

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF LAND

LAND CLASSIFICATION ORDER NO. SC-94-001

I. Name KUSKOKWIM RIVER TIDAL FLATS NEAR BETHEL

II. The classifications in Part III are based on written justification contained in one of the following plans:

Area Plan: _____
Adopted () Revised () Dated _____

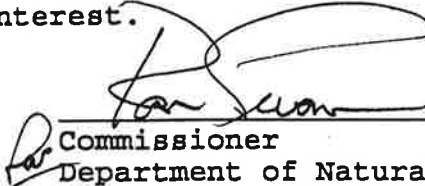
Management Plan: _____
Adopted () Revised () Dated _____

Site Specific Plan:
Adopted () Revised (XX) Dated January 28, 1994

III.	<u>Legal Description</u>	<u>Acreage</u>	<u>Acquisition Authority</u>	<u>Existing Classification</u>	<u>Classification by this action</u>
	Shorelands of the Kuskokwim River w/in portions of Secs 13-17 & 20-24, T8N, R71W, S.M.	2.220	Submerged Lands Act of 1953	Unclassified	Material Land

IV. This order is issued under the authority granted by AS 38.04.065 and AS 38.05.300 to the Commissioner of the Department of Natural Resources. The above described lands are hereby designated and classified as indicated. Nothing shall prevent the reclassification of these lands if warranted in the public interest.

Classified:



Commissioner
Department of Natural Resources

3/11/94
Effective Date

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF LAND

SITE-SPECIFIC PLAN

Applicant: J & T Services Date: January 28, 1994
Bethel, Alaska ADL: 226271

Casetype: Classification to Material Land - SC-94-001

- I. Introduction: The proposed action was initiated by the submittal of a Material Sale Application from J & T Services of Bethel to mine 2,500 cubic yards of sand annually for three years from the tidal flats of the Kuskokwim River across the river from the City of Bethel. The proposed sand excavation site is located within Section 16 of Township 8 North, Range 171 West, Seward Meridian.

Other potential material sites suitable for sand extraction exist in tidal flat areas of the river adjacent to the subject site as well as in upriver and downriver areas of close proximity. Therefore, it is deemed appropriate to encompass those potential material sites within this classification action.

II. Background Information

A. Location

1. Geographic: The tide and submerged land of the Kuskokwim River located approximately four miles upriver and two miles downriver from the City of Bethel.
2. Borough/Municipality: City of Bethel
3. Native Region: Calista Corporation
4. Coastal District: City of Bethel, approved 1/3/84
5. USGS Map Coverage: Bethel D-8

- B. Legal Description: Tide and submerged land between the right and left banks of the Kuskokwim River below the mean high water mark, encompassing portions of Sections 13-17 and 20-24, Township 8 North, Range 71 West, Seward Meridian encompassing approximately 2,220 acres.

C. Title/Land Status

1. Title Status: Tide and Submerged Lands Act of 1953
2. Title Report: (Not required)
3. Actions of Record: Tideland Lease Applications; Tdl Lse Apln ADL 215080 rec'd from the City of Bethel 6/02/82 for proposed public dock for petroleum products transfer & other public purposes located on the Kuskokwim River at Bethel within Section 17. Note: Because of both gradual and sudden losses of riverbank, a portion of this land is now within the zone of tidal action. The apln was closed 1/5/90 and included under ADL 220770.

Tideland lease apln ADL 220770 rec'd from the City of Bethel 12/21/84 to facilitate the port of Bethel development and riverbank stabilization program located within Sections 9, 15, 16, and 17. Tdl Lse Apln ADL 223118 for 55-yr lease rec'd from Bruce Crow on 6-4-86 for lands created between an erosion control bulkhead in the Kuskokwim River and the applicant's property line. Lands are located within Lot 5, Block 8, USS 3790 in Section 9, Township 8 North, Range 71 West, S.M. The apln is still pending.

Tideland Sale Apln: ADL 21966 rec'd 12-5-63 from Northern Commercial Co. Conveyed to Northern Commercial Co. on 1-4-67 under Tideland Patent #201. Known as ATS No. 319.

ATS 319: As noted above.

ATS 965: Brown's Slough and area, approx. 8.065 acres.

Water Rights: LAS 353 in the SE¼ Section 9; LAS 7813 in the NW¼ of Section 17; WR Apln 11824 in the S½S½ of Section 9 (closed 3/25/91)

Classification: SC-85-037, located within Secs 9, 15, N½ of Sec 16, and E½ of Sec 17 to accommodate the Bethel Seawall Tideland Lease (ADL 220770).

Mineral Closing Order: MCO 474, dated 3/29/90, covering the same area as Classification SC-85-037, also to accommodate the Bethel Seawall Tideland Lease (ADL 220770).

4. Classification: The subject land is presently unclassified tide and submerged lands. Material Land is the proposed classification. According to 11 AAC 55.120, the definition for Material Land is land that is suitable for extraction of common varieties of sand, gravel, stone, peat, clay, and other similar materials.

5. Mineral Status: Open to mineral entry.

D. Land Survey: Lands are unsurveyed.

E. Appraisal Data: An appraisal will not be needed.

F. Resource Values:

1. Topography: The land surrounding the project area is low moist and wet tundra and is nearly sea level in elevation.
2. Soils: The river bottom is sand silt. No gravel naturally exists in the lease area.
3. Water: The area is inundated with a silt-laden freshwater river which is tidally influenced. Wells from groundwater provides consumable water for the residents. Water right permits have been issued for use of water from the Kuskokwim River and Brown's Slough. Two water right permits have been issued for water from drilled wells on adjacent lands.
4. Minerals: The mineral potential for the project area is considered to be very low to non-existent.
5. Materials: Sand and silt exist in the area but no known gravel or gravel strata exist.
6. Vegetation: The project area and adjacent lands are almost void of any type of vegetation other than scrub grasses or tundra plants.
7. Wildlife: Wildlife appears to be minimal within the subject lands or on surrounding adjacent lands. No fur or hairbearing animals seem to inhabit the area. Some seabirds frequent the area but do not necessarily utilize it for staging or nesting.
8. Fisheries: The Kuskokwim River is a natural habitat for all five salmon species, whitefish, sheefish, and burbot. Little or no commercial fishing takes place in the project (lease) area. No shellfish exist in the area. Some

long line fishing for burbot and whitefish for personal use takes place in the project area.

9. Recreation: The reclaimed area along the river close to the City of Bethel has become somewhat of a public promenade. It provides an area for strolling and has potential as a waterfront park where outdoor public activities, association, and recreation can occur in the City of Bethel. The seawall bench has already become a natural congregation area and is a likely place for future native and non-native cultural events.

G. Land Use/Economic Conditions

1. Land Use Plan Coverage

a. DNR Land Use Plan Coverage: None

b. Local Government Comprehensive Plan: The City of Bethel has included the seawall in its combined comprehensive coastal management plan. It has authority and control over the seawall as a municipal public works facility while still allowing discharge of the state's public trust duty of ensuring public access to the navigable Kuskokwim River and public use of the tidelands.

c. Alaska Coastal Management Plan: The subject lands are within the City of Bethel Coastal Management Plan which was approved in concept on January 3, 1984.

2. Existing Land Uses/Improvements/Facilities: In addition to the construction of the seawall itself, six boat ramps were attached to the seawall for improved boat/pedestrian access. This has greatly enhanced the riverside utility of this area of Bethel. Water transportation access has been greatly enhanced by the seawall project because of the stabilization of the riverbank and the project boat ramps now provided. Commercial activities will be allowed to operate adjacent to the reclaimed area.
3. Subsistence Uses: Some non-commercial fishing subsistence use of the Kuskokwim River might take place in the project area. No other subsistence use of the area is likely.
4. Unauthorized Use: There is no known unauthorized use of the Bethel Seawall area at the present time.
5. Cultural/Historic Use Patterns: No known cultural or archeological values have been identified in the project area. Historically, people of the Bethel

area have been using the river front prior to the establishment of the Moravian Church in the Bethel area over 90 years ago. Use of significant portions of the Kuskokwim River waterfront was suspended because of ineffective erosion control measures. The dumping of scores of old automobile bodies down the eroding riverbank was one measure utilized for a number of years. This resulted in making the riverfront areas unusable and unsafe. Such debris has now been retrieved and moved to a disposal site within the City of Bethel.

6. **Adjacent Land Uses:** Nearby land usage is a mixture of industrial port facilities, commercial, and residential.
7. **Local Economic Conditions:** The City of Bethel, comprised of a population of approximately 3500 people, is the hub community for the Kuskokwim River drainage. It serves many needs of the smaller villages along the Kuskokwim and Yukon Rivers. The Bethel waterfront is the commercial hub utilized by the inhabitants of those villages and the residents of Bethel. Although many of the villagers travel by airplane, most travel is by boat on the Kuskokwim River.

III. Issues This Plan Addresses:

- A. Classification of state land is required prior to a disposal of state interests in the land pursuant to 11 AAC 55. And, pursuant to AS 38.04.065, a site-specific plan must be prepared if no regional plan exists for the area.

IV. Plan Alternatives and Impacts

A. The Alternatives:

1. Alternative 1: Classify subject tide and submerged lands as Material Land. Issue a Material Sale Contract.
2. Alternative 2: Take no action. Material Sale Contract would not be issued.

B. Impacts Of The Alternatives:

1. Impacts on Natural Resources: Alternative 1 or 2 would have little impact on natural resources.
2. Impacts on Land Use: Alternative 1 or 2 would have little or no impact on land use.

3. Impacts on Economy and Social Environment: Neither Alternative 1 or 2 would have much impact.

V. Agency and Public Contact

A. Comment Process Utilized

1. Interagency Process: (To be conducted by Brad Sworts of the Division of Land)
2. Public Notice: Published 2/7/94 in Anchorage Daily News, Alaska Journal of Commerce (Anchorage) and the Tundra Drums (Bethel). Posted in the Bethel Post Office.
3. Courtesy Letters of Notice mailed to various groups, agencies, etc. on 2/2/94.
4. A number of other agencies will be noticed and given the opportunity for comments during the ACMP review.

- B. Comments Received: A letter of request, dated 2/22/94, from was received from the manager of the Yukon Delta National Wildlife Refuge in Bethel for additional information regarding the project, i.e., maps, etc. The requested information was sent on 2/28/94. No other comments were received regarding the proposed classification or material sale.

VI. Selected Alternative

- A. Management Intent: To classify the subject unclassified state land as Material Land.

SIGNATURE PAGE FOR SITE-SPECIFIC PLAN

Larry Bullis, NRO IF
Plan author's name and title

3-9-94
Date

Richard B. Thompson
Richard B. Thompson
Regional Manager

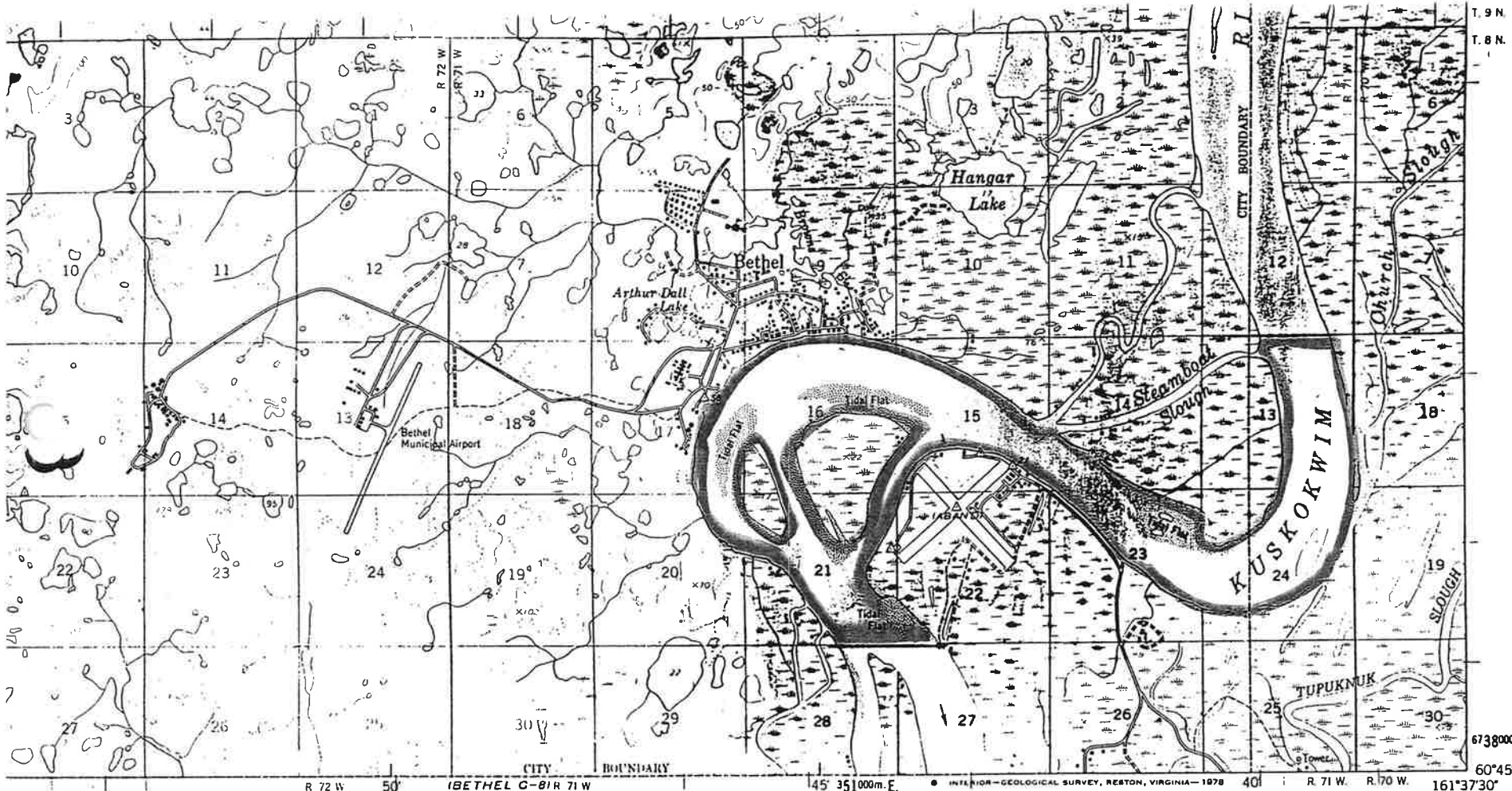
3/9/94
Date

R Swanson
Ron Swanson, Director
Division of Land

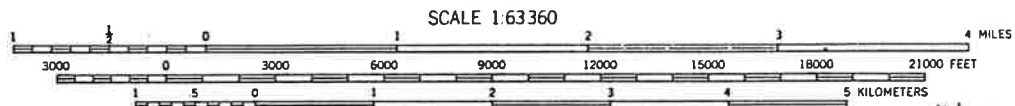
3/11/94
Date

R Swanson
Harry A. Noah, Commissioner
Department of Natural Resources

3/11/94
Date



T. 9 N.
T. 8 N.
6738000m. N.
60°45'
161°37'30"



CONTOUR INTERVAL 50 FEET
 DOTTED LINES REPRESENT 25 FOOT CONTOURS
 NATIONAL GEODETIC VERTICAL DATUM OF 1929
 SHORELINE SHOWN REPRESENTS THE APPROXIMATE LINE OF MEAN HIGH WATER
 THE MEAN RANGE OF TIDE IS APPROXIMATELY 1 FOOT

FOR SALE BY U.S. GEOLOGICAL SURVEY
 FAIRBANKS, ALASKA 99701, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
 A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

TRUE NORTH
 MAGNETIC NORTH
 CLIMATE MEAN
 ANATION, 1954

AREA TO BE
 CLASSIFIED



QUADRANGLE LOCATION

ROAD CLASSIFICATION
 Light-duty ————— Unimproved dirt - - - - -

BETHEL (D-8), ALASKA
 N6045-W16137.5/15X22.5
 1954
 MINOR REVISIONS 1977

BETHEL C-71