

Authorizations for Use of State Land & Water

Introduction

The data in this appendices is for general information only. This appendix summarizes the different types of authorizations required in the Recreation Rivers.

For specific policies, guidelines, laws, and regulations that apply in the Recreation Rivers see Chapter 2 or contact the appropriate agency.

State Land

Under Recreation Rivers guidelines and regulations, some activities are not allowed on state land within the planning area (e.g., leases for lodges). Among the allowed uses there are two types, those that require authorization and those that do not. Allowed uses that do not require authorization are called "generally allowed activities."

Generally Allowed Activities on State Land.

The following is a partial list of activities allowed on an occasional or intermittent basis on state land or water in the Recreation Rivers:

- Hiking and backpacking, horse or dog-team travel, cross-country skiing, warming fires, and mountain climbing.
- Helicopter and plane landings, and use of boats, rafts, and canoes in unrestricted areas. Snow-machining when there is adequate snowcover.
- Hunting, fishing, trapping, temporary fishing and hunting camps for one's own use for 4 days or less.
- Harvesting a small number of wild plants for personal use; securing dead and down firewood for cooking or warming fires associated with hiking and camping, harvesting mushrooms, berries and other plant material for personal use as food.
- Non-exclusive recreational or other use for 4 days or less that has no noticeable effect on vegetation, drainage, or soil stability, and does not involve harassment of wildlife other than lawful hunting, trapping, and fishing.

- Recreational gold panning.
- Boat storage for 4 days or less.

The following activities are generally allowed on state land and water within the planning area on a longer-term basis:

- Mineral prospecting using pick and shovel; hard rock prospecting by backpacking; gold or other mineral recovery utilizing small hand held or floating suction dredging apparatus.
- Use of vehicles such as 4-wheel drive vehicles, pickups and all terrain vehicles (wheeled and tracked) on existing trails in unrestricted areas.
- Brushing survey lines or trails less than three feet wide where there is no disturbance of the root system and when such trails do not constitute a right-of-way.
- A livestock drive of less than 100 animals.
- Floating docks under 100 square feet.

Land Use Requiring Authorization. Uses of Recreation Rivers other than those listed above, may require formal authorization. A partial list of activities that require authorization, and the type of authorization processed follows this section. To ensure legal use of state lands, Recreation Rivers users should contact the Department of Natural Resources and the Department of Fish and Game before entering onto state lands.

Persons receiving authorization are responsible for making sure the activity is confined to state land or water, will minimize disturbance to the land and water resources, and is in compliance with all federal, state and local laws and regulations.

Users are responsible for acquiring any other permits or authorization that may be necessary.

Activities Requiring Authorization

The following chart is a partial list of activities that require authorization in the Recreation Rivers. The authorization type required, and the issuing agency is also listed.

| Activity | Authorization Required | Agency/Division |
|--|--------------------------------------|----------------------------|
| Commercial use | Commercial Use Permit | DNR-DLW |
| Commercial tent camp (more than 4 days) | Land Use Permit | DNR-DLW |
| Material extraction | Negotiated Material Sale | DNR-DLW |
| Easement | Right-of-Way | DNR-DLW |
| Dock construction (commercial marina) | Right-of-Way | DNR-DLW |
| Erosion control project | Right-of-Way | DNR-DLW |
| Other uses of state land identified by the plan as requiring authorization | Recreation Rivers Special Use Permit | DNR-DLW |
| Personal timber harvest | Negotiated personal use sale | DNR-DOF |
| Any work (digging, constructing, or fording below ordinary high water (OHW) in any anadromous stream | Fish Habitat (Title 16) Permit | DFG-Habitat |
| Any activity affecting navigable waters | Section 10 Permit | US Army Corps of Engineers |
| Discharge or fill into navigable watersof | Section 404 Permit | US Army Corps Engineers |

Borough Land

A partial list of activities on borough land that require authorization by the borough follows. Borough zoning ordinances also require permits for some activities on borough, private, and some state lands.

To ensure legal use of borough lands, Recreation Rivers users should contact the borough's land management office before entering onto borough lands.

| Activity | Authorization Required | Agency/Division |
|---|-------------------------|-----------------------|
| Fireworks display | Firework Display Permit | MSB-Code Compliance |
| Construction within an easement or right-of-way | Construction Permit | MSB-Public Works |
| Construction of a public utility | Public Utility Permit | MSB-Public Works |
| Development within the flood hazard zone | Development | Permit Mat-Su Borough |

Coastal Zone

Because most of the planning area lies within the coastal zone, most applicants will also be required to complete a Coastal Zone Consistency Questionnaire. This questionnaire is available from agencies and will clarify the need for any additional authorizations. If permits from more than one agency are required, a coordinated, multiple agency review will be initiated, and the applicant informed of any additional information needed to ensure all required permits are applied for.

A determination as to whether the desired use is consistent with the Alaska Coastal Management Program can then be made. An example of a use requiring multiple permits is for the construction of a dock over 100 square feet. This use would require an Army Corps permit(s), a fish habitat permit, and a right-of-way.

Process

Recreation Rivers users should contact the appropriate state or borough office for specific information on use allowed and obtain applications required for their intended use. Applicants should submit completed applications well in advance of their period of use.

