

CHAPTER 3

MANAGEMENT POLICIES FOR REGIONS, MANAGEMENT UNITS, AND NAVIGABLE WATERBODIES

Introduction.....	1
How this Chapter Presents Information and Management Policy	1
Information Regarding Land Use Designations.....	2
Land Use Designations Used In This Plan.....	4
Information Regarding Management Intent.....	6
Duration and Flexibility of the Plan.....	7
Glossary.....	8
Map - Planning Area and Regions.....	9
Region 1 : Middle Fork.....	11
Regional Summary	11
Management Intent for Region 1	14
Resource Allocation Summary for Region 1 : Middle Fork	16
Map - Region 1 : Middle Fork.....	17
Region 2 : North Fork.....	19
Regional Summary	19
Management Intent for Region 2	24
Resource Allocation Summary for Region 2 : North Fork.....	27
Map - Region 2 : North Fork.....	33
Map - Eagle Inset	35
Region 3 : South Fork.....	37
Regional Summary	37
Management Intent for Region 3	40
Resource Allocation Summary for Region 3 : South Fork.....	42
Map - Region 3 : South Fork.....	45
Map - Mount Fairplay Inset.....	47
Region 4 : Walker Fork.....	49
Regional Summary	49
Management Intent for Region 4	54
Resource Allocation Summary for Region 4 : Walker Fork	58
Map - Region 4 : Walker Fork	67
Map - Boundary Inset.....	69
Map - Chicken Inset	71
Map - Jack Wade Junction Inset.....	73
Navigable Waterbodies.....	75

CHAPTER 3

MANAGEMENT POLICIES FOR REGIONS, MANAGEMENT UNITS, AND NAVIGABLE WATERBODIES

Introduction

This chapter provides land management policy for each of the four regions, navigable waterbodies, and over 40 management units in the plan area. The narrative and tables in this chapter also describe resources and uses on state lands. Land management prescriptions in this plan do not apply to non-state lands.

How this Chapter Presents Information and Management Policy

For each region, the following elements are used to provide information and establish management policy:

1. Regional Summary

Describes the location, land ownership pattern, acreage, physical features, access, resources and uses for each region. This section also provides a summary of management constraints and considerations based on existing plans, legislative designations, and other issues that significantly affect the management of state lands.

2. Management Intent

Management intent is established at various levels of specificity and geographic context. This element provides management intent for the entire region, certain areas within the region, and groups of management units within the region.

3. Resource Allocation Summary Tables

Provides information and establishes management intent at the management unit level. These tables have columns that provide the following for each unit:

Unit Number - Where resources, uses, or special characteristics of a certain area of land warrants special attention, a management unit is created, and a number is assigned for each unit. Unit numbers have a letter prefix that is common among management units that are in the same vicinity or region (for example, "C-01," "C-02" for units in the

vicinity of Chicken).

Unit Location / Unit Name - Each unit has a name that provides a brief description or general location.

Designations - These two-letter land-use designations indicate the primary and co-primary uses and resources for each unit. Land use designations are described in more detail later in this chapter. With very few exceptions, this plan only uses a primary designation in order to identify the principal theme of state land management and to minimize confusion in interpreting this intent.

Acreage - The approximate acreage of each unit is listed in this column. The acreages for smaller management units were taken from surveys, patents and plats. The acreages for larger management units were calculated from maps developed in the GIS mapping program.

Management Intent - Provides guidance to land managers and the public regarding the use of land within each unit.

Other Resources and Uses - This column describes the resources and uses that currently exist within the unit. Where applicable, additional information is provided.

4. Maps of Regions and Management Units

Maps for each region show unit numbers for each unit. Note that some of the roads and trails shown on these maps do not have legal public access.

The maps in this chapter are not legal documents and only represent generalized land status. They are a graphic representation of official state and federal land records, current to January of 2003. For complete information, refer to the official records of the Department of Natural Resources, the U.S. Bureau of Land Management, and Doyon, Ltd. The official government records are located in their respective public information offices and on the web. Consult Doyon, Ltd. for the most current land status pertaining to their holdings.

Certain lands within the planning area were withdrawn by the federal government through Public Land Orders (see the *Federal Public Land Orders* section in Chapter 4). These orders are listed on the maps for the four regions. For more specific information on the location of these Public Land Orders, refer to the federal Master Title Plats published by the Bureau of Land Management, and available online at: <http://www.dnr.state.ak.us/cgi-bin/Iris/landrecords>.

Information Regarding Land Use Designations

Primary Designated Uses (also called *Primary Designations*) help determine how best to manage state lands, how uses will be authorized, and which uses may or may not be authorized. Primary designated uses are applied to state lands and identify uses or resources that are of

major importance. These lands will be managed to encourage these uses and their conservation or development. The designations are based on resources or uses listed by unit in the Resource Allocation Summary Tables in this chapter.

Under AS 38.05.300 and 11 AAC 55.010, all designations are intended for multiple use. Uses other than those receiving primary designations for a given unit may still be authorized if they are not incompatible with the primary uses or resources for which a unit is designated. If DNR determines that a proposed use is incompatible with a primary designation, the proposed use will not be authorized, or will be authorized in a manner that minimizes the incompatibility. Activities exempt from this guideline include *Generally Allowed Uses* listed under 11 AAC 96.020. Primary designated uses cannot take precedence over disposals of interest that have already occurred. Such disposals include property rights such as mining leases, land leases, and rights-of-way that, once issued, are protected by the Constitution. A primary designation, however, may take precedence over uses authorized by permits that were issued on a revocable-at-will basis.

When the plan assigns a designation to a unit, the designation is accompanied by region-wide management guidelines and by management intent specific to that unit. These three pieces of information (designations, management guidelines, and management intent) promote the most beneficial use(s) and set conditions for allowing non-designated uses. Further explanation of management guidelines and management intent follows in this chapter.

The acreage of land under each of the various land use designations applied in this plan and their corresponding land classifications is summarized in Chapter 4, Implementation and Recommendations. Land use designations must be converted to land classifications under Alaska statute.

Co-designated Uses

Where a unit has two or more designated uses, DNR will avoid or minimize conflicts between designated uses by applying the management intent statement for the unit, areawide guidelines found in Chapter 2, statutes, regulations, and procedures.

Designations Are Based on Resource and Use Inventories

The best available information has been analyzed and mapped for the following resources and uses:

- fish and wildlife habitat and harvest;
- recreation areas and facilities;
- mineral potential and material sites;
- access and transportation; and
- heritage resources.

Land Use Designations Used In This Plan

General Use

Gu Land that contains one or more resource values, none of which is of sufficiently high value to merit designation as a primary use, or, because of the size of the management unit, a variety of uses can be accommodated with appropriate siting and design considerations. General Use may also apply where there is a lack of resource, economic, or other information with which to assign a specific land use designation, and/or the lack of current demand implies that development is unlikely for the duration of the plan. Uplands in this classification are available for conveyance to municipalities unless stated otherwise in the unit's management intent, but cannot be sold to individuals. Areas not specifically identified with a designation on the Plan Maps; not otherwise classified in this plan; or that are acquired by the state subsequent to the approval date of this plan, are designated General Use. Shorelands are not available for conveyance.

Habitat

Ha This designation applies to areas of varied size for fish and wildlife species during a sensitive life-history stage where human disturbance or alteration of the habitat could result in a permanent loss of a population or sustained yield of a species. This land will remain in state ownership.

Mining

Mn A resource designation for Mining generally is not applied as a surface land use designation. The problems in locating and measuring subsurface resources make it difficult and misleading to apply this category in the same way designations are used for surface resources, such as timber. However, a primary surface designation of Minerals is used where intensive mineral exploration or development is currently taking place or is highly likely in the near term (5 to 10 years). The Department's policy for mineral development is determined by whether the management unit is open or closed to new mineral locations. All state land is open for new mineral locations except where previously closed under AS 38.05.185.

Public Facilities - Retain

Pr These sites are reserved for a specific infrastructure to serve state interests. These management units are classified Reserved Use Land and are not selectable by municipalities under state law (except under AS 38.05.810), and may not be sold to individuals.

Public Recreation -Undeveloped

Ru This designation applies to those areas that offer or have a high potential for dispersed recreation or tourism and where desirable recreation conditions are scattered or widespread rather than localized. Developed facilities are generally not necessary other than trails, trail signs, primitive campsites, and other minor improvements. Land in this designation may be conveyed to municipalities depending on the unit's management intent and the relative value of the recreation resources for which the unit was designated. These lands cannot be sold to individuals.

Resource Management - High Value

Rh Land that may have a number of important resources but a specific resource allocation decision is not possible because of the lack of information; or an allocation decision is not necessary at this time even though the unit may have two or more potential uses that may or may not conflict. Management units with this designation cannot be sold to individuals. They can, however, be conveyed to a municipality unless the unit's management intent states otherwise.

Settlement

Se Uplands suitable for sale, leasing, or permitting of state lands to allow private recreational, residential, commercial, industrial, or community use. This designation will generally be used for areas appropriate for land offerings for residential or residential and commercial uses. Unsettled or unsold land in the unit will be managed for uses compatible with settlement. This may include uses such as selling additional lots, laying out new subdivisions, Native allotment reconveyances, identifying greenbelts through subdivisions, reserving materials sites for subdivision roads and building lots, placing easements on access routes, or reserving lots for community facilities and open space. This land may be conveyed to municipalities.

Settlement-Commercial

Sc This designation applies to uplands suitable for sale, leasing, or permitting of state lands to allow private commercial, industrial, recreational, or community use. This designation will generally be used for areas appropriate for land offerings for industrial or commercial uses. Unsettled or unsold land in the unit will be managed for uses compatible with eventual commercial or industrial activities. Areas designated Settlement-Commercial should be closed to mineral entry prior to sale. This land may be conveyed to municipalities.

Mineral Entry

Where a management unit is open to new mineral location and has a primary surface designation, such as wildlife habitat or public recreation, the surface designation will not be construed to automatically prevent mineral development. All lands in the planning area are open to mineral entry. DNR area plans usually do not apply mineral resource designations to large areas. The problems in locating and measuring subsurface resources make it difficult and potentially misleading for this plan to apply designations for subsurface resources in the same way they are applied to surface resources.

DNR proposes to subject certain limited areas to leasehold location where significant conflicts could occur between mining activities and wildlife or settlement. The plan includes Mineral Leasehold Location Order 28 to protect mineral licks, affecting portions of land throughout the planning area, particularly in the Middle Fork Region (see *Appendix B*). It also includes Mineral Leasehold Location Order 29 for settlement units in the Walker Fork Region (see *Appendix C*). Chapter 2, *Subsurface Resources*, also includes additional guidelines and a summary of mining and reclamation regulations and statutes as well as a description of the Leasehold Location Orders.

Information Regarding Management Intent

The plan can provide management guidance for a resource without designating it. For example, the plan may address the resource by providing management intent for a specific area or areawide guidelines. In addition, other state, federal, or local regulations will determine the conditions for using undesignated resources.

In some cases, the management intent for a unit discourages specific uses because these uses may create conflicts with designated uses. In this plan, only a few discouraged uses are identified. Discouraged uses may be allowed if DNR determines that the use does not conflict with the management intent, designated uses, and the management guidelines. Discouraged uses include activities that should not be authorized or will not be allowed if there are feasible and prudent alternatives. If DNR determines that the discouraged use conflicts with the management intent or designated uses, and cannot be made compatible by following the management guidelines, DNR would allow it only through a plan amendment.

The plan also identifies prohibited uses. These are uses that have significant conflicts with other uses or resources and will not be permitted without a plan amendment. Prohibitions are rare, because the plan seeks to minimize land use conflicts through plan guidelines and intent rather than through prohibitions.

Management intent statements for each unit refer only to management of state land. While these statements accommodate certain proposed uses on state lands, there is no guarantee that other regulatory agencies will issue permits necessary for the proposed use. All proposed development uses referenced in the plan's management intent statements are assumed to employ best management practices in siting and operating the proposed use.

Conveyance to Municipalities or Retention in State Ownership

New cities or boroughs may be formed during the planning horizon. Certain land use designations, by definition, allow land to be sold or conveyed to municipalities under the municipal entitlement program. Other land use designations and classifications require DNR to retain lands in state ownership.

Land use designations and classifications are general indicators of whether land should be retained in state ownership, or made available for conveyance to municipalities. In this plan, areas affected by the Habitat and Public Facilities – Retain designations are required to be retained by the state. However, some management units have management intent that precludes conveyance even though the designation and classification might otherwise allow conveyance. These include units under management, or proposed for management, by another state agency or division within DNR, such as the Department of Transportation and Public Facilities, Division of Forestry or the Department of Fish and Game. In addition, certain lands with Resource Management – High Value or General Use designations that would otherwise be available for conveyance to municipalities may be retained. When this occurs, the management intent and management guidelines pertinent to those lands specify this action. In no case can

DNR convey the mineral estate to municipalities or individuals. Shorelands must also be retained in state ownership.

Shorelands

DNR will provide reasonable access across state shorelands to upland owners. Upland access across state shorelands, including developed access facilities, may be allowed within all land use designations where DNR determines the proposed facilities are consistent with the management intent and applicable guidelines of the plan. Shoreland designations do not give the public access rights to adjacent private uplands. See the *Navigable Waterbodies* section at the end of this chapter for an explanation of the *Public Trust Doctrine*.

Management Guidelines

Most state lands will be managed for multiple uses. Exceptions are lands that will be offered for private lease or ownership, and recreation sites that are less than 640 acres. The plan establishes management guidelines that allow various uses to occur without serious conflicts. Management guidelines can direct the timing, amount, or specific location of different activities to make the permitted uses compatible. For example, the plan provides guidelines that land disposals must be designed to protect public access and recreational opportunities.

Duration and Flexibility of the Plan

This plan guides land uses for the next 20 years, subject to periodic reviews, for areas with designations involving settlement, industrial or commercial uses, or other forms of economic or community development. The area plan is intended to guide the management of land within these areas until the plan is formally revised. In some instances, areas designated General Use may not be appropriate for development for the duration of the plan, and this is indicated in the management intent language.

The land-use designations shown on the maps in this chapter are intended to allow some degree of flexibility. DNR may permit uses not originally designated if DNR determines they are consistent with the management intent for the unit and consistent with applicable management guidelines.

This plan will not provide direct answers to many of the site-specific issues frequently encountered by state land managers. The plan can, however, clarify the general management objectives for the area and thereby provide the basis for more informed decisions.

Boundaries of land-use designations shown on the following maps may be modified through implementation activities, such as site planning or disposal, as long as modifications adhere to the intent of the plan and follow the procedures described in Chapter 4 under the section *Procedures for Plan Changes*.

Glossary

Definitions of terms used frequently in the plan are found in the *Glossary, Appendix A*.

Map - Planning Area and Regions