

## TRAILS AND ACCESS<sup>13</sup>

### Goals

**Public Use Opportunities.** Ensure adequate opportunities for 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 public land and water and community facilities.

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

### Management Guidelines

**A. 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, 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.

**B. Trails near 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. ADFG 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.

**C. Off-Road Transportation.** Authorization for cross-country travel 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

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<sup>13</sup> Also see the *Transportation and Utilities* section in this chapter.

authorization is usually for one-time use only, i.e., for moving machinery. If the authorization is for one-time use, additional clearing that will result in additional larger vehicle use on the trail will be discouraged.

**D. Iditarod National Historic Trail (INHT).** This trail crosses the planning area between Turnagain Arm and Seward. It crosses National Forest, state-selected, state, and borough lands. Management and development of this route and adjacent lands should be consistent with the guidelines set in the Comprehensive Management Plan for the INHT. Memoranda of Understanding (MOU) exist between BLM and the State of Alaska as well as between BLM and the borough. These MOUs commit the partners to the cooperative management philosophy and specific objectives of the Comprehensive Management Plan.

When DNR conveys lands or issues authorizations along the INHT, the authorization or conveyance will be subject to the route (or alternate route) and a buffer along the route that ensures continuous trail links along the INHT. The route will be protected by a 1,000-foot-wide corridor (500 feet on each side of the centerline). This corridor width is the same as the easement reserved by BLM and the US Forest Service before land was patented to the state. This width allows flexibility to reroute the trails within the corridor, separate motorized and non-motorized uses on individual trails within the corridor, and includes a visual and sound buffer between the recreation corridor and adjacent uses. To minimize potential land use conflicts or the impact of the trail's existence on adjacent land uses, the corridor width may be expanded or reduced. These width adjustments, as well as rerouting of the trail corridor, may be permitted in specific instances with the consultation of the KPB.

The intents of the guidelines above are not necessarily to protect the fidelity of the original INHT route, as much as to provide a suitable route that captures the idea of a continuous trail between Seward and Turnagain Arm. The trail corridor width may be reduced to a minimum width of 400 feet where the adjacent land use would not adversely affect the trail experience. A wider corridor may also be desirable in certain instances to incorporate high-quality adjacent-land features and scenery or to buffer the impacts from adjacent land uses including high-density residential, industrial, or commercial uses.

No permanent structures or equipment should be placed within the trail corridor if they could adversely affect the trail experience unless the management intent for the unit specifically allows for it. Where necessary, trail crossings may be permitted to allow access to lands on both sides of the trail. In addition, historically significant structures along the Iditarod Trail should be considered when issuing authorizations. The Office of History and Archaeology has listings in their Alaska Heritage Resource System for historic structures that should be considered.

For some lands that were conveyed to the state early in the conveyance process, the USFS does not have an easement along the Iditarod Trail. Sites and segments of the trail on state land should be included in the INHT through cooperative agreements with USFS as soon as possible. In addition, missing links in the easements for trails that provide access to the INHT should be added. When considering authorizations and conveyances along the INHT, DNR will work with

the KPB Trails Commission and USFS to identify and protect connecting trails through easements and other means.

**E. Neighborhood and Community Trails.** The following criteria should be used to determine whether a local trail should be protected by easement or public ownership:

1. If the trail is of regional or statewide importance, connects to a public open space system, provides access to publicly owned land or major waterways, connects or continues existing trail easements, or provides alternative transportation, it will be kept in public ownership. If conveyed to a municipality, an easement or other alternate reasonable legal access route will be reserved for public access. Agencies, organizations and individuals are encouraged to identify public trails to be considered for protection. Trails of statewide importance are defined as those that are included in hiking guidebooks, and trails of regional importance are defined as popular local trails, for example, many trails in Cooper Landing.
2. If the trail is to be used almost entirely for local use or by residents of a subdivision, but it provides more than just pedestrian access, for example, if it provides a multiple-use greenbelt for uses such as jogging, biking, public access should be reserved through an easement or other alternate reasonable legal access route. Trails of local significance will be identified when conveyance, leasing, or conveyance less than fee simple are considered.
3. 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 a 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. In cases of other authorizations on state lands, either a publicly owned buffer 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 conveyed to a municipality, an easement or other alternate reasonable legal access route will be reserved for public access. If the trail has the characteristics described in 3, an easement will be reserved.

**F. Standard Trail Corridor of Regional or Statewide Significance.** This category includes the majority of trails on state land that are identified in area or management plans. These trails generally provide foot, dogsled, horse and snowmachine access for a variety of purposes. Most have a history of public use and can be expected to see increased use as the state's population increases. The following guidelines are intended to ensure consistent management practices on trails on state lands in the planning area while allowing some flexibility to tailor management decisions on site specific conditions.

**G. Trail Buffer Width.** Trails of regional or statewide significance on state land shall be protected by a publicly owned corridor or easement that has a minimum width of 100 feet (50 feet each side of centerline). This buffer 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. Buffer widths may be increased to minimize land use and ownership conflicts, to protect the 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 provide for specific public uses or to address aesthetic or environmental concerns. Buffer widths may vary along the length of a trail because of the above considerations. The width of a buffer 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. However, in no case should the width of the buffer be less than 100 feet. Timber management may be authorized within these buffers in order to maintain the trails and reduce trail maintenance costs, to salvage beetle-killed timber, and to reduce further death of trees along trails. Closing access to four-wheelers at the time of timber harvest should be considered. Local groups are encouraged to maintain existing trails. Trail buffers should be designed in consultation with affected divisions of DNR, ADFG, DOT/PF and the KPB Trail Commission.

**H. Identification of Trails.** Prior to lease or disposal of state lands, trails that merit consideration for protection by one of the methods described above should be identified and reserved. When identifying trails, the KPB, DNR Kenai Easement Atlas (1993) and DNR Status Plats should be consulted. In addition, any agency, organization or individual may identify public trails to be considered for protection.

**I. Land Use in Corridors.** Land use activities within a trail corridor (for example, permits, leases, timber sales and material sales) should be managed so as to not adversely affect 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. Any timber harvests occurring in USFS trail easements should be planned in consultation with USFS to provide safe access, avoid erosion, and minimize damage to trails and impacts on uses.

**J. Rerouting Trails.** Rerouting of trails for a short distance may be permitted 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 which follow well-established routes should not be rerouted unless necessary to maintain trail use. The sections of trails that have been re-routed and are no longer intended for use should be rehabilitated. In many areas on the Kenai Peninsula, old survey lines have been used as all-season trails, even where the line traverses wetlands. Survey lines used as trails in the summer that cross wetlands may be closed and the trail may be diverted to other routes to minimize harm to wetlands.

**K. Seward Highway Scenic Byway.** See the *Seward Highway Scenic Byway* guideline under the *Public Recreation and Tourism* section in this chapter.

**L. 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 DPOR, DOT/PF, and DFG. These trailheads should be marked, especially the ones adjacent to or near private property to prevent trespass problems.

Although the Division of Mining, Land and Water does not have the means to maintain information signs at trail heads, the lack of information about land ownership is a problem. Other groups and agencies are encouraged to develop programs to identify the parts of the trails that cross public, private and Native land, and to describe allowable uses on these lands.

**M. Cooperative Effort with U.S. Forest Service.** The intent of the plan is to encourage DNR to cooperate with the USFS in order to ensure consistent management of trails that cross both state and federal lands by allowing the USFS to move trail easements, to continue to manage and sign the trails on their easements through state land, and to issue citations on the USFS easements through state lands. DNR is encouraged to reach a cooperative agreement with the USFS to ensure their citation authority on trail easements through state land. As soon as possible DNR should issue easements to the USFS for segments of the trail on state land that do not now have USFS easements in order to allow the them to manage the INHT in its entirety on the peninsula. The Kenai Peninsula Borough is also encouraged to cooperate with this effort where USFS easements cross lands that the state has conveyed to the borough.

**N. Off Road Vehicle (ORV) Management and Special Use Areas.** There has been a rapid increase in ORV use on state lands in certain parts of the Kenai Peninsula. Under current state regulations, ORVs may only be used on or off established road rights-of-way if the use does not kill or break through the ground plant cover and expose soil to erosion. Unfortunately, this regulation is widely violated. To prevent damage to wetlands, stream banks, and other areas with poorly drained soils, prevent erosion and wildlife disturbance or displacement, and provide access to public lands, DNR may designate certain state lands in the Kenai Area as “Special Use Lands” under 11 AAC 96.010. A Special Use Lands designation that addresses trail issues may be established after mapping existing trails and analyzing trail use. Public notice is required before Special Use Lands are established. The following guidelines may apply in these areas. These guidelines will not be enforced until the Special Use Lands are established.

1. DNR, in cooperation with the Kenai Peninsula Borough, will map trails and designate certain trails for ORV use. ORV trails will be designated based on their ability to support year-round ORV use without damage to public resources and on 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. In addition, “dozers, sleighs, tracked vehicles, and rubber-tired equipment” must comply with the statewide Coastal Management Program guidelines for cross-country travel during winter.

3. When snow cover is not sufficient to prevent damage to surface vegetation, off-road vehicle use is allowed only on designated ORV trails or by permit.

In the event the above guidelines fail to control significant damage to surface vegetation, soil erosion, or fish and wildlife habitat, one or more of the following restrictions may be applied: 1) bridging or active trail maintenance to curb damage, 2) trail relocation, 3) prohibition of specific vehicle types, 4) temporary or permanent trail closures, 5) trail designations for specific uses, or 6) authorization of ORV use by permit only.

Also, DNR will support the borough and cities' efforts to address this issue through local planning and ordinances provided that DNR has adequate opportunities for input into the process and proposed actions are consistent with state interests.

**O. Section-line Easements.** Regulation 11 AAC 96 sets out permit requirements for various uses on state land. These requirements also apply to state-owned easements along surveyed and unsurveyed section lines. Access-related activities that require a DNR permit include use or transportation of heavy equipment. However, many other access-related uses can take place without a permit. DNR offers a fact sheet called *Generally Allowed Uses on State Land* listing these permit-free uses under 11 AAC 96.020. The list includes travel by most types of motorized vehicle such as four-wheel-drive vehicles, stock pickup trucks, snowmobiles, and all-terrain vehicles. Also allowed without a permit is brushing or cutting a trail less than five feet wide using only hand tools such as a chainsaw and without disturbing the root system. Above this limit, development of a section-line easement for access purposes requires authorization from DNR. Section-line easements should be surveyed before improvements are made in order to avoid trespass on adjacent lands. Through enactment of ordinances, the borough also has the authority to regulate public uses on section-line easements so long as this does not conflict with an overriding state interest. No vacations (formal relinquishments or waivers) of section-line easements are recommended by the plan at this time.

**P. Public Access Study along the Kenai River.** See Chapter 3, Region 4, *Guidelines for Units Located within the Kenai River Drainage*.

**Q. Public Use Cabins (PUC) and Hut-to-Hut Systems.** See the *Public Use Cabins and Hut-to-Hut Systems* guideline under the *Public Recreation and Tourism* section in this chapter.