement. This in turn could result in damage to wetlands and the unauthorized use of state land.

- B. Identification of Trails.** Prior to lease or disposal of state lands, trails that merit protection by one of the methods described above should be identified and reserved. The Division of Mining, Land and Water will be the lead agency for identification of trails and will consult with the other divisions of DNR, DOT/PF and ADF&G. In addition, any agency, organization, or individual may identify public trails to be considered for protection.
- C. Trail Crossings.** When it is necessary for powerlines, pipelines, or roads to cross trail corridors, crossings should be perpendicular whenever feasible. An exception is when a trail corridor is deliberately combined with a public utility or transportation corridor. Where feasible, vegetation screening should be preserved when a utility crosses or co-locates within a trail corridor.
- D. Rerouting or Vacation of Trails or Easements.** Rerouting trails for a short distance may be authorized to minimize land use conflicts or to facilitate use of a trail if alternate routes provide opportunities similar to the original. If trails are rerouted, provision should be made for construction of new trail segments if warranted by type of use. Historic trails that follow well-established routes should not be rerouted unless necessary to maintain trail use. The sections of trails that have been rerouted and are no longer intended for use should be rehabilitated.
- E. Trailhead Reservations and Information Signs.** Sufficient acreage for trailheads should be retained in public ownership to accommodate public access need, safety requirements, and provide for expected recreational use. The size and location of trailheads should be determined in consultation with ADPDR, ADOT/PF, and ADF&G. These trailheads should be marked, especially the ones adjacent to or near private property to prevent trespass problems.

Non-profit user groups, ANCSA Corporation landowners, and federal and state agencies are encouraged to provide information about land ownership, access, and allowable uses on lands owned by the various entities.

- F. Section-line Easements.** AS 19.30.400 is the statute governing RS 2477 rights-of-way. Additionally it applies to section-lines that are 33' or 66' wide, and to the inner part of some wider section-line easements. Section-line easements and RS 2477 rights-of-way are public access easements managed by DNR. Regulation 11 AAC 96 sets out permit requirements for various uses on state land, including state-owned easements along surveyed and unsurveyed section lines and RS 2477 rights-of-way across state land. Access-related activities that require a DNR permit include road construction, use, and transportation of heavy equipment.

G. Upgrading Trails to Roads or New Construction of Roads. Construction of either a new road or upgrade of an existing trail may be approved after consideration of the guidelines above. Forest road standards are used as guidelines. Higher construction standards may be needed for site-specific projects and conditions.

H. Management of RS 2477 Routes Across Non-State Land. The Department of Natural Resources has the management authority of all RS 2477 rights-of-way regardless of land ownership under AS 19.30.400. The department requires an authorization for use or development on a public easement that would either displace or preclude a traditional means of access. The Department will provide notice and a comment opportunity before a decision is rendered regarding the proposed activity on the easement. A survey will be required for new access construction across non-state land unless the location of the public easement is clearly determined and if a dispute does not exist regarding whose land the easement crosses. A state authorization is not required on a valid RS 2477 right-of-way for those uses that are generally allowed on state land. (See *11 AAC 51.100 (e-j)*).

Rerouting of trails should be done in consultation with DNR. An easement or RS 2477 right-of-way may be rerouted or vacated, according to 11 AAC 51.065, if a reasonably comparable, established alternate right-of-way or means of access exists that is sufficient to satisfy all present and reasonably foreseeable uses.

Width determinations have not been made on most routes. Therefore, any user should proceed as if the right-of-way width is confined to ditch-to-ditch width until a width determination is made following additional research. Furthermore, the exact location of the RS 2477 right-of-way may be unclear if the route has not been surveyed.

I. Roads in Wetlands. Summer use roads that do not use fill shall be located away from riparian zones and wetlands to discourage the formation of parallel trails and very wide river crossings. DNR may authorize construction of trails or roads across wetlands if it is determined that the proposed activity will not cause significant adverse impacts to important fish and wildlife habitat, important ecological processes, or scenic vistas. The department will write a decision that considers alternatives and whether the proposed activity is in the state's best interest.

J. RS 2477 Trails in the Upper Yukon Planning Area. There are many RS 2477 trails in the planning area. For the most part, these trails are indicated on the plan maps where scale allows. During the RS 2477 Project conducted by DNR, hundreds of trails throughout the state were researched to identify which trails would qualify as RS 2477 rights of way. A case file number (RST prefix) was assigned to each trail that was researched. Further information regarding the RS 2477 Project can be found at www.dnr.state.ak.us/mlw/trails. Trails in the planning area that qualify as RS 2477 trails include the following:

RST 10	Chicken-Franklin
RST 11	Eagle-Alder Creek Trail
RST 67	Eagle-Circle Mail Trail
RST 78	Fortymile-Franklin
RST 130	Lillywig Creek Winter Sled Road

RST 159 Lillywig Creek Summer Pack Trail
RST 258 Dome Creek-Steel Creek
RST 260 Canyon Creek-Walkers Fork
RST 284 Franklin-Steele Creek
RST 302 Liberty Cabin-Dome Creek
RST 379 North Fork of Fortymile-Big Delta
RST 391 Tanancross-Kechumstuk
RST 409 Jack Wade-Steele Creek (Winter)
RST 410 Jack Wade-Steele Creek (Summer)
RST 421 Ketchumstuk-Chicken
RST 656 Dennison Fork Trail
RST 465 Fortymile Dome–Boundary Creek
RST 787 Teddy’s Fork Trail
RST 789 Ketchumstuk Winter Trail
RST 792 Boundary-Lassen Landing
RST 797 Napoleon Creek Trail
RST 803 Trout Creek Trail
RST 1065 Jack Wade Landing-Boundary
RST 1594 Fortymile Station-Eagle
RST 1801 Lost Chicken to Wall Street
RST 1832 Chicken–Fish McKinley Creeks
RST 1854 Ladue River Trail
RST 1871 Steele Creek–Fortymile (U.S. / Canadian Boundary)
RST 1883 Walker Fork–Davis Creek–Border
RST 1891 Mission Creek Trail
RST 1892 Fortymile Station–Eagle: Government Supply Route
RST 1903 Poker Creek Trail
RST 1921 Washington Creek Trail

K. Other Trails in the Upper Yukon Planning Area. In addition to RS 2477 trails, there are many other trails in the planning area. For the most part, these trails are indicated on the plan maps where scale allows.

L. Other Guidelines Affecting Trails and Public Access. Other guidelines may affect trails and public access. Sections in this chapter that should also be referred to include but are not limited to:

- Fish and Wildlife Habitat and Harvest
- Forestry
- Materials
- Settlement
- Stream Corridors, Shorelands and Instream Flow
- Subsurface Resources
- Transportation
- Trapping Cabins