

PUBLIC ACCESS

Goals

Public Access. Maintain, enhance, or provide adequate access to public and private lands and resources.

Management Guidelines

- 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 asserting rights-of-way through Revised Statutes Section 2477 (RS 2477). Generally, section line easements should not be vacated unless alternative, physically usable access can be established.
- B. Management of 17(b) Easements.** Generally, DNR will not accept management of 17(b) easements unless it already actively manages a portion of the trail, or state management of the easement will best protect public access to state lands.
- C Access for Development.** When an access route is constructed for resource development, existing public access should be maintained or improved to mineralized areas, recreation, fish, wildlife, forest resources, agriculture areas, and other public resources. When determining whether or not to improve existing access, the potential for increasing user conflicts and resource degradation will be considered and solutions sought.
- D. 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. Easements should be acquired and recorded when the state acquires access rights across property in other ownerships.
- E. Coordination 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.

- F. 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.
- G. Purchase of Access Sites.** Public appropriations may be requested to purchase access sites, easements, or reservations to public use areas and to proposed settlement and agricultural projects.
- H. 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.
- I. New Access.** Where new or additional access is warranted, such access should be provided on public land where possible. Where suitable public land is not available, attempts should be made to arrange for such access across private land. Possible means of doing this include easements granted by land owners, state purchase of limited rights, fee-simple purchase of the land, or land exchange.
- J. Other Guidelines Affecting Public Access.** Other guidelines may affect public access. See in particular the following sections of this chapter:

- Agriculture and Grazing
- Fish and Wildlife Habitat and Harvest
- Forestry
- Lakeshore Management
- Materials
- Settlement
- Stream Corridors and Instream Flow
- Subsurface Resources
- Trail Management
- Transportation
- Wetland Management