

STATE OF ALASKA  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINING, LAND AND WATER

**JUNEAU STATE LAND PLAN AMENDMENT**  
**SE-93-004A10**

**Region 6 - Juneau, Management Unit 6a, Subunit 6a8**

related to the  
**Proposed Tideland Conveyance – ADL 109052**

The Commissioner of the State of Alaska, Department of Natural Resources (DNR) finds that the following amendment to the Juneau State Land Plan, described more fully in the Attachment, meets the requirements of *AS 38.04.065 Land Use Planning and Classification* and *11 AAC 55.010-030 Land Planning and Classification* for land use plans and hereby adopts the amendment. The Department of Natural Resources will manage state lands within the area of the revision consistent with this designation and management intent.

- Designation: The amendment will amend the designation of Subunit 6a8 to add Waterfront development to the existing designations of Wildlife Habitat (Hb) and Fish and Wildlife Harvest (Hv).
- Management Intent: No proposed changes to the management intent.

Approved: signature on file  
Corri A. Feige, Commissioner  
Department of Natural Resources

May 18, 2021  
Date

# ATTACHMENT

## to the JUNEAU STATE LAND PLAN AMENDMENT

### Region 6 - Juneau, Management Unit 6a, Subunit 6a8

### related to the Proposed Tideland Conveyance – ADL 109052

Location and legal description: Located within DNR’s Southeast Region, tide and submerged lands within Gastineau Channel adjacent to downtown Juneau within Sections 22, 23, 25, 26, and 36, Township 41 South, Range 67 East, Copper River Meridian, containing approximately 542 acres and referred to as Subunit 6a8 in the Juneau State Land Plan (JSLP).

Authority: The authority to revise plans derives from *AS 38.04.065(b) Land Use Planning and Classification. 11 AAC 55.030(f) Land Use Plan* defines when a revision constitutes a plan amendment.

Current Plan: The JSLP designates Subunit 6a8 as Fish and Wildlife Harvest (Hv) and Fish and Wildlife Habitat (Hb). These designations convert to the classification of “Wildlife Habitat Land.”<sup>1</sup> Within the JSLP, management intent for the submerged lands within Subunit 6a8 is as follows:

[T]o provide both land and water space for uses and activities which are directly related to maritime activities while minimizing significant adverse impacts on habitat and harvest for which these subunits are co-designated. Maritime activities include private boating of all types, tourism (including cruise ships, transient pleasure vessels, and floatplanes), commercial fishing, use by charter boat, floatplane activity, and any other activities involving the human use of waterbodies for sport, recreation, or commerce. Although all existing developments occur on non-state tidelands, portions of future developments such as breakwaters, marinas, and docks may require authorizations for use of state tidelands. Development directly related to maritime activities along the edges of the subunits that extend onto state tidelands and submerged lands are an allowable use if they do not pose hazards to navigation. Fill may be authorized in these subunits if consistent with the Juneau Coastal Management Plan and the guidelines in this plan.<sup>2</sup>

The JSLP description of management intent is consistent with the current and future maritime activities along the Juneau waterfront. The JSLP provides further background information on existing and future development along the Juneau waterfront and states that “Subunit 6a8 includes the tidelands and submerged lands off the Juneau waterfront. Most developments are on CBJ (City and Borough of Juneau) and privately-owned tidelands...There are a number of large docks and buildings on pilings and tidelands fill lining the downtown Juneau waterfront.

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<sup>1</sup> Area plan “designations” indicate in general how the land described in the plan is to be managed by DNR. The two-letter designations indicate the primary and co-primary uses and resources for each subunit as designated by the plan. (JSLP 3-1) To implement the plan on state lands, DNR must “classify” state lands to reflect the intent of the land use designations made by the plan. Land classification is the formal record of uses and resources and is statutorily required for land planning. (AS 38.05.300; 38.04.065; 11 AAC 55.0200; JSLP 4-1 & 4-3)

<sup>2</sup> JSLP, 3-116.

## **Attachment to the Juneau State Land Plan Amendment**

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These docks serve a number of private and public purposes.” Additionally, the JSLP notes: “The waters off the Juneau waterfront are heavily used by pleasure boats, commercial fishing boats, barges, and cruise ships traveling and mooring in the channel. The channel is also used for floatplane landings and takeoffs. These waters are also valuable for sport fishing, wildlife viewing, and sightseeing. The entire area is in the view shed of downtown Juneau and Douglas Island.”<sup>3</sup> Thus, the JSLP recognizes the significant maritime development activities that have existed and will continue to exist along the Juneau waterfront.

Proposed Plan Amendment: The amendment to add a Waterfront development (Wd) designation and Waterfront development land classification will more accurately represent the existing and future maritime development activities within Subunit 6a8. Following the amendment, the JSLP Subunit 6a8 will retain the two existing designations of Fish and Wildlife Harvest (Hv) and Fish and Wildlife Habitat (Hb). The JSLP will also retain the attending classification of Wildlife Habitat Land and the current description of management intent.

Explanation: On any parcel of land, up to three classifications may be used where the dominance of a particular use cannot be determined. As discussed in the JSLP, the submerged lands adjacent to the Juneau waterfront involve significant maritime activities, including the daily arrival and departure of several cruise ships between April and September and associated float plane and lightering activity and private boating of all types. Additionally, fishing activity occurs year-round.

As noted above, the JSLP currently has designated the Juneau waterfront as Fish and Wildlife Habitat (Hb) and Harvest (Hv). Habitat (Hb) is defined as the second-most valuable of habitat types. “Hb” habitats are highly productive components of the ecosystem where alteration of the habitat or human disturbance would reduce the yield of fish and wildlife populations whether directly or cumulatively. Fish and wildlife harvest areas (Hv) are localized, traditional harvest areas of limited size where alteration of habitat could permanently limit sustained yield to traditional users; or areas of intense harvest where the level of harvest has or is projected to reach the harvestable surplus for the resource.

This area plan amendment will add to the designation of Waterfront development (Wd) and classification of Waterfront Development Land to Subunit 6a8. The JSLP defines Waterfront development as “The use of tidelands, submerged lands, or shorelands for water-dependent or water-related facilities, usually for industrial or commercial purposes. Waterfront development includes piers, wharves, harbors, log storage, log or mineral transfer facilities, seafood processing facilities, commercial recreational facilities, and other resource development support facilities.”

The Juneau State Land Plan was adopted in 1993. The addition of the Waterfront development designation more accurately reflects the ongoing and significant maritime commercial activities of the Juneau waterfront associated with tourism. Tourism is the predominant industry along the Juneau waterfront from April through September. However, the retention of the Habitat and Harvest designations and Wildlife Habitat Land classification is appropriate because the area is vital to numerous fish and wildlife populations available for harvest throughout the year. Retaining the current designation and classification will ensure that the impacts future development may have on fish and wildlife habitat and harvest activities will continue to be assessed and mitigated prior to the approval of development projects.

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<sup>3</sup> JSLP, 3-114, 3-115.

STATE OF ALASKA  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINING, LAND AND WATER

**LAND CLASSIFICATION ORDER**  
**NO. CL SE-93-004A10**

**Related to the Proposed Tideland Conveyance – ADL 109052**

- I. Name: Proposed tideland conveyance in downtown Juneau, within Gastineau Channel
- II. The classifications in Part III are based on written justification contained within the following:
- a Preliminary Decision for the Proposed tideland conveyance within an Organized Borough, dated January 15, 2021; and
  - an Amendment to the Juneau State Land Plan No. SE-93-004A10.

III. Legal Description	Acreage	Acquisition Authority	Existing Classification	Classification by this Action
Tide and submerged lands within Gastineau Channel located within Sections 22, 23, 25, 26, and 36, Township 41 South, Range 67 East, Copper River Meridian, and referred to as Subunit 6a8 in the Juneau State Land Plan (JSLP).	542 acres	Alaska Statehood Act, Submerged Lands Act, Equal Footing Doctrine	Wildlife Habitat Land	Waterfront Development Land, Wildlife Habitat Land

- IV. This order is issued under the authority granted to the Commissioner of the Department of Natural Resources by *AS 38.04.065 Land Use Planning and Classification* and *AS 38.05.300 Classification of Land*. 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.

Approved: signature on file  
Corri A. Feige, Commissioner  
Department of Natural Resources

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Assessment: The following alternatives are being considered:

1. (Preferred) Amend the Juneau State Land Plan as described above to add the Waterfront development designation to Subunit 6a8. Amending the plan is the preferred alternative as it will allow development of commercial maritime activities as approved by DNR.
2. (Status Quo) Do not amend the Juneau State Land Plan. This alternative is not preferred as it would disallow the development of maritime activities in this area.

Requirements of AS 38.04.065 (b): The factors identified in this section of statute have been considered in the Preliminary Decision for the proposed tideland conveyance – ADL 109052 issued on January 15, 2021 and the proposed action is consistent with that portion of the statute.