STREAM CORRIDORS & INSTREAM FLOW

Goals

Recreation. Provide opportunities for a variety of recreational activities within stream corridors, including wilderness and developed recreational activities.

Habitat. Protect riparian fish and wildlife habitats.

Private Ownership of Land. Provide opportunities for private ownership of land near streams.

Water Quality. Protect water quality to support domestic uses, fish and wildlife production, and recreational activities.

Forest Products. Where consistent with the management objectives of a stream corridor, provide for timber harvest from riparian forests.

Management Guidelines - Stream Corridors

A. Priority of Public Uses in Stream Corridors. Along most streams, DNR will set a higher priority on protecting public use values in stream corridors than on providing opportunities for private ownership of land. However, the department recognizes the strong demand for property along streams and will provide land for private purchase in some stream corridors. Prior to the disposal of stream corridor lands, DNR, in consultation with other affected agencies and the public, will assess existing and projected public use needs associated with the stream corridor. Disposals near streams having important recreation value will be designed to protect access to and along the stream for fishing, hiking, camping, and other recreational activities.

B. Retention of Publicly Owned Buffers

1. **Management Intent.** When the management intent for land adjacent to a stream includes uses such as fishing, picnicking, hunting, timber harvest, building fires, camping, or other similar active uses, public ownership of stream buffers should be used rather than easements to provide for these uses. These buffers will not be opened to remote cabin permits.

2. **In Subdivisions or Agricultural Sales.** In state subdivisions or agricultural sales, when it has been determined that stream buffers should be kept in public ownership (see criteria in B-1, above), stream buffers will either be retained in public ownership or dedicated to the public or the local government. If streams in subdivisions or agricultural sales have recreation, public use, or habitat values of regional or statewide importance, or are identified as public waters, buffers should be retained in state ownership.

3. **Length of Stream Buffers.** Publicly owned buffers adjacent to a stream may be retained along the full length of the stream or on the segments determined to have high current or future use and habitat values.

C. Retention of Access Easements

1. **Easements for Travel.** An easement rather than a publicly owned stream corridor may be retained where the primary management intent is to protect the public's right to travel along or across a stream rather than to retain an area for public use. An easement should state the rights that it reserves. State access easements usually should reserve the rights of ingress and egress plus associated or incidental uses of the public resources of the waterbody, such as resting, loading and unloading boats, and fishing. Boat storage and camping are not considered incidental uses of the waterbody and usually should not be reserved. On a case-by-case basis, the state should decide which rights are appropriate for individual easements and may reserve more or fewer rights than are listed above. Easements established before this plan was updated (1990) are not affected by this guideline.

2. **Type of Travel in the Easement.** Easements along streams should establish the right to travel by foot, dogsled, horseback, and snowmobile. On a case-by-case basis the right to travel by all terrain vehicles and wheeled vehicles may be reserved, where doing so is in the public interest. Easements should be reserved for roads or railroads only if they are likely to be built.

3. **Easements in Combination with Buffers.** Easements and publicly owned buffers may both be used on a stream to provide opportunities for private ownership near the stream

while protecting public use or habitat values on other portions of the stream. Therefore, although easements should not be used where significant public use is to be encouraged, they may be used on portions of a stream with important public recreation and habitat values when most land adjacent to the stream is retained for public use.

D. Establishing Widths of Buffers, Easements, and Setbacks

1. **Reasons for Varying Widths.** Width of easements, setbacks, and publicly owned buffers along a stream will vary according to management intent for the stream and adjacent uplands. In addition, the buffer width for any given stream may vary along the stream course depending on topography, vegetation, and land ownership. Establishing buffer widths for particular streams will be based, at a minimum, on the following: recreational activities to be accommodated, habitat protection and management, noise abatement, visual quality, water quality, prevention of riverbank erosion (in which case the buffer should be widened to compensate) and land disposal.

2. **Guidelines for Establishing Widths.** Although buffer, easement, and setback widths may vary from stream to stream, a basic level of consistency is necessary to avoid confusion about the width of public use and access areas along the state's many streams; also fieldwork and site analysis to establish separate buffer widths for each stream corridor would be prohibitively expensive. The following guidelines are intended to establish a reasonable degree of consistency in buffer, easement, and setback widths used by the department when disposing of an interest in state land.

   - **Standard Buffer Width:** 100 to 200 feet. When it is determined that a publicly owned buffer is appropriate, a standard minimum buffer width (for example, a staking setback) of 200 feet should generally be established landward from the ordinary high water mark on each bank unless the use or activity is water-dependent or water-related. This width may be reduced to a minimum of 100 feet on each bank in individual cases when consistent with the management objectives for the stream corridor. The width of the setback will be adequate to maintain public access to riparian areas and protect water quality in accordance with water quality standards established by the Department of Environmental Conservation and the Forest Practices Act (see Guideline F, page 2-26).

   - **Buffer Widths Along Streams Recommended as State Recreation Rivers.** As a general standard, publicly owned buffers of at least one-fourth mile landward from the ordinary high water mark on each bank should be retained on streams recommended for legislative designation as State Recreation Rivers. Exceptions to this policy may be made where land ownership, topography, natural resource values, or the nature of anticipated public uses in a stream corridor warrant.

   - **Standard Easement Widths:** 50-foot minimum. When it is determined that a public access easement will be reserved on land adjacent to a stream, a minimum easement of 50 feet landward from the ordinary high water mark on each bank will be reserved.

   - **Building Setbacks in Land Sale Areas.** In all cases where land is sold near a stream, a minimum building setback of 100 feet landward from the ordinary high water mark on each bank will be established. The width may be reduced when land adjacent to the stream is stable and development or use does not pose a risk to water quality or other values, such as wildlife or recreation. In some cases stream buffers may be reduced to allow for an adequate publicly owned buffer or setback on a nearby, more valuable wetland or lake.

E. Uses Allowed in Easements, Setbacks, and Buffers. Water-dependent structures, such as docks and boathouses, are allowed within easements, setbacks, and publicly owned buffers. If a structure would block public access, alternative access must be provided. Commercial or industrial uses and activities that are neither water-dependent nor water-related may occur within 100 feet only if there is no feasible and prudent alternative to meet the public need. Where it is not feasible and prudent to maintain a setback adjacent to fish habitat, public water supplies, or recreational waters, other measures will be used to mitigate the impacts.

F. **Timber Harvest Near Streams.** Timber harvest near streams will be consistent with the Forest Practices Act and regulations (AS 41.17 and 11 AAC 95). See AS 41.17.118(a)(1) for harvest within 100 feet of an anadromous or high value resident fish waterbody.

G. **Structures in Fish Habitat.** See Fish and Wildlife Habitat and Harvest Guideline C, page 2-8.

H. **Water Intake Structures.** See Fish and Wildlife Habitat and Harvest Guideline D, page 2-8.

I. **Alteration of the Hydrologic System.** To the extent feasible, channelization, diversion, or damming that will alter natural hydrologic conditions and have a significant adverse impact on important riverine habitat will be avoided.

J. **Soil Erosion.** Soil erosion will be minimized by restricting the removal of vegetation adjacent to streams and by stabilizing disturbed soil as soon as possible. Projects to stabilize a streambank require an authorization.

K. **Other Guidelines Affecting Stream Corridors.** Other guidelines may affect stream corridors. See in particular the following sections of this chapter:

Agriculture and Grazing
Fish and Wildlife Habitat and Harvest
Forestry
Public Access
Recreation and Tourism
Settlement
Subsurface Resources
Trail Management
Transportation
Wetland Management

Management Guidelines - Instream Flow

A. **Streams and Uses to Consider.** Under AS 46.15, reservation of instream flow is possible for four types of uses: (1) protection of fish and wildlife habitat, migration and propagation; (2) recreation and park purposes; (3) navigation and transportation purposes; and (4) sanitary and water quality purposes.

B. **Process for Determining Reservations.** The process for determining instream flow reservations is outlined in 11 AAC 93.141 - 11 AAC 93.147. Before beginning the process to determine instream flow reservations, an applicant should contact the Water Management Section of the Northern Region Office of DNR. If the application will involve habitat resources, the applicant should contact DF&G.

C. **Priorities.** High priority streams and other waterbodies for instream flow study and possible reservation are identified in Chapter 4, *Instream Flow Reservations*. These have been identified because of their high public values, particularly for habitat and recreation, and the high potential for conflicts with these values from resource developments.

D. **Other Guidelines Affecting Instream Flow.** Other guidelines may affect instream flow. See in particular the following sections of this chapter:

Fish and Wildlife Habitat and Harvest
Materials
Recreation and Tourism
Subsurface Resources
Transportation