

## **CHAPTER 1**

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# CHAPTER 1

# INTRODUCTION

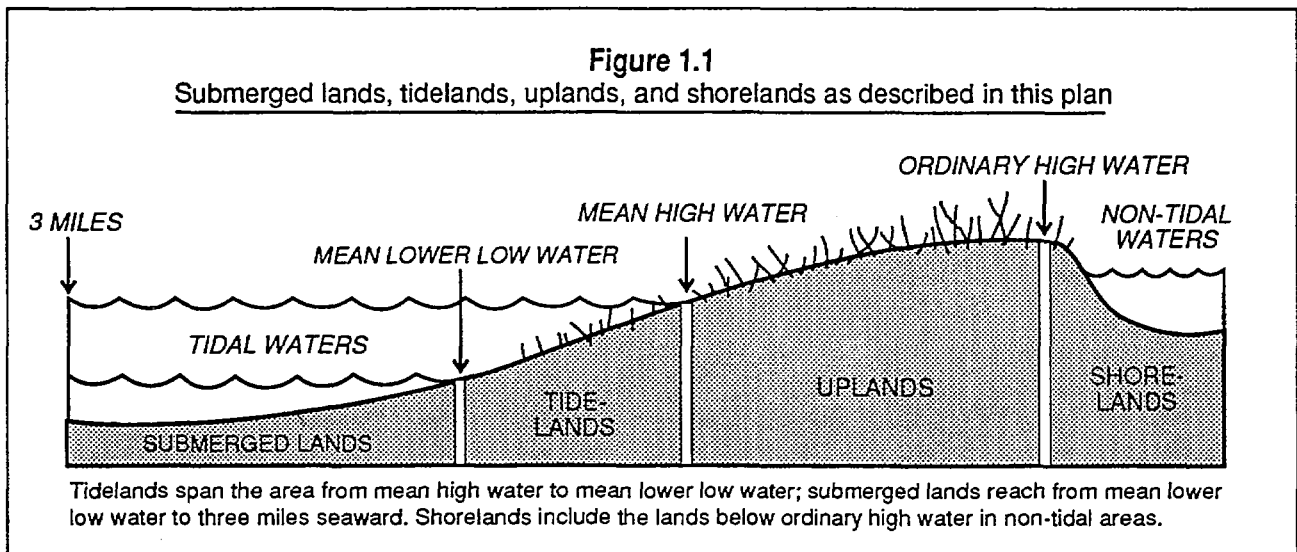
The Yakataga Area Plan directs how the Alaska Department of Natural Resources (DNR) will manage state uplands, shorelands, tidelands, and submerged lands between Cape Suckling and the northern boundary of Glacier Bay National Park (near Dry Bay). The plan provides land use designations, management intent, and management guidelines that apply to all state lands managed by DNR in the planning area. The plan is effective for twenty years, with periodic reviews and updating.

The Yakataga planning area is rich in natural resources. The area contains the best state-owned timber, a multi-million dollar commercial fishery, thriving wilderness recreation businesses, ongoing subsistence activities, and active placer gold mining. There is also potential for a world-class tourist destination at Bering Glacier.

State-owned lands in the Yakataga planning area are shown on Map 1-1 on page 1-3.

The area plan applies to approximately 1.4 million acres of state lands managed by DNR<sup>1</sup>, including:

State-owned uplands and shorelands	338,448
State-selected uplands and shorelands	112,686
State-owned tidelands and submerged lands	932,840
<b>Approximate acreage</b>	<b>1,383,974</b>



<sup>1</sup> The area plan **does not** apply to state lands managed by state agencies other than DNR. The plan therefore excludes Yakataga State Game Refuge, Mental Health Trust lands, and Yakutat airport or other lands managed by DOTPF. The plan **does** apply to shorelands beneath navigable waterbodies, and to the state-owned and reserved subsurface mineral estate, such as beneath municipal lands. DNR has no acreage calculations available for these last two categories of land.



*Icy Bay*

## **Purpose of the plan**

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In 1990 the Alaska Legislature directed the Department of Natural Resources to complete a land use plan for the Yakataga area (Chapter 143, SLA 1990). The purpose of the area plan is to help resolve long-standing disputes over management of timber harvest, fish and wildlife, and other resource uses on state land.

The area plan meets numerous statutory and constitutional requirements for planning and management of state lands. In brief, the role of state land use plans was established by state statute (AS 38.04.005). It is the policy of the State of Alaska "...to establish a balanced combination of land available for both public and private purposes. The choice of land best suited for public and private use shall be determined through the inventory, planning, and classification processes..."

State land use plans are also a means to implement the natural resources policies of the Alaska Constitution. These policies include maximum use consistent with the public interest (Article VIII, Section 2); and sustained yield of all renewable resources (Article VIII, Section 4).

The final Yakataga Area Plan was revised to be consistent with the December 2, 1994 settlement agreement regarding litigation of the University of Alaska's timber rights in the Yakataga area.<sup>2</sup>

The planning process allows the Department of Natural Resources (DNR) to analyze resource information and public concerns before making long-range decisions about public land management. The planning process resolves conflicting ideas on land use and informs the public about what choices were made and why. Decisions are made on a comprehensive basis, rather than case by case, providing consistency and consideration of all resources throughout the planning area.

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<sup>2</sup> The Memorandum of Agreement to settle the litigation (the settlement agreement) was signed by DNR [representing the State of Alaska], the University of Alaska, the Yakutat Fishermen's Association, Cordova District Fishermen United, the Alaska Center for the Environment, the Southeast Alaska Conservation Council, and the City and Borough of Yakutat. See Appendix C for more information.

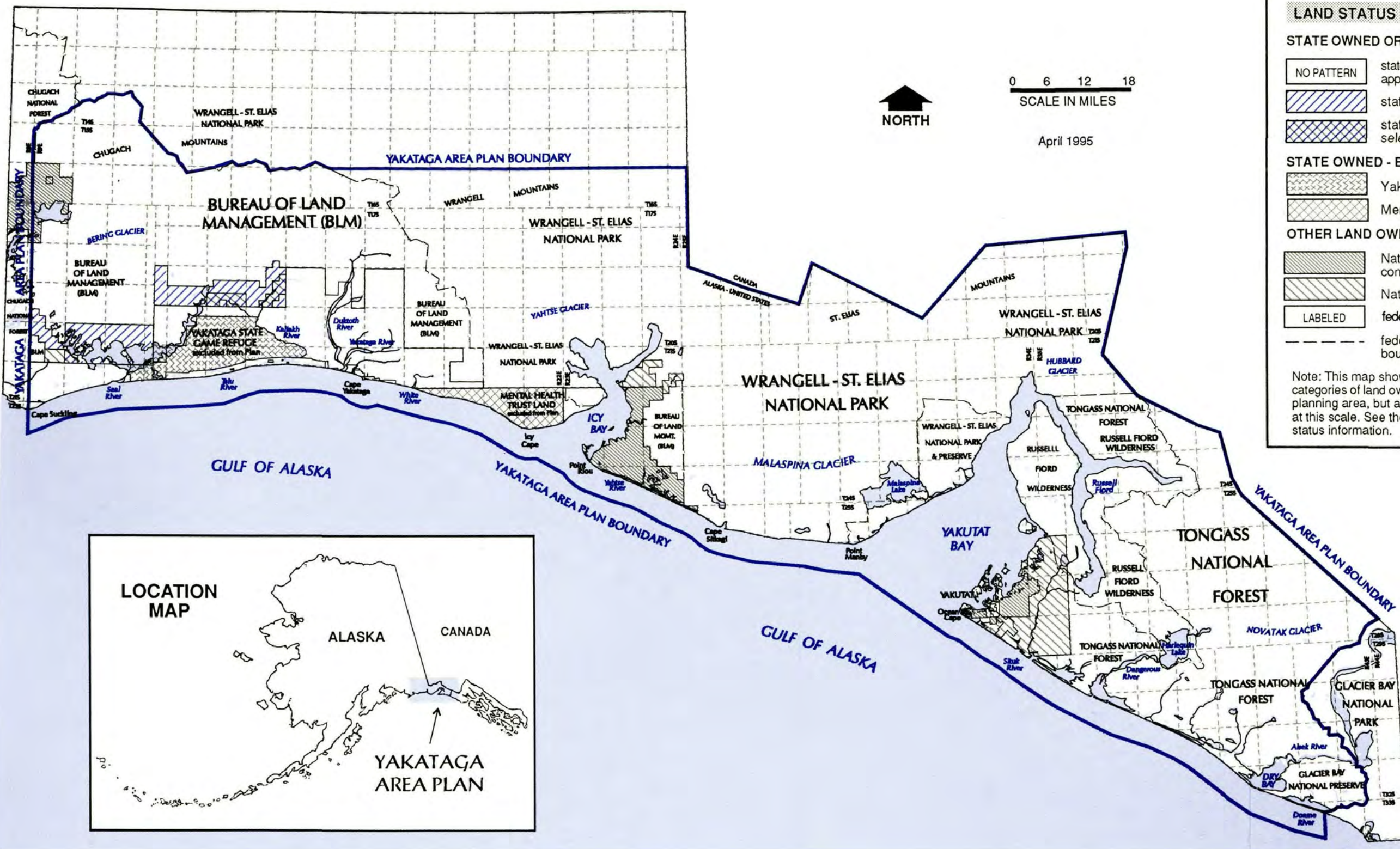


YAKATAGA AREA PLAN

Yakataga Area Plan - location & generalized land status

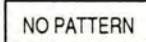


YAKATAGA AREA PLAN

Yakataga Area Plan - location and generalized land status





**LAND STATUS**



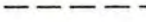
**STATE OWNED OR SELECTED - SUBJECT TO PLAN:**

-  NO PATTERN state owned - patented or tentatively approved
-  state selected
-  state and Native selection (dual selection)

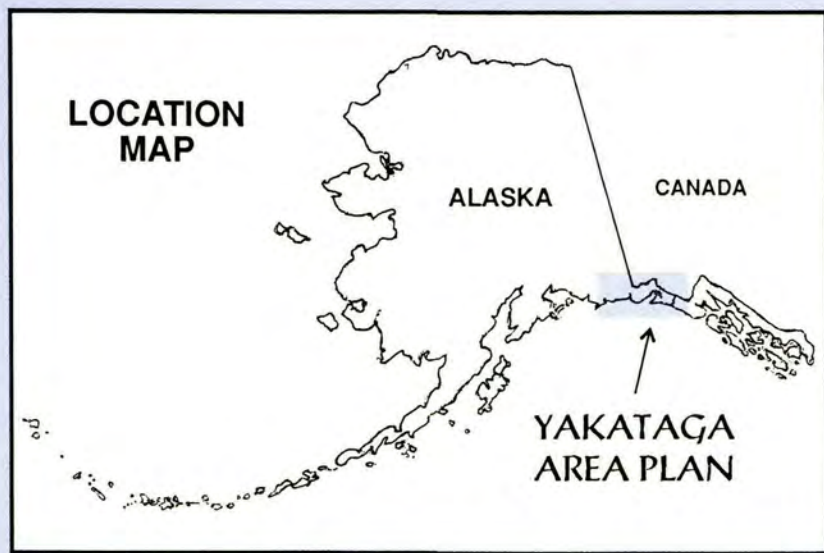
**STATE OWNED - EXCLUDED FROM PLAN**

-  Yakataga State Game Refuge
-  Mental Health Trust land

**OTHER LAND OWNERSHIP**

-  Native owned - patented or interim conveyed
-  Native selected
-  LABELED federal (National Forest, National Park, BLM)
-  federal conservation system unit boundary

Note: This map shows generalized land status. Additional categories of land ownership and use exist in the Yakataga planning area, but are too small or complex to be depicted at this scale. See the individual unit maps for detailed land status information.





## How the plan was developed

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### Steps in the planning process

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<input checked="" type="checkbox"/> Identify issues	spring 1991
<input checked="" type="checkbox"/> Map and analyze resources and uses	1991 to present
<input checked="" type="checkbox"/> Develop and review management alternatives	spring 1992
<input checked="" type="checkbox"/> Prepare the draft plan	fall 1992 - spring 1993
<input checked="" type="checkbox"/> The public and agencies review the draft plan	summer 1993
<input checked="" type="checkbox"/> Prepare the final plan using comments on the draft and provisions of the 1994 settlement agreement on the university timber rights	fall 1993 through 1994 <sup>3</sup>
<input checked="" type="checkbox"/> The commissioner of DNR adopts the plan, and signs accompanying orders for land use classifications, mineral closures, and mineral leaseholds. <sup>4</sup> The Commissioner of DFG co-signs the plan.	April 3, 1995

## Who developed the plan

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Pages vii through x list the individuals with primary roles in developing this plan. These persons' roles were:

The **commissioner and directors** of DNR determined the overall allocation of resources among competing uses. The DNR and DFG commissioners negotiated to resolve several specific controversies, such as the forestry guidelines and mineral closures. This plan represents a consensus of state resource agencies.

The **planning team** was responsible for developing the detailed policies in the plan, such as the areawide guidelines, land use designations, and site-specific guidelines for specific subunits. The planning team also contributed much of the data and analysis for the resource inventories.

The **Yakataga planning staff** (also referred to as project staff) was responsible for research, writing, and coordination. The staff's responsibilities included data collection, public and inter-agency meetings, plan preparation, and responses to public comments.

The **community and regional advisors** contributed resource data, informed the planning team of local, Native, or federal management preferences, and edited drafts as the plan was developed. The **public** also served an advisory role. Individuals and special interest groups contributed information on current and potential resource uses, and expressed their ideas for resource allocation and management.

<sup>3</sup> The plan was delayed pending approvals of the Mental Health settlement and the university timber settlement.

<sup>4</sup> Two recommendations in the area plan will require legislation: inclusion of subunit 3c-4 in the Yakataga State Game Refuge, and long-term closure of the bed of the Situk River to mineral entry.

## What the plan will do

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The plan will help ensure that state resource management takes into account the sustained yield of renewable resources, that development is balanced with environmental concerns, and that public access is provided to state land. The plan encourages cooperation with other landowners to address conflicts caused by checkerboard land-ownership patterns. Finally, the plan documents the state's long-term intent for land management so that both public and private interests can coordinate their long-range planning and investments.

The plan balances many disparate and competing interests. It represents DNR's effort to reach a fair and responsible accommodation of all interests. The balance struck by the plan can be summed up as ensuring multiple use and reasonable access for resource development while protecting other important resources, uses, and values.

The plan prescribes management policy in several complementary parts:

### ■ Land use designations

Designation(s) for each subunit indicate the primary uses and resources DNR will emphasize in its management decisions. These designations are explained and mapped in Chapter 3.

### ■ Management intent

The planning area is subdivided into units and subunits. The plan provides site-specific management intent for these smaller areas.

### ■ Management guidelines

When potentially conflicting uses are designated in a management subunit, the plan uses guidelines to allow various uses to occur without unacceptable consequences. Management guidelines for specific management units are given in Chapter 3. Guidelines that apply to the entire planning areas are located in Chapter 2.

### ■ Classifications

All lands managed by DNR in the planning area will be classified consistent with the land use designations in this plan. Land use designations made by the plan are thereby officially established in state land status records. A table that shows how designations convert to classifications is located in Chapter 4.

More specifically, the plan will ensure the following:

- If a proposed use is designated, the use can, according to existing information, be authorized by DNR somewhere within the area designated. DNR will resolve exactly where and how a designated use will occur through the permitting process, using the management intent and guidelines of the plan, and information gathered in the site-specific project review.
- Uses that are neither designated nor specifically prohibited may be allowed if DNR determines these uses to be consistent with the management intent and guidelines for the management unit, and the relevant Chapter 2 guidelines.
- Conflicts with significant fish and wildlife habitat, and harvest areas and recreation areas from incompatible uses are avoided, minimized, or mitigated through plan management intent and guidelines.
- Where upland resource development is planned, there will be reasonable access across state tidelands.

## What the plan won't do

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There are some important issues that are not addressed in this plan:

### ■ Non-DNR lands

This plan does not apply to lands owned by the borough, federal government, DOTPF, University of Alaska, Mental Health Trust, Native corporations or other private landowners.<sup>5</sup>

### ■ Legislatively designated areas

The plan does not apply to the Yakataga State Game Refuge or any other legislatively designated areas.

### ■ State oil and gas lease sales

This plan does not determine whether DNR will hold oil and gas lease sales. The Department's state-wide policies for oil and gas are found in the Five-Year Oil and Gas Leasing program (AS 38.05.180). The DNR Division of Oil and Gas will use the lease sale process to develop and apply specific stipulations for oil and gas exploration, development, and production activities on a case-by-case basis for each oil and gas lease sale using the lease sale process. Subsequent to a lease sale, surface land uses and activities related to oil and gas development are subject to this area plan.

### ■ Fish and wildlife allocation

This plan does not determine allocation of fish and game stocks, nor hunting or fishing regulations. Such decisions are the responsibility of the state boards of Fisheries and Game.

### ■ Short-term, generally-allowed uses

The area plan does not regulate activities that do not require a written authorization on state land, such as hiking, camping, boating, hunting, and fishing by individuals.

### ■ Decisions on specific applications

While plans provide general management intent for state lands, plans do not make decisions about specific land-use authorizations. Decisions on specific land use authorizations are made through DNR's permit review process. Any land-use authorizations must, however, be consistent with the plan, and existing laws and regulations.

### ■ Actions by agencies other than DNR

The plan does not prescribe actions or policies for agencies and governments other than DNR.

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<sup>5</sup> The area plan applies to the tracts where the university holds one-time timber rights under ADL 223456: DNR retained ownership of these lands. For more information on the status of non-state lands within the planning area, see Chapter 4 and Appendix C.

## **Summary of plan implementation and modification**

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The plan is implemented through administrative actions such as leases, permits, land conveyances, classification orders, and mineral orders. The plan serves as the final finding for land classification and mineral orders. Chapter 4 presents the details of plan implementation recommendations and procedures.

The plan is intended to be in effect for twenty years. Economic and social conditions in Alaska and the planning area are certain to change and the plan must change with them. DNR will review the plan periodically to monitor progress in implementing the plan and to identify problems that may require amendment or modification.

Specific modifications may be made whenever conditions warrant them, though a request for these changes must follow certain procedures. The plan may be amended upon approval by the Commissioner of DNR following public review and consultation with appropriate agencies. See Chapter 4 for a description of plan modifications, amendments, special exceptions, and minor changes.

## **The relationship between the Yakataga Area Plan and other plans**

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Other plans have been developed in the Yakataga area. DNR developed the Cape Yakataga Site Specific Plan in 1990 to address a proposed timber sale extension. This area plan supersedes the site-specific plan.

The City and Borough of Yakutat anticipates completion of a coastal plan under the Alaska Coastal Management Program (ACMP) in 1996. Activities on state lands within the Yakutat coastal planning district must be consistent with the Yakutat program. Activities on state lands in the entire planning area must also be consistent with the *statewide* coastal plan.

The City and Borough of Yakutat (CBY) will prepare a comprehensive plan for all lands within its boundaries. Activities on state lands in the CBY must be consistent with the borough comprehensive plan and borough ordinances unless there is an overriding state interest.



## **Additional resource information**

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DNR has prepared a series of maps and reports on resources in the planning area. This draft plan contains only summary tables of resource information (see Chapter 3). The resource reports offer more comprehensive information on the locations of resources, their current and potential uses, and their economic values. The following reports and maps are available through the DNR Division of Land in Anchorage and Juneau.

- aquatic farming
- cultural resources
- fish and wildlife
- forestry
- minerals and materials
- recreation and tourism
- settlement
- vegetation maps (including timber size and density) for the area from Cape Suckling to Icy Bay
- recreation and tourism map: existing and potential uses
- access map: (anchorage, airstrips, roads)
- fish and wildlife atlas:
  - upland big game mammals
  - furbearers
  - marine mammals, waterfowl, and eagles
  - fish and shellfish
  - commercial fish and shellfish harvest
  - guided and sport fishing and hunting
  - community harvest of fish and wildlife

Call the DNR public information staff at (907) 269-8400 in Anchorage or (907) 465-3400 in Juneau to inquire about the above reports and maps.