

## Public and private access

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### **A. Retain access**

Public access to areas with significant public resource values should be improved or maintained 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 asserting rights-of-way through Revised Statutes Section 2477<sup>21</sup> (RS 2477). This plan does not recommend any trails for assertion under RS 2477; however, assertion of RS 2477 trails may occur at some time in the future. Generally, section line easements should not be vacated unless alternative, physically usable access can be established or DNR has determined that state lands in the area should be roadless.

### **B. Access to non-state lands**

Reasonable access will be accommodated across state lands to other public and private lands. Existing legal access will not be precluded unless equivalent access is available.

### **C. Anchorages**

Other activities may be allowed in anchorages shown on the maps in Chapter 3 only if DNR determines the use or capacity of the anchorage will not be significantly diminished, or if there is no feasible and prudent alternative for the other activity and DNR determines allowing it to occur is in the state's best interest.

### **D. Management of 17(b) easements**

Generally, DNR will not accept management of easements under Alaska Native Claims Settlement Act Section 17(b) unless the state already actively manages a portion of the trail or easement, or state management will best protect public access to state lands.

### **E. Public access in conjunction with resource development**

When an access route is constructed for resource development, DNR should ensure that existing public access to mineral, recreation, fish, wildlife, forest, and other public resource areas will be maintained or improved. When determining whether or not to improve existing access, DNR and other relevant agencies will consider public safety, public expense, and the potential for increasing user conflicts.

### **F. Adequate access rights**

Where practical and within the limits of available funding, full public rights of access should be provided when roads are constructed by state or local governments. DNR or DOT/PF should acquire and record perpetual exclusive easements when the state acquires access rights across property in other ownerships.

### **G. Limiting access**

Access to state lands may be curtailed at certain times to protect public safety, allow special uses, and prevent harm to the environment and fish and wildlife. Examples of conditions that may justify limiting public access are timber harvest operations, high soil moisture content when traffic may cause extensive damage to roads and trails, and sensitive populations of fish or wildlife.

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<sup>21</sup> **Revised Statute (RS) 2477.** An 1866 federal statute that granted transportation rights-of-way on unappropriated and unreserved federal land. These rights-of-way are established by public use or construction. The statute was repealed in 1976, but use or construction of trails prior to 1976 allows subsequent assertion of a right-of-way.

**H. Coordinate with the Department of Transportation and Public Facilities (DOT/PF)**

Access needs, such as right-of-way widths or road locations, should be coordinated with DOT/PF. This guideline does not commit DOT/PF to construct or maintain public access facilities.

**I. Coastal access to trailheads**

DNR will protect coastal access across state tidelands to designated trail corridors that begin at the shoreline.

**J. Access for recreation and fish and wildlife harvest**

Public access is not precluded in designated recreation (RP, RD) or fish and wildlife harvest (HV) areas.



*Beach along Gulf of Alaska*