

**JUNEAU STATE LAND PLAN
FINAL FINDING OF THE COMMISSIONER
FOR MINERAL CLOSING ORDER #653
A.S. 38.05.185 (a)**

The Juneau State Land Plan (JSLP), developed in accordance with A.S. 38.04.065, identifies certain areas to be closed to new locatable mineral entry because mining activity would not be compatible with significant surface uses (A.S. 38.05.185). The Department will close approximately 17,896 acres of state lands to mineral entry for: 4 proposed settlement areas; 4 identified material sites; the mouths of approximately 30 anadromous fish streams; 4 fish hatchery sites; 7 net-pen sites; the beds of the Berners River, Montana Creek, Mendenhall Lake, Windfall Lake, and portions of Herbert River; and uplands near lower Peterson Creek. These are areas of significant surface use, and the state is committed to take all reasonable actions necessary to preclude the creation of any new third-party interests in these lands, including mining claims and leasehold locations. These closures have been given public review through the Juneau State Land Plan planning process.

Areas to Be Closed to New Mineral Location. In the Juneau State Land Plan planning area, mining has been determined to be incompatible with the following significant surface uses:

1. Areas proposed for settlement (approximately 1,110 acres). Lena Point parcel, Lena Creek parcel, Channel Vista Drive parcel, Lemon Creek tract. These lands will be managed to support residential settlement needs.
2. Identified materials sites (approximately 380 acres). Lemon Creek, 11-Mile Creek on north Douglas, Sheep Creek delta, and a site near Eagle Beach are identified as important materials sites.
3. Mouths of certain anadromous fish streams (approximately 13,255 acres). The estuarine area, from mean high water to a water-depth of approximately 40 feet (measured at MLLW), at the mouths of the anadromous fish streams listed below. Each of these streams has had a peak escapement count that meets the criteria below.
 - a) 500 pink salmon and 500 chum salmon; or
 - b) 1,000 pink salmon or 1,000 chum salmon; or
 - c) 500 coho salmon or 500 sockeye salmon.

Maintaining the high quality estuarine rearing habitat adjacent to these streams and avoiding impacts to the associated water quality and marine plant and animal communities is essential to sustaining the productivity of the Juneau area commercial and community harvest fisheries.

Mainland systems

Berners-Lace-Gilkey-Antler rivers
Sawmill Creek
Cowee Creek
Herbert River
Peterson Creek
Tee Creek
Auke Nu Creek

Wadleigh Creek
Auke Creek
Sheep Creek
Limestone Creek
Whiting River and tributaries
Sweetheart Creek
2 creeks into Gilbert Bay

Douglas Island systems

Kowee Creek
Lawson Creek

Admiralty Island systems

Greens-Zinc creeks
2 creeks head of Hawk Inlet
Fowler-Cabin-West Cabin-First West
Admiralty creeks

4. Fish hatcheries and net-pen sites (*approximately 440 acres*). Forty-acre tideland and submerged land sites adjacent to the fish hatcheries at Kowee Creek, Snettisham, Sheep Creek, and Salmon Creek; and surrounding the net-pen sites used for the remote release of hatchery salmon at Sheep Creek, Eagle-Amalga Harbor, Speel Arm (the cove south of the Snettisham hatchery), Twin Lakes, Limestone Inlet, Williams Cove, and Gilbert Bay. The hatcheries, net pens, and the fisheries they support are critically dependent on the estuarine rearing habitat. The closure is to protect the significant state and private investments in these hatcheries and net pens.

5. Berners River (*approximately 960 acres*). The bed (below the ordinary high water mark) of both branches of the Berners River from the mouth north to the planning area boundary will be closed to mineral entry. The Berners River will be closed because mining in the bed of the river would conflict with spawning, incubation, and rearing of the significant populations of anadromous fish that live in this clear-water system.

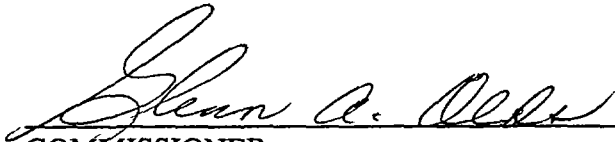
6. Montana Creek (*approximately 575 acres*). The bed (below the ordinary high water mark) of Montana Creek will be closed from the north boundary of state land on Montana Creek to the confluence of Montana Creek with the Mendenhall River. Montana Creek will be closed to protect the spawning, incubation, and rearing areas for significant populations of anadromous fish that live in this clear-water system. Upper Montana Creek (within the state lands) is heavily used for sport fishing, hiking, and hunting. Lower Montana Creek (within the CBJ lands) has been identified by the CBJ as a greenbelt.

State uplands above the ordinary high water mark extending landward 50 feet on either side of upper Montana Creek will be closed to protect the intensive recreation uses and the fisheries values.

7. Windfall Lake and Herbert River (approximately 150 acres). The bed of Windfall Lake and portions of Herbert River (below ordinary high water mark) will be closed to new mineral entry. Windfall Lake and approximately 1½ miles of the southern branch of the upper Herbert River will be closed because mining in the bed of the lake and river would conflict with spawning, incubation, and rearing of the significant populations of anadromous fish that live in this clear-water system.

8. Lower Peterson Creek (approximately 40 acres). Subunits 1d25 and 1d26 will be closed to new mineral entry to protect lands purchased by ADF&G with matching federal funding for the purposes of providing public access to Peterson Creek, and to protect wetlands, fish spawning and rearing habitat.

9. Recreation Areas (approximately 700 acres). Mendenhall Lake (below ordinary high water mark) will be closed to new mineral entry to protect high recreation values.



COMMISSIONER
Department of Natural Resources

1/29/93
Date

Mineral Location Closures

◆ AREAS PROPOSED FOR SETTLEMENT

1. Lena Creek (Subunit 2d1)
2. Lena Point (Subunit 2d2)
3. Lemon Creek tract (Subunit 5a27)
4. Channel Vista Drive parcel (Subunit 5b28)

◇ IDENTIFIED MATERIAL SITES

5. Lemon Creek (Subunit 5b27)
6. 11-Mile Creek on North Douglas (subunit 10a25)
7. Eagle Beach (Subunit 1c26)
- 7.5 Sheep Creek Delta (Subunit 7b8)

■ MOUTHS OF CERTAIN ANADROMOUS FISH STREAMS

8. Berners-Lace-Gilkey-Antler rivers (Unit 11b)
9. Sawmill Creek (Unit 1a)
10. Cowee Creek (Unit 1a)
11. Herbert River (Unit 1c)
12. Peterson Creek (Unit 1d)
13. Tee Creek (Unit 2b)
14. Auke Nu Creek (Unit 3e)
15. Wadleigh Creek (Unit 3e)
16. Auke Creek (Unit 3e)
17. Kowee Creek (Unit 8a)
18. Lawson Creek (Unit 9b)
19. Sheep Creek (Unit 7b)
21. Limestone Creek (Unit 14b)
22. Whiting River and tributaries (Unit 15c)
23. Sweetheart Creek (Unit 15b)
24. 2 creeks into Gilbert Bay (Unit 15b)
25. Greens-Zinc creeks (Unit 13a)
26. 2 creeks head of Hawk Inlet (Unit 13a)
27. Fowler-Cabin-West Cabin-First West Admiralty creeks (Unit 13a)
45. Taku River (Unit 14a)
46. Auke Creek (Unit 3e)

▲ FISH HATCHERIES

28. Kowee Creek (Unit 8a)
29. Salmon Creek (Unit 5a)
30. Sheep Creek (Unit 7b)
31. Snettisham (Unit 15a)

● NET PEN SITES

32. Eagle-Amalga Harbor (Unit 1d)
34. Twin Lakes (Unit 5a)
35. Sheep Creek (Unit 7b)
36. Limestone Inlet (Unit 14b)
37. Speel Arm (cove south of the Snettisham hatchery) (Unit 15a)
38. Gilbert Bay (Unit 15b)
39. Williams Cove (Unit 15d)
47. Auke Creek (Unit 3a)

+++ STREAMS OR RIVERS

40. Berners River (Unit 11b)
41. Montana Creek (Unit 3f)
42. Windfall Lake & Herbert River (Unit 1c)

* LANDS PURCHASED WITH FEDERAL MONEY

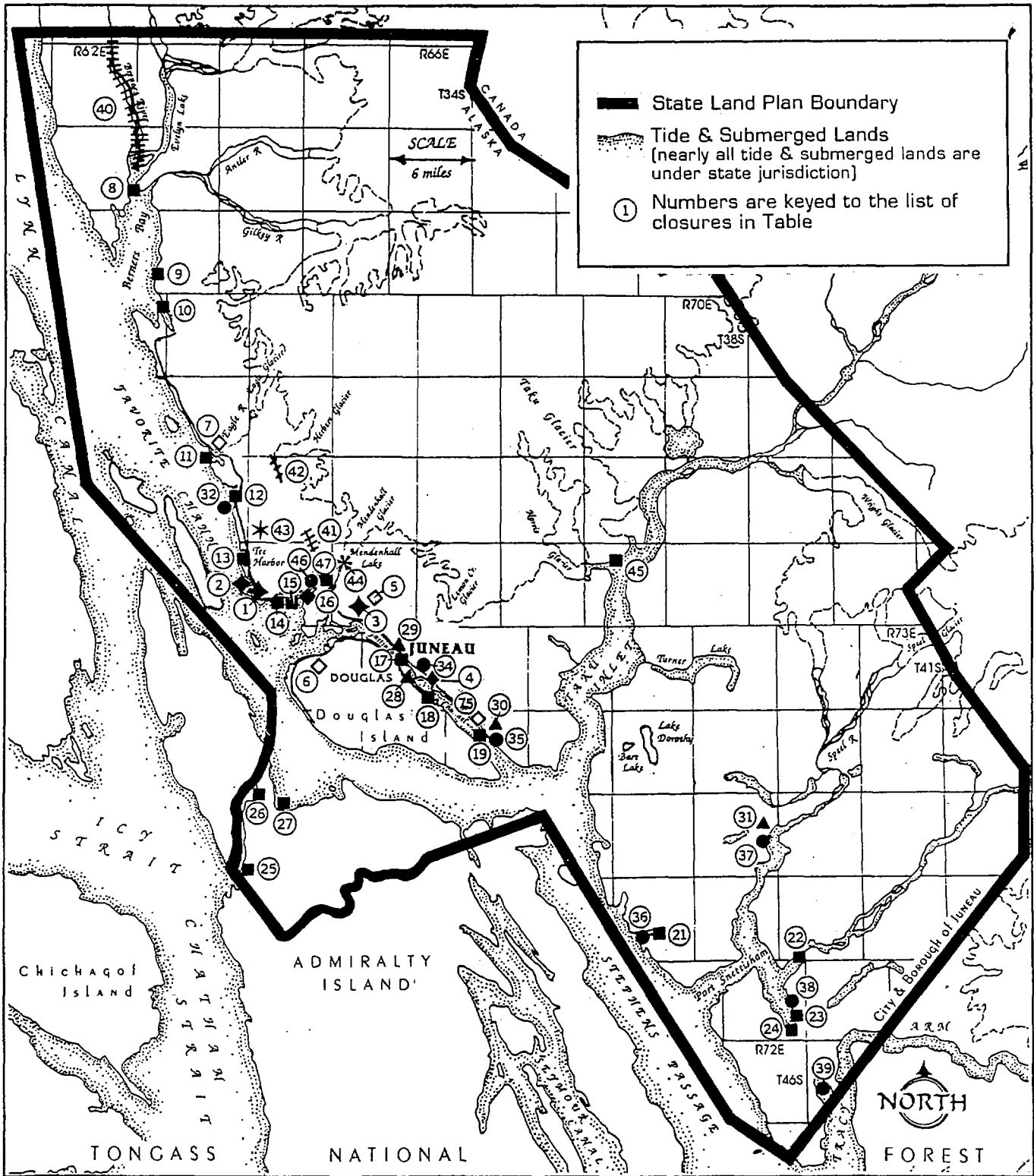
43. Lower Peterson Creek (Subunits 1d25 & 1d26)

* RECREATION AREA

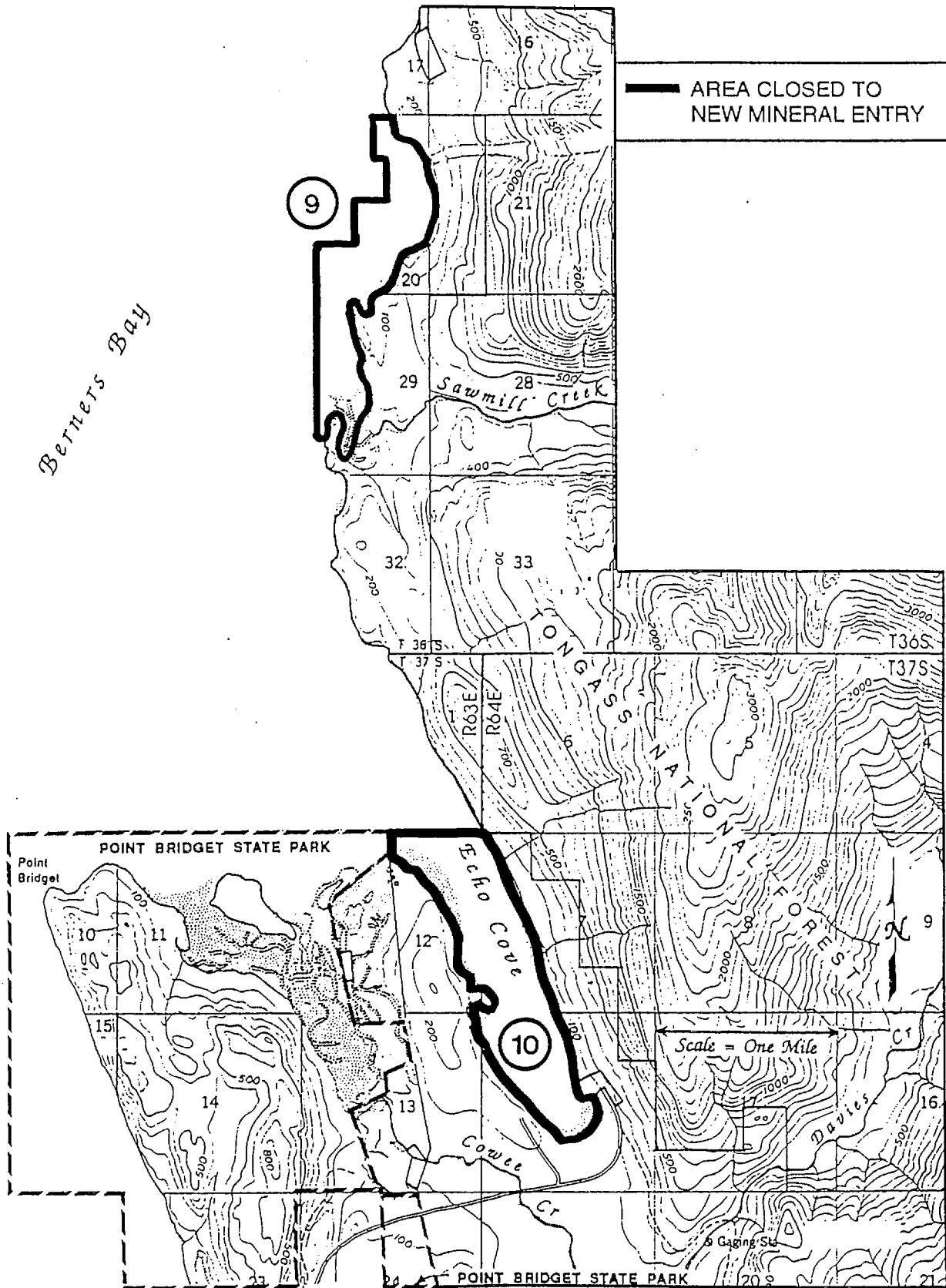
44. Mendenhall Lake (Unit 3f40)

Numbers are keyed to Map

Lands closed to new mineral entry

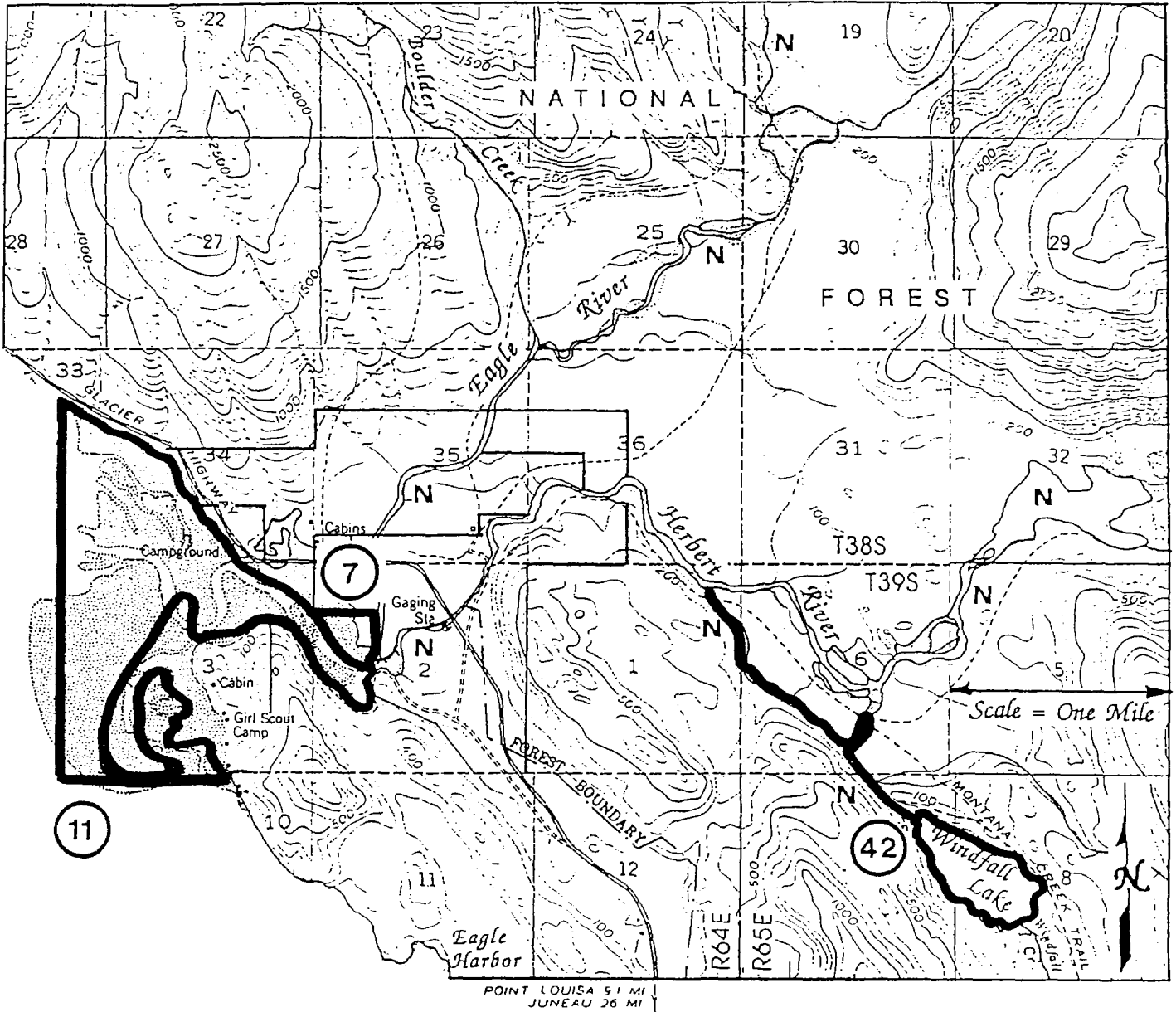


Unit 1A Echo Cove



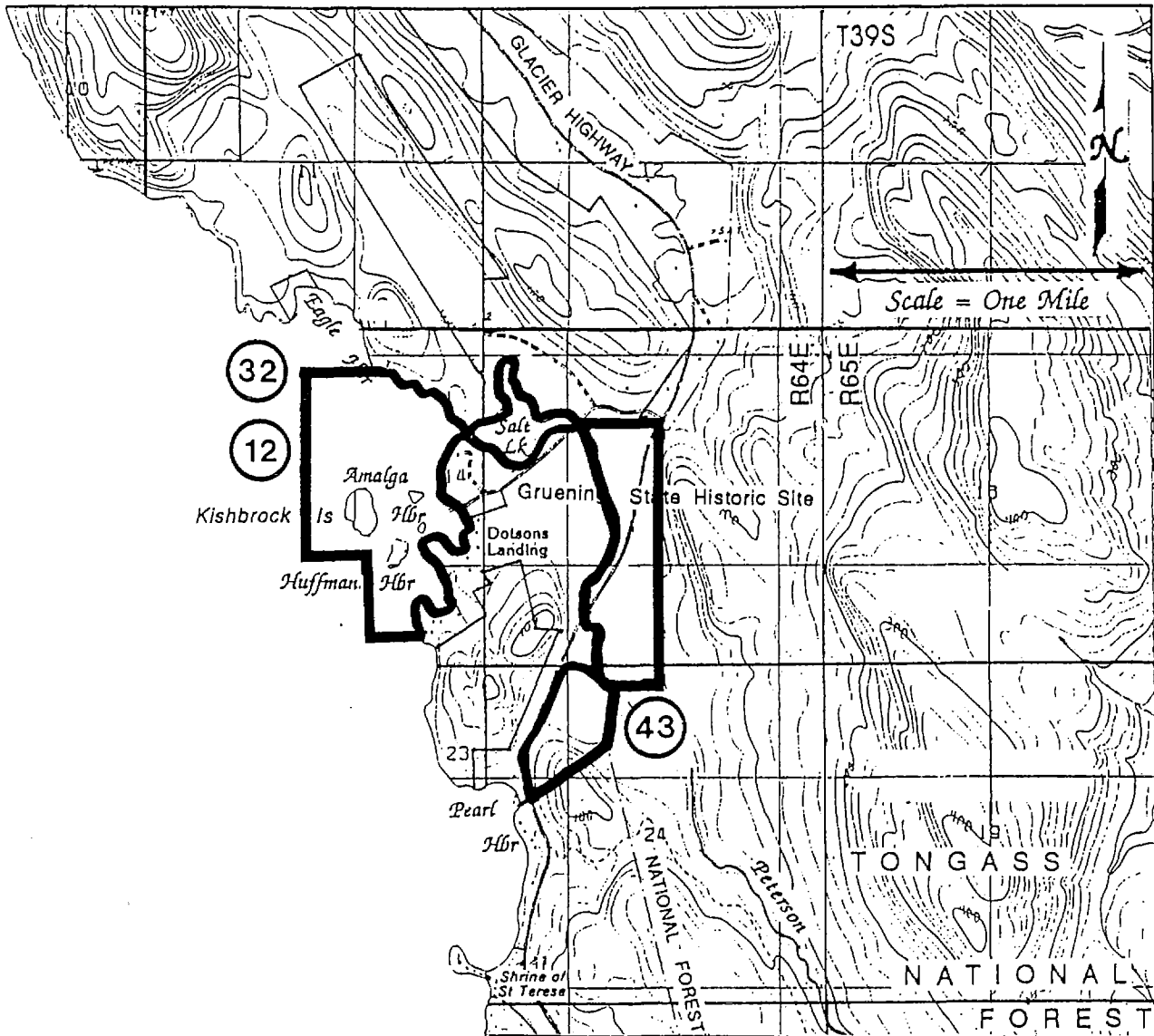
Unit 1C Herbert River

— AREA CLOSED TO
NEW MINERAL ENTRY



Unit 1D Eagle Harbor

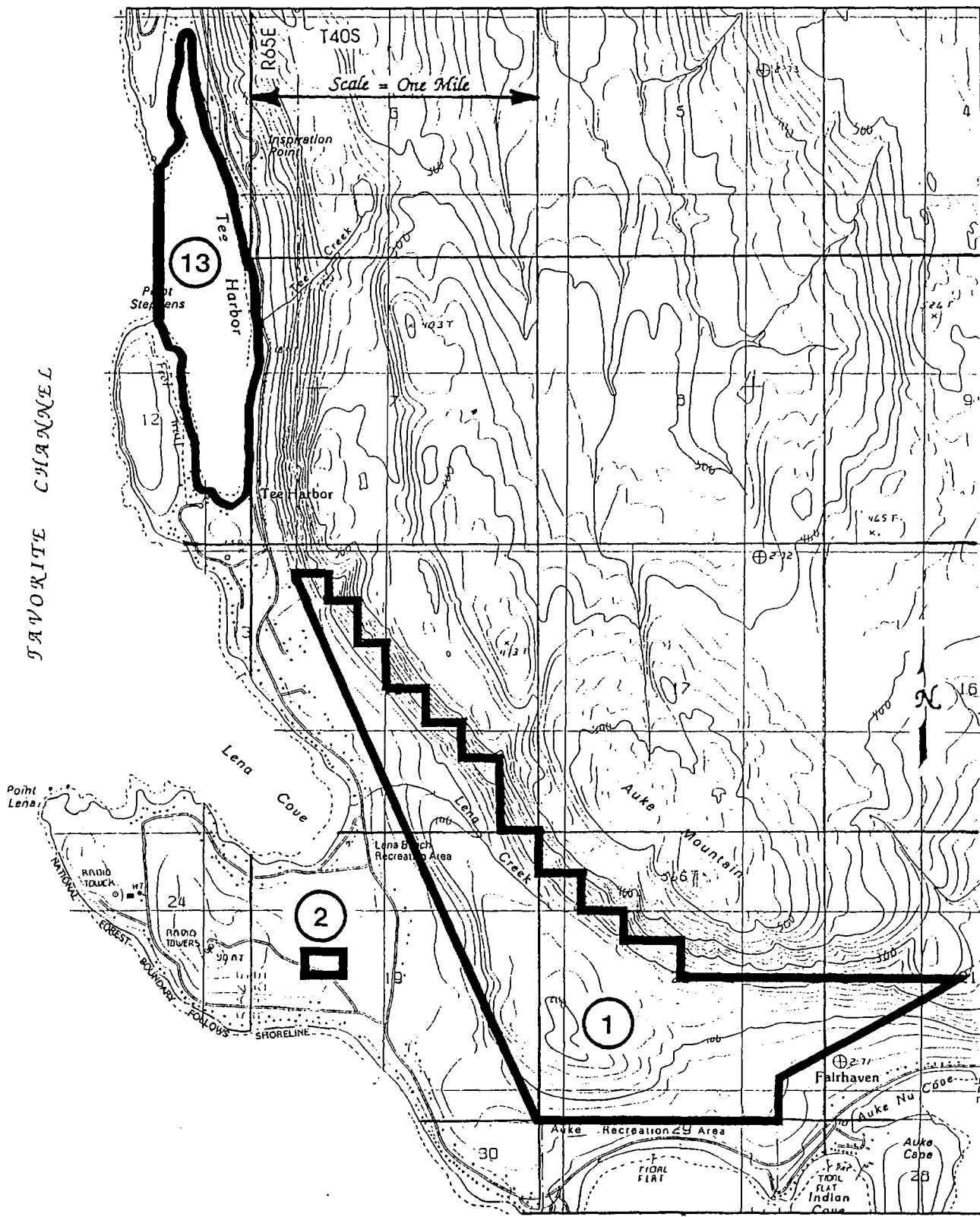
— AREA CLOSED TO
NEW MINERAL ENTRY



REGION 2

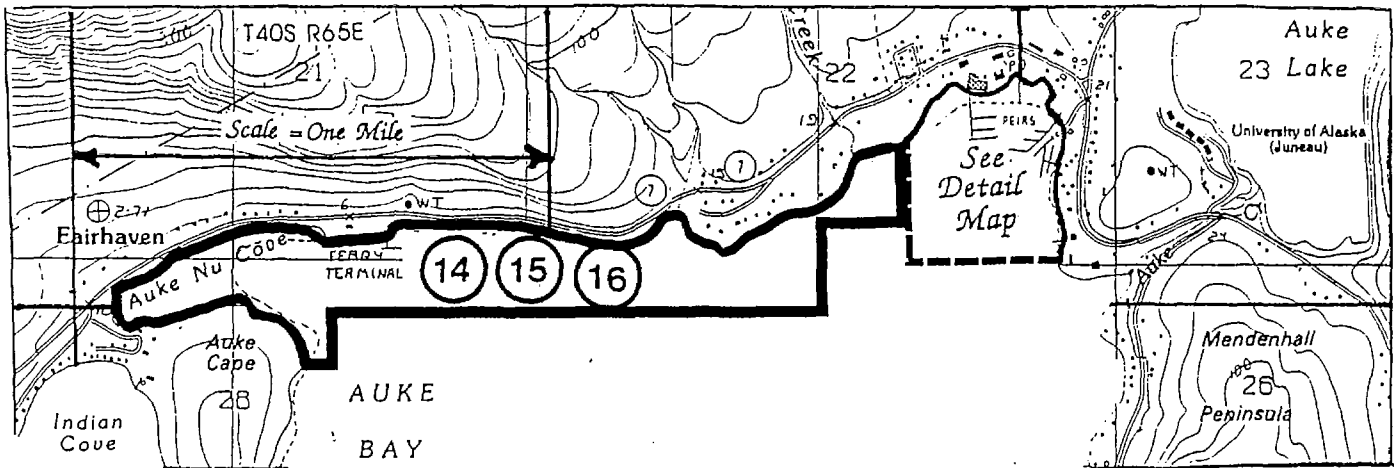
Lena Cove / Tee Harbor

— AREA CLOSED TO NEW MINERAL ENTRY

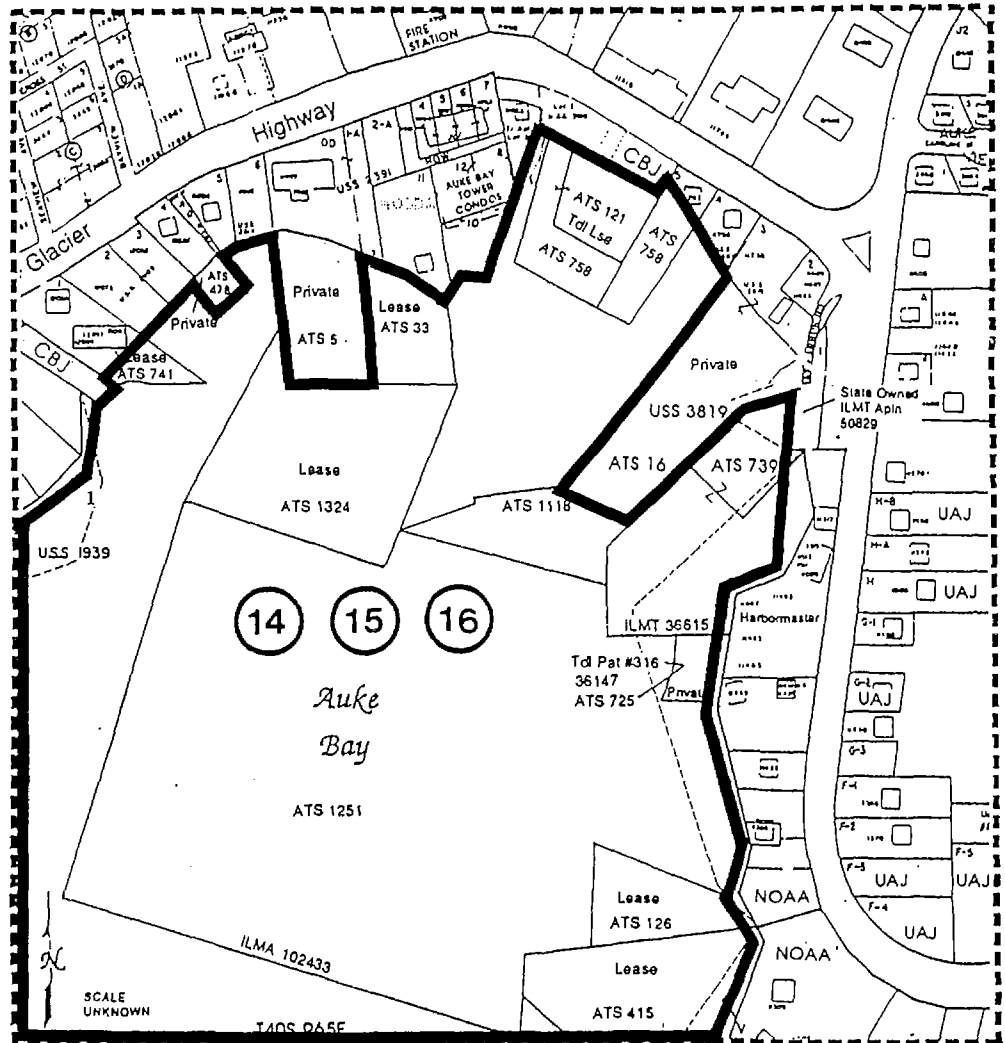


Unit 3E
Auke Bay

— AREA CLOSED TO
NEW MINERAL ENTRY

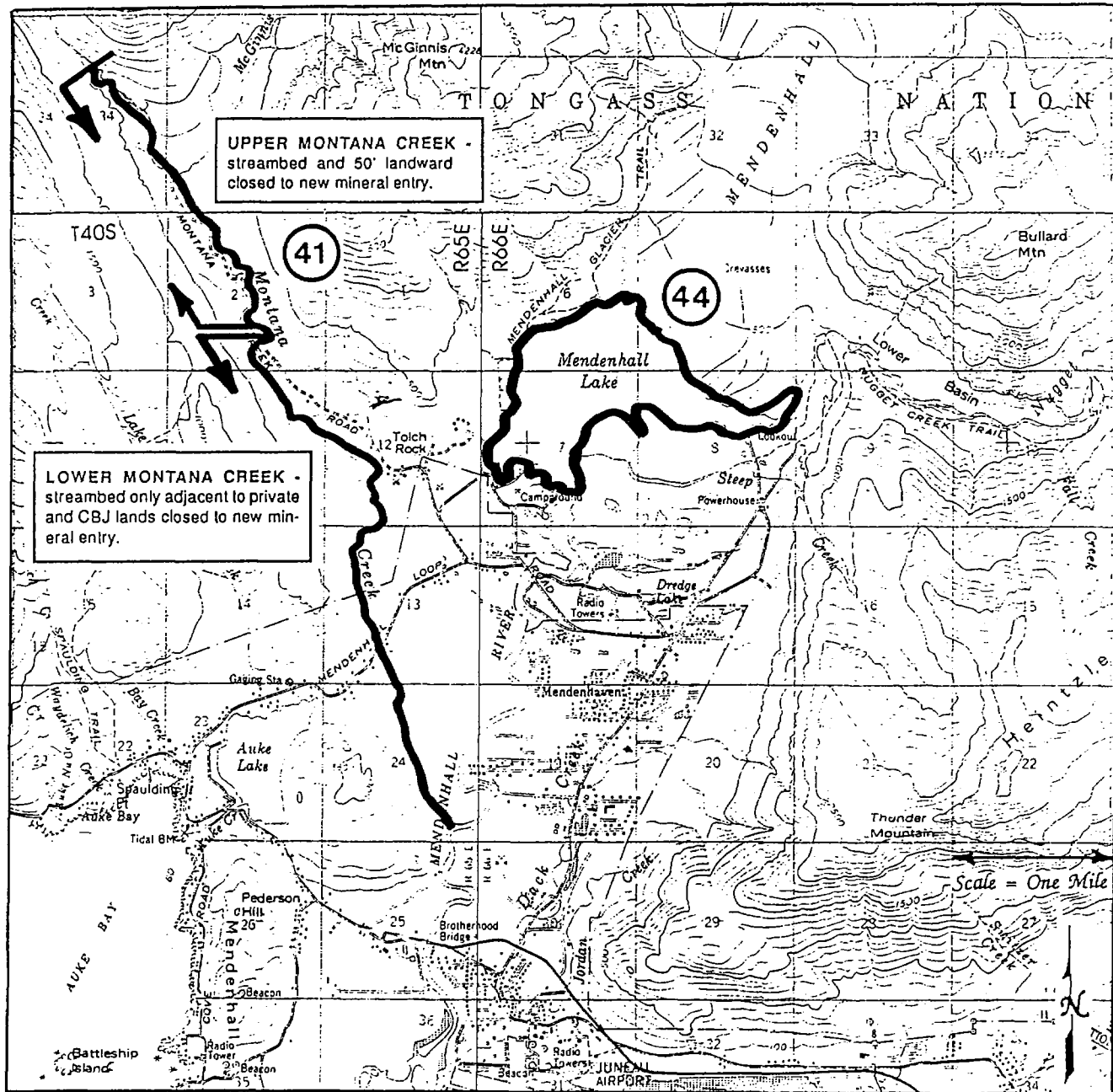


Detail



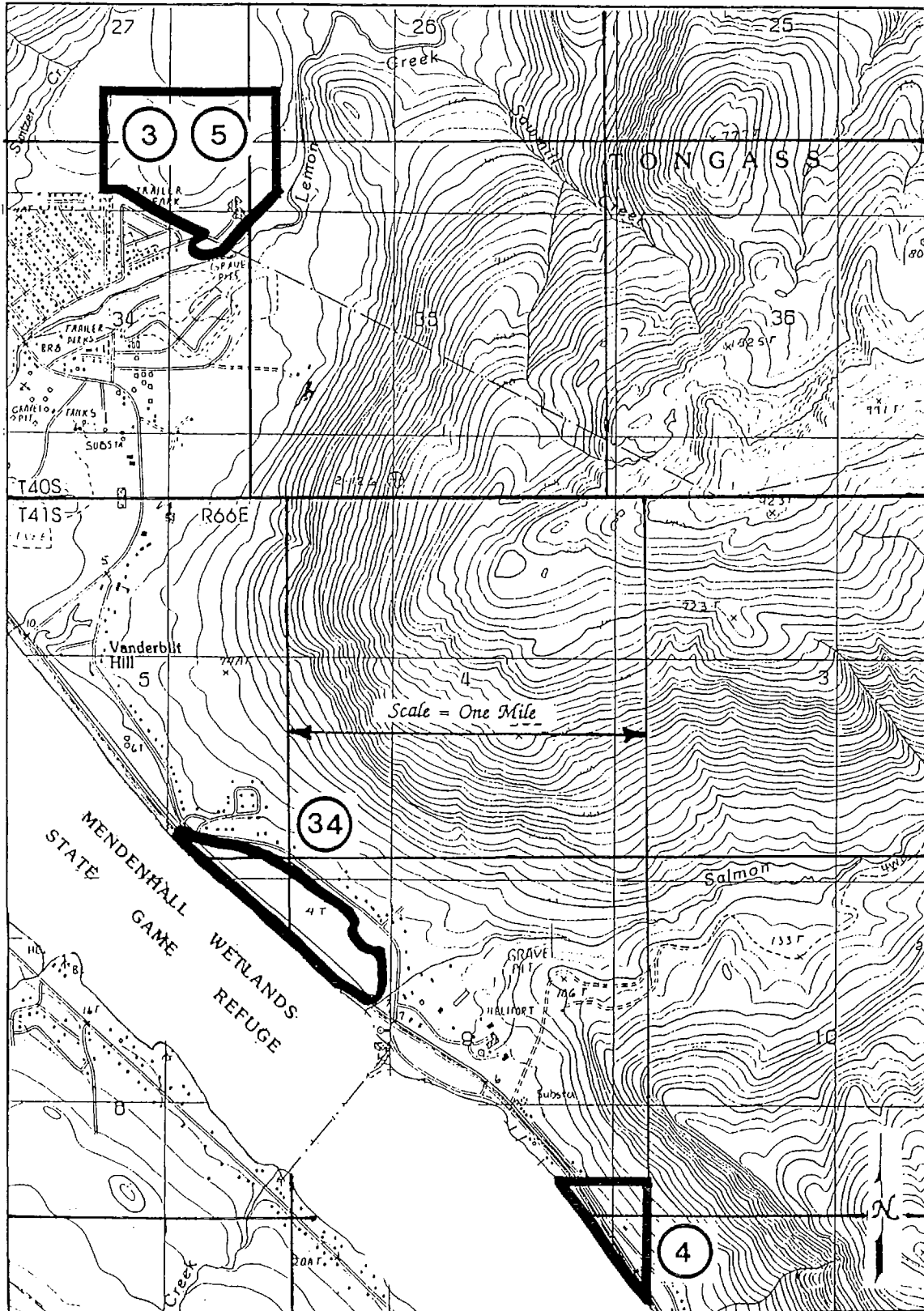
Unit 3F Mendenhall Lake

— AREA CLOSED TO
NEW MINERAL ENTRY



Lemon Creek / Salmon Creek

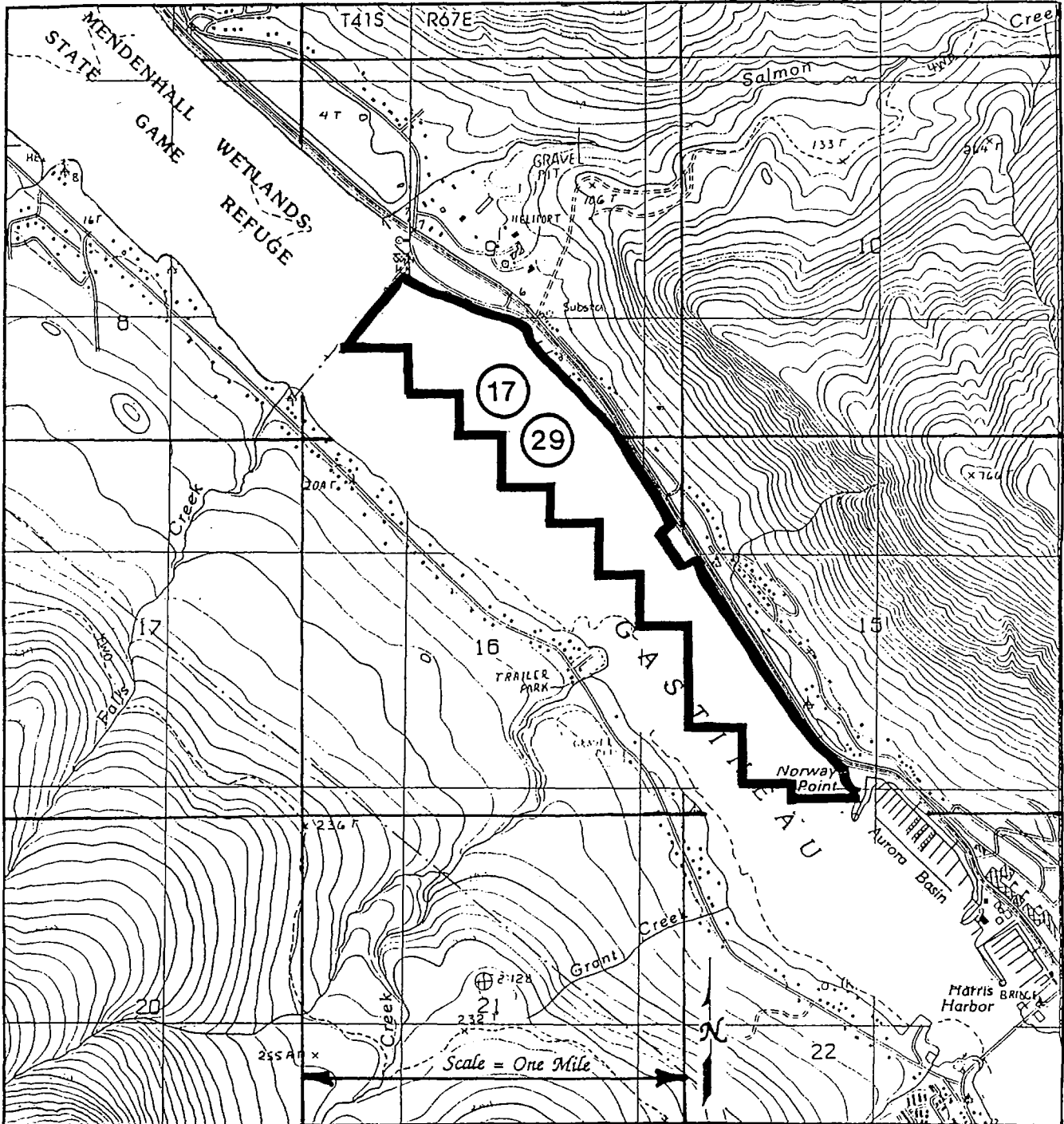
— AREA CLOSED TO NEW MINERAL ENTRY



REGION 6

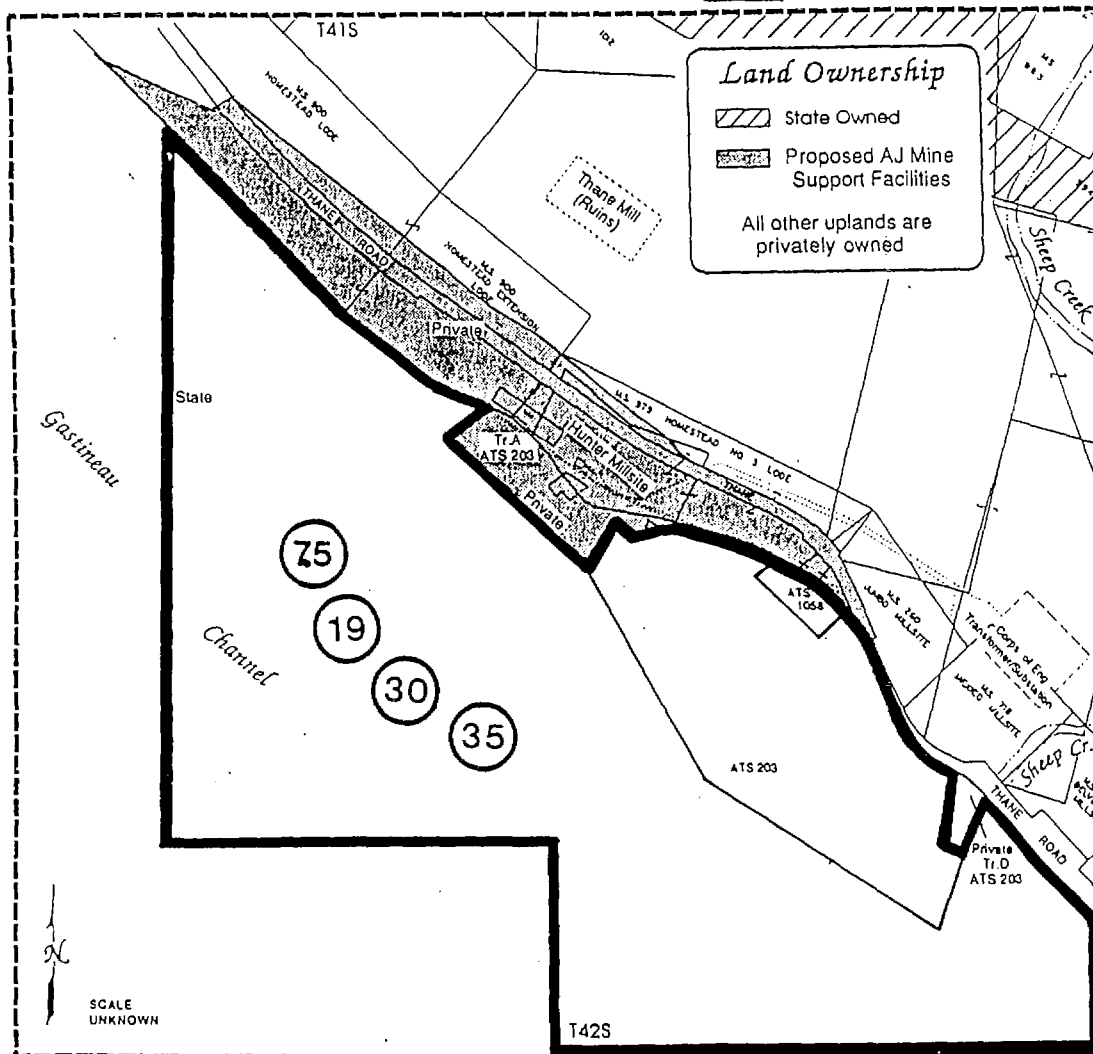
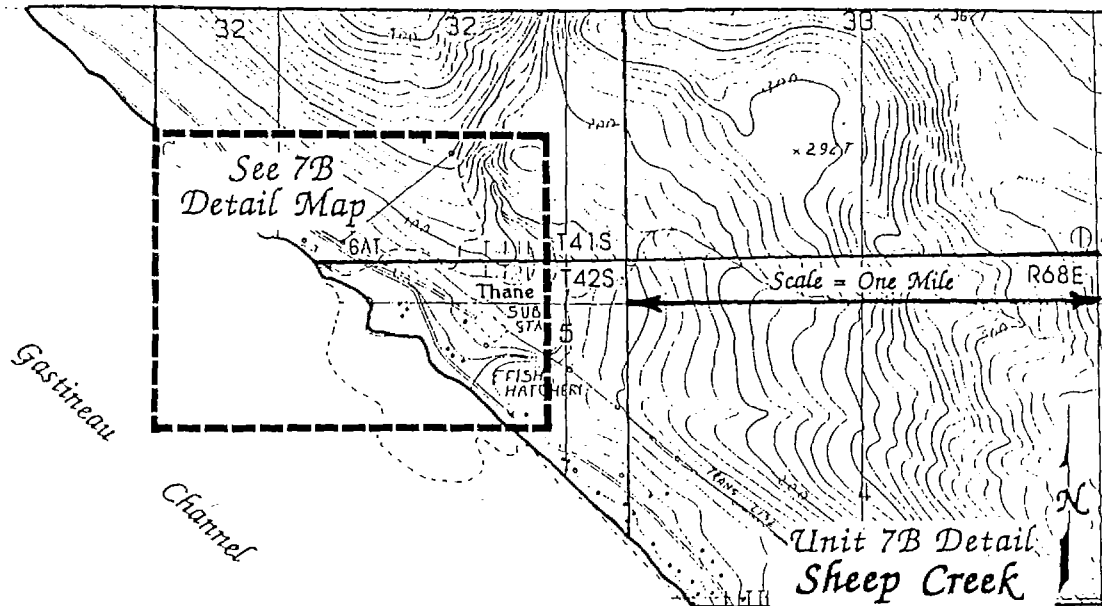
Juneau

— AREA CLOSED TO NEW MINERAL ENTRY



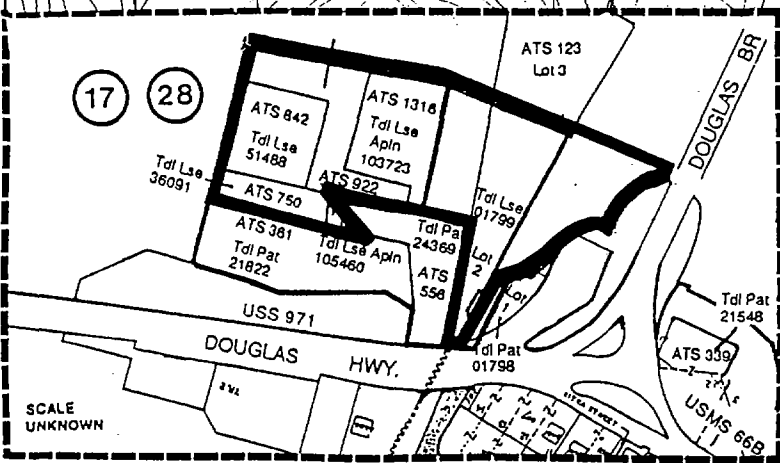
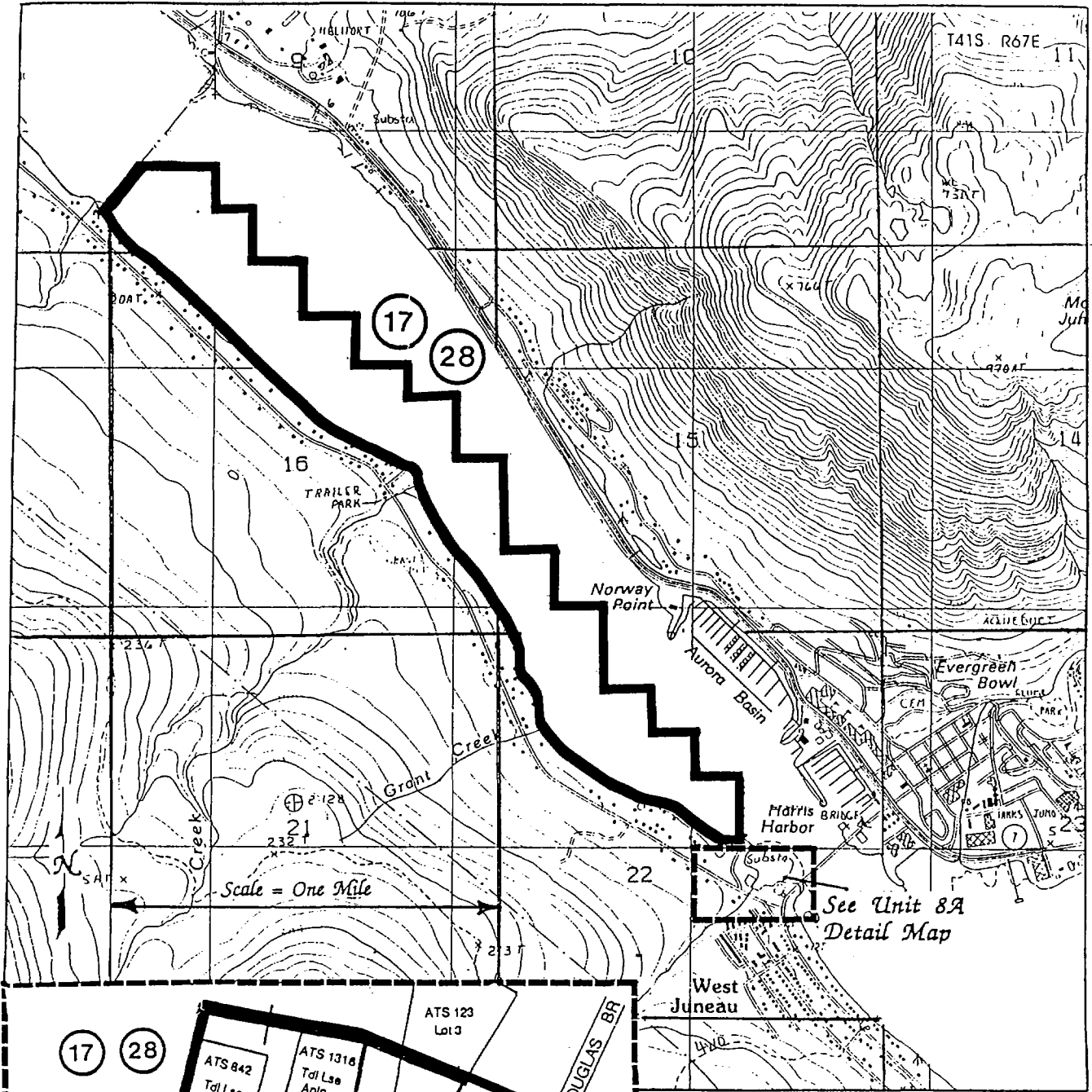
Unit 7B
Thane

— AREA CLOSED TO NEW MINERAL ENTRY



Unit 8A West Gastineau Channel

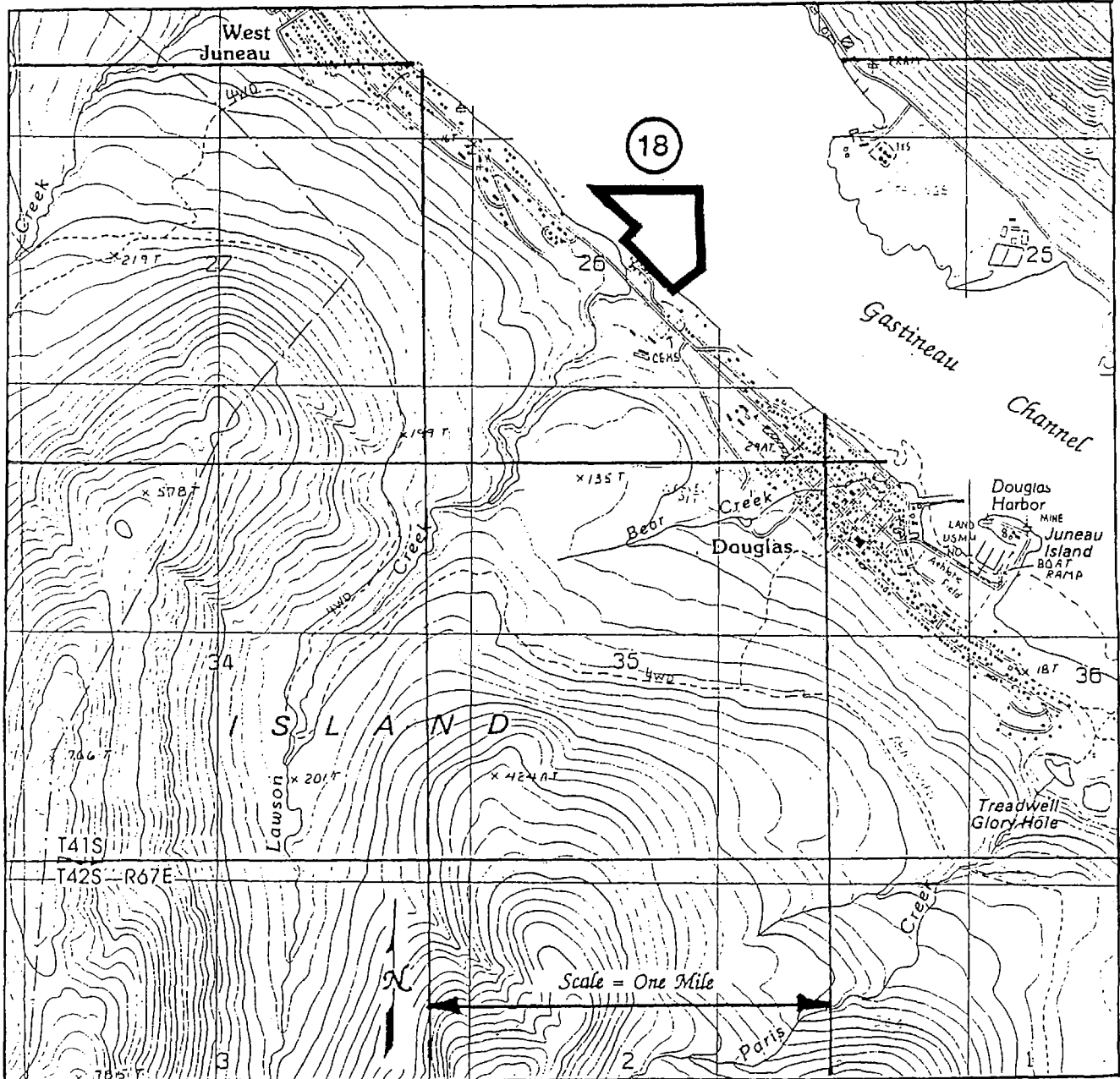
— AREA CLOSED TO
NEW MINERAL ENTRY



Unit 8A Detail

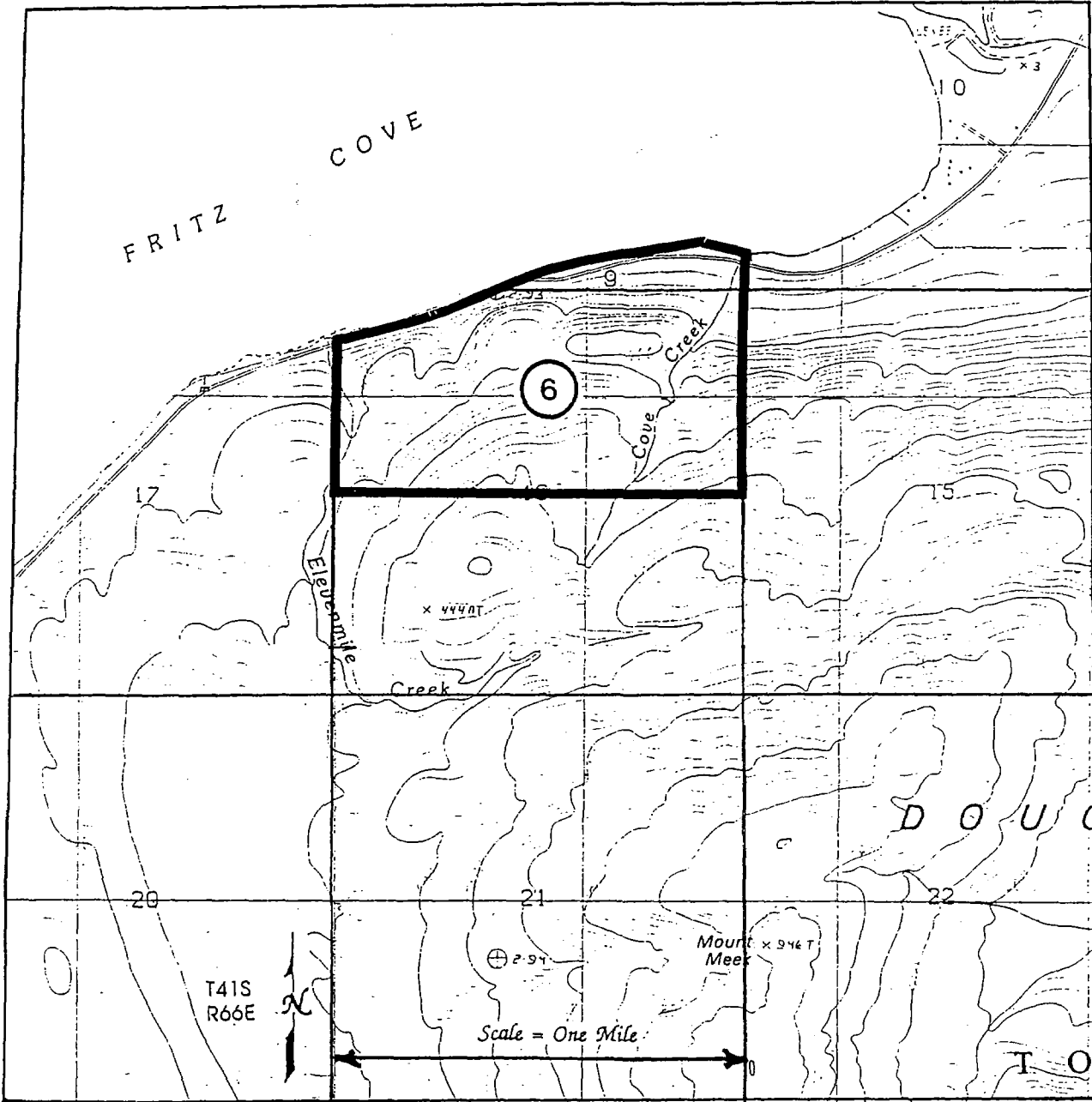
Unit 9B Douglas

— AREA CLOSED TO
NEW MINERAL ENTRY



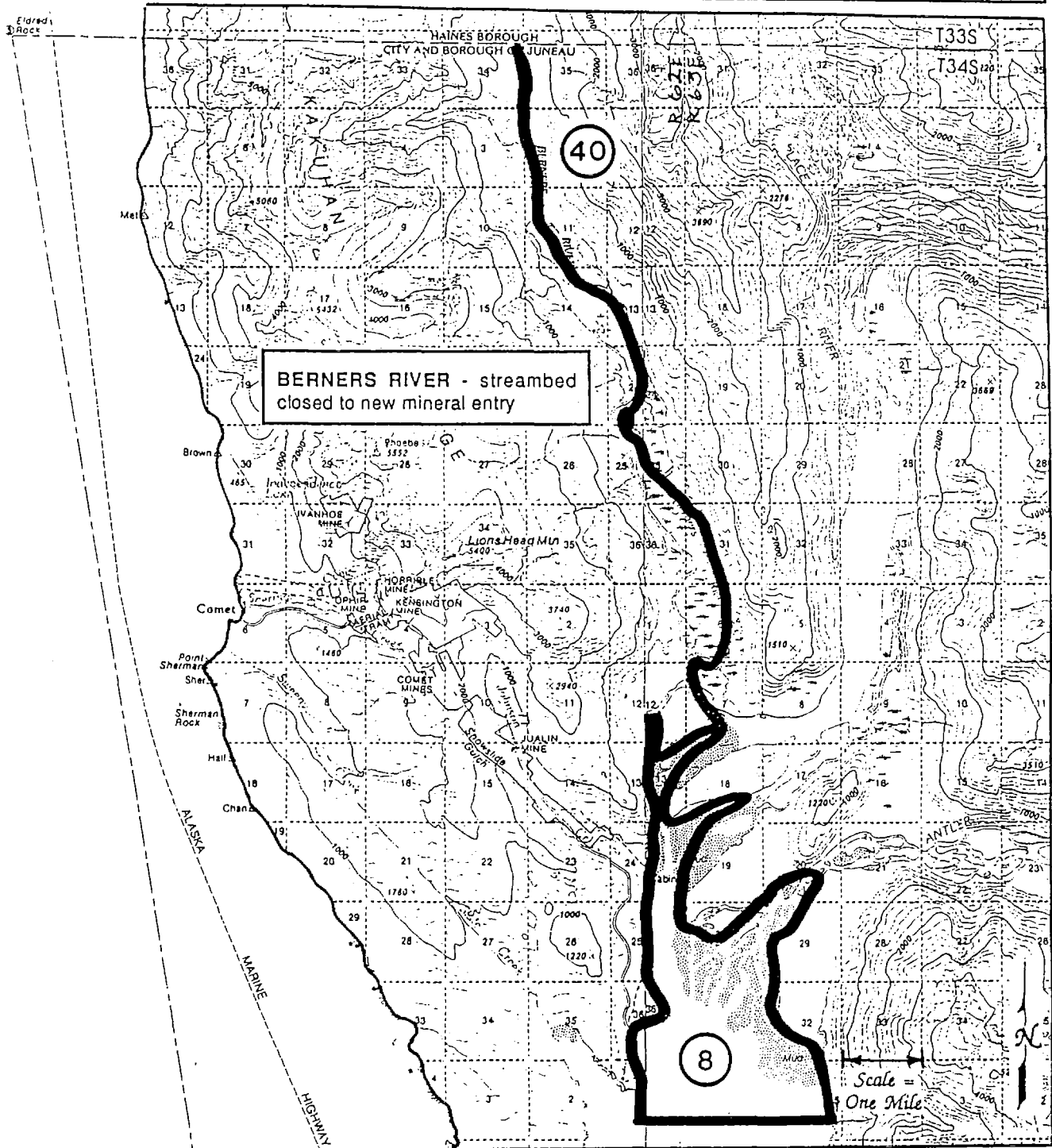
Unit 10A Northwest Douglas Island

— AREA CLOSED TO
NEW MINERAL ENTRY



Unit 11B Berners Bay

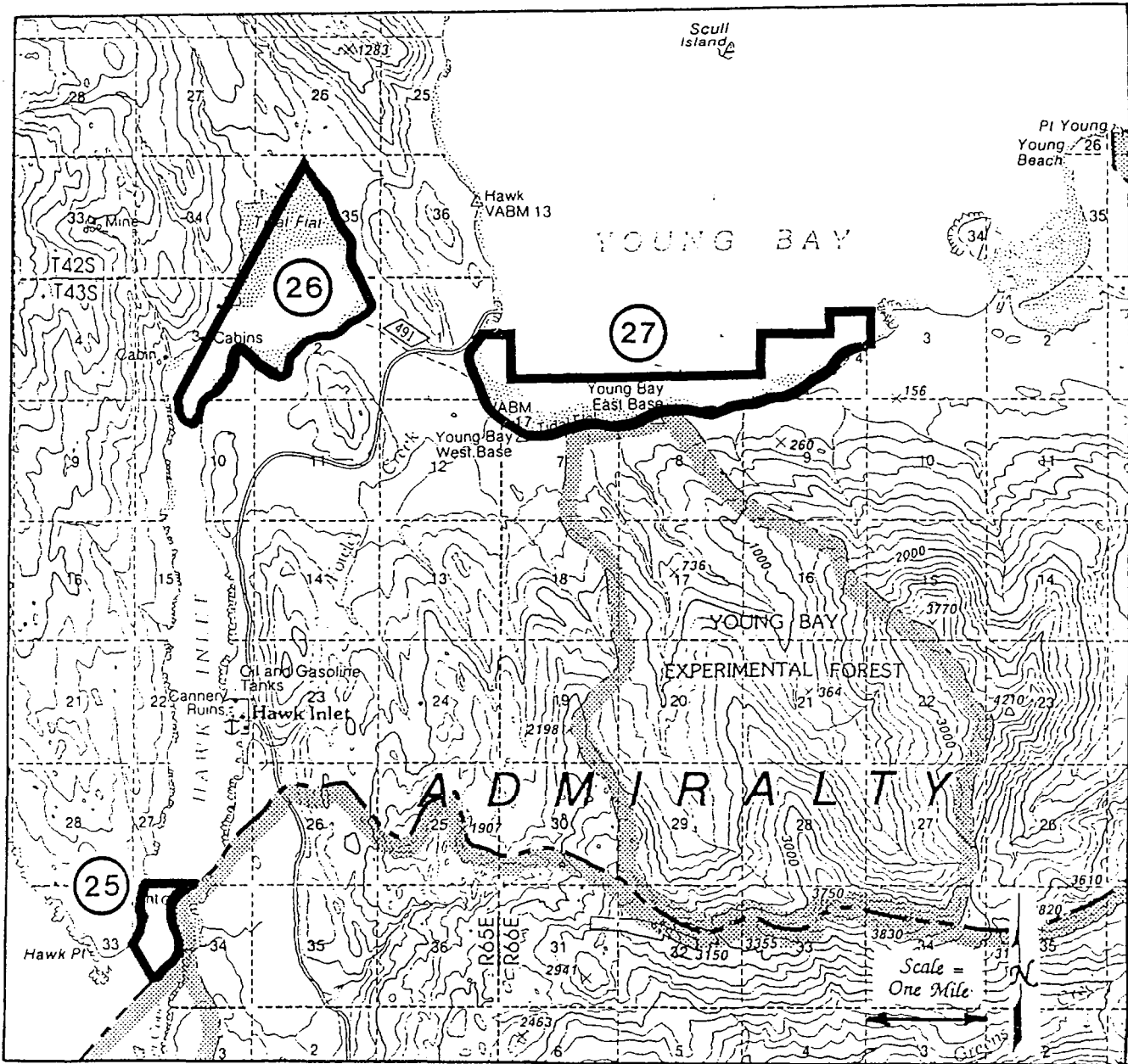
— AREA CLOSED TO
NEW MINERAL ENTRY



REGION 13

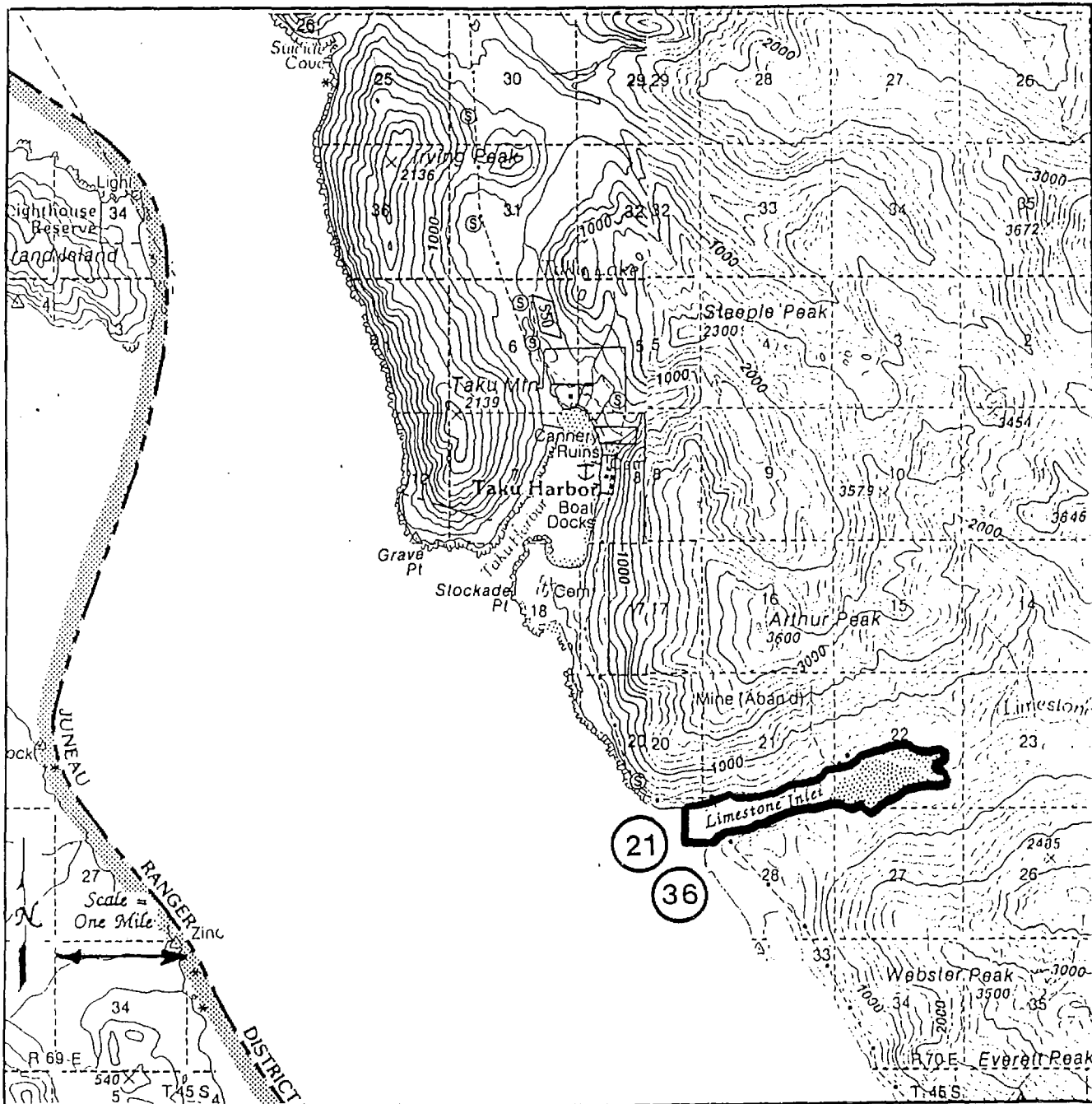
Admiralty Island

— AREA CLOSED TO NEW MINERAL ENTRY



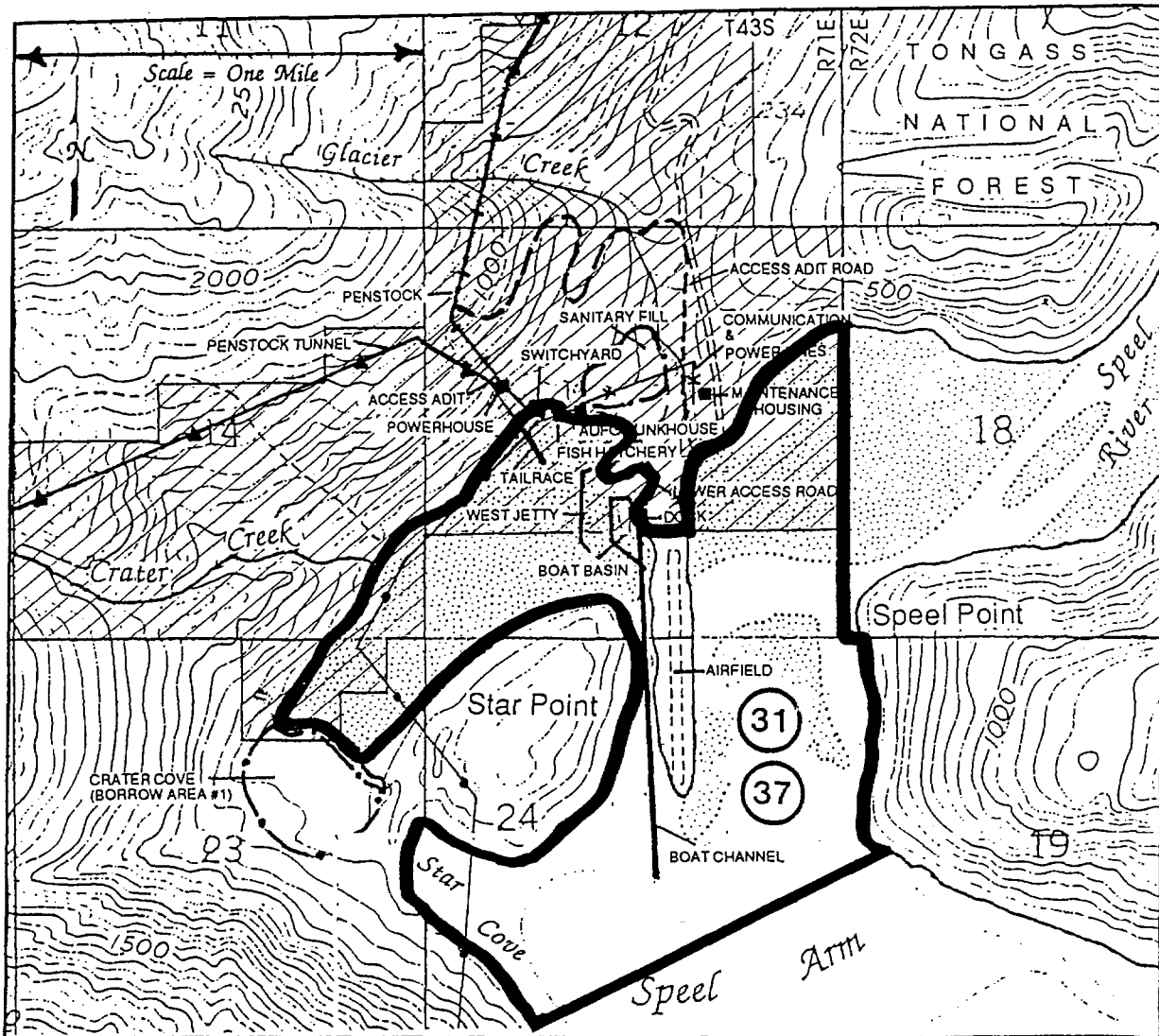
Unit 14B Taku Harbor

■ AREA CLOSED TO
NEW MINERAL ENTRY

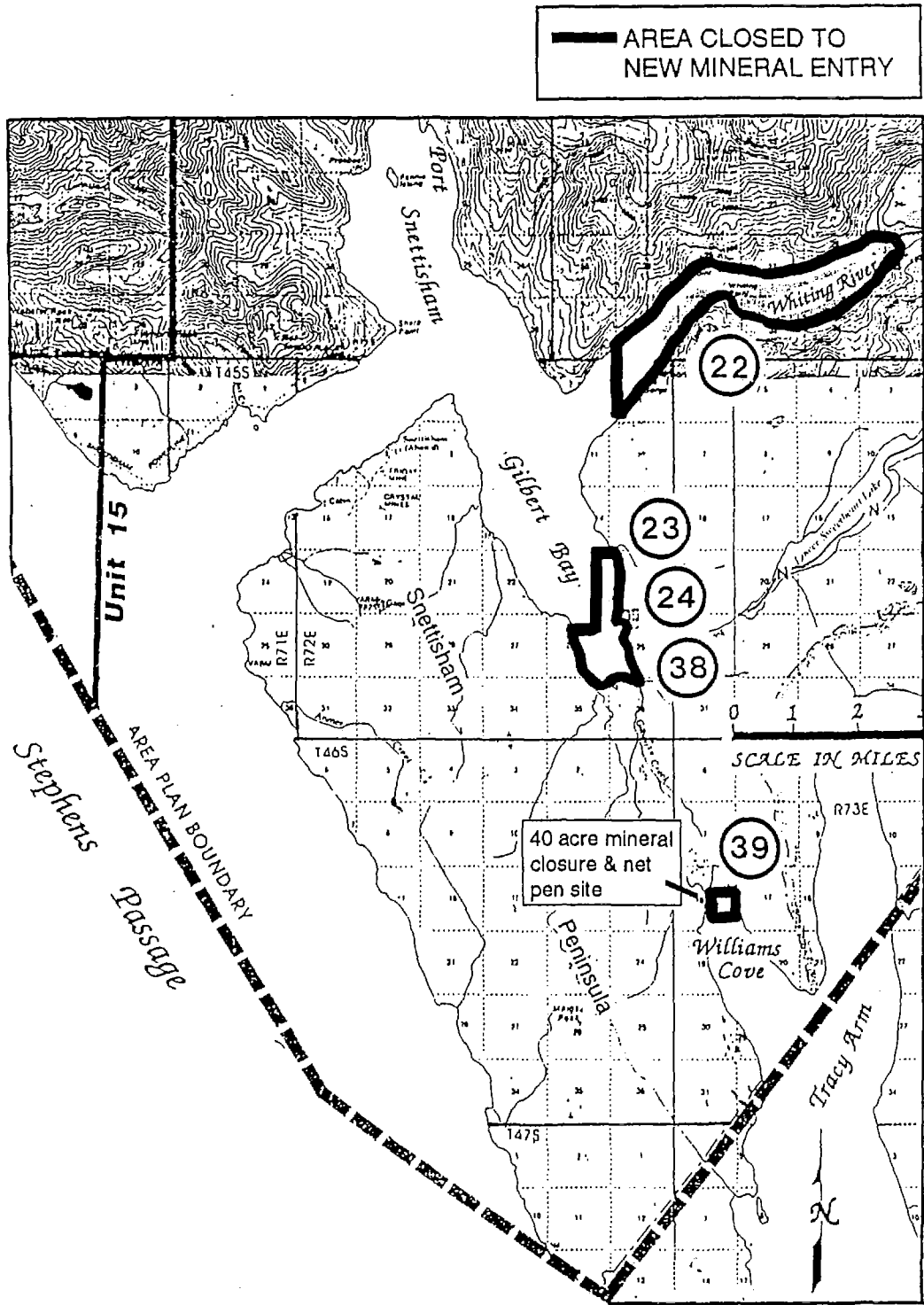


Unit 15A-B Snettisham

— AREA CLOSED TO
NEW MINERAL ENTRY



Unit 15B Point Snettisham



Mineral Order 655

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF LAND

MINERAL ORDER 655

Closing Lands to Mineral Entry Opening Lands to Mineral Entry


I. Name JUNEAU STATE LAND PLAN


II. This mineral order is based upon the attached Commissioner's Finding and the written documentation contained in:


Area Plan: <u>JUNEAU STATE LAND PLAN</u>	Dated <u>January 25, 1993</u>
Management Plan: _____	Dated _____
Site Specific Plan: _____	Dated _____
Other: _____	Dated _____

III. <u>File Number</u>	<u>Legal Description</u>	<u>Acreage</u>
	SEE ATTACHED MAPS	Approximately 10,610

IV. This order is subject to valid existing rights and issued under the authority granted by AS 38.05.185 - 38.05.275 to the Department of Natural Resources. The above described lands are hereby closed opened to entry under the locatable mineral and mining laws of the State of Alaska.

Concur: <u></u>	<u>3/26/93</u>
Director, Division of Land	Date

Concur: <u></u>	<u>March-26, 1993</u>
Director, Division of Mining	Date

Approved: <u></u>	<u>4/26/93</u>
Commissioner	Effective Date

**JUNEAU STATE LAND PLAN
FINDING OF THE COMMISSIONER
FOR MINERAL CLOSING ORDER #655
A.S. 38.05.185 (a)**

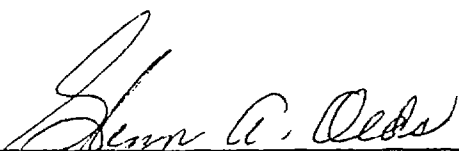
The Juneau State Land Plan (JSLP), developed in accordance with A.S. 38.05.065, identifies certain areas to be closed to new locatable mineral entry because mining activity would not be compatible with significant surface uses (A.S. 38.05.185(a)). The Department will close approximately 10,610 acres of state-owned tidelands and submerged lands to mineral entry on upper Taku Inlet and at the mouth of Auke Creek (see two maps attached) because mining would be incompatible with important anadromous fish habitat. These closures have been given public review through notice under AS 38.05.065 and through the Juneau State Land Plan planning process.

The estuarine areas in upper Taku Inlet and at the mouth of Auke Creek, from mean high water to a water-depth of approximately 40 feet (measured at MLLW), will be closed to new mineral entry. The Taku River and Auke Creek have had peak escapement counts that each meet the following criteria.

- a) 500 pink salmon and 500 chum salmon; or
- b) 1,000 pink salmon or 1,000 chum salmon; or
- c) 500 coho salmon or 500 sockeye salmon.

Maintaining the high quality estuarine rearing habitat adjacent to these two streams and avoiding impacts to the associated water quality and marine plant and animal communities is essential to sustaining the productivity of the Juneau area commercial and community harvest fisheries.

In addition, forty-acres of state-owned tidelands and submerged lands at the mouth of Auke Creek will be closed to new mineral entry. The closed area surrounds the net pen that is used for the remote release of hatchery salmon. The net pen and the fisheries it supports are critically dependent on the estuarine rearing habitat in this area. The closure is to protect the significant investments in this net pen.

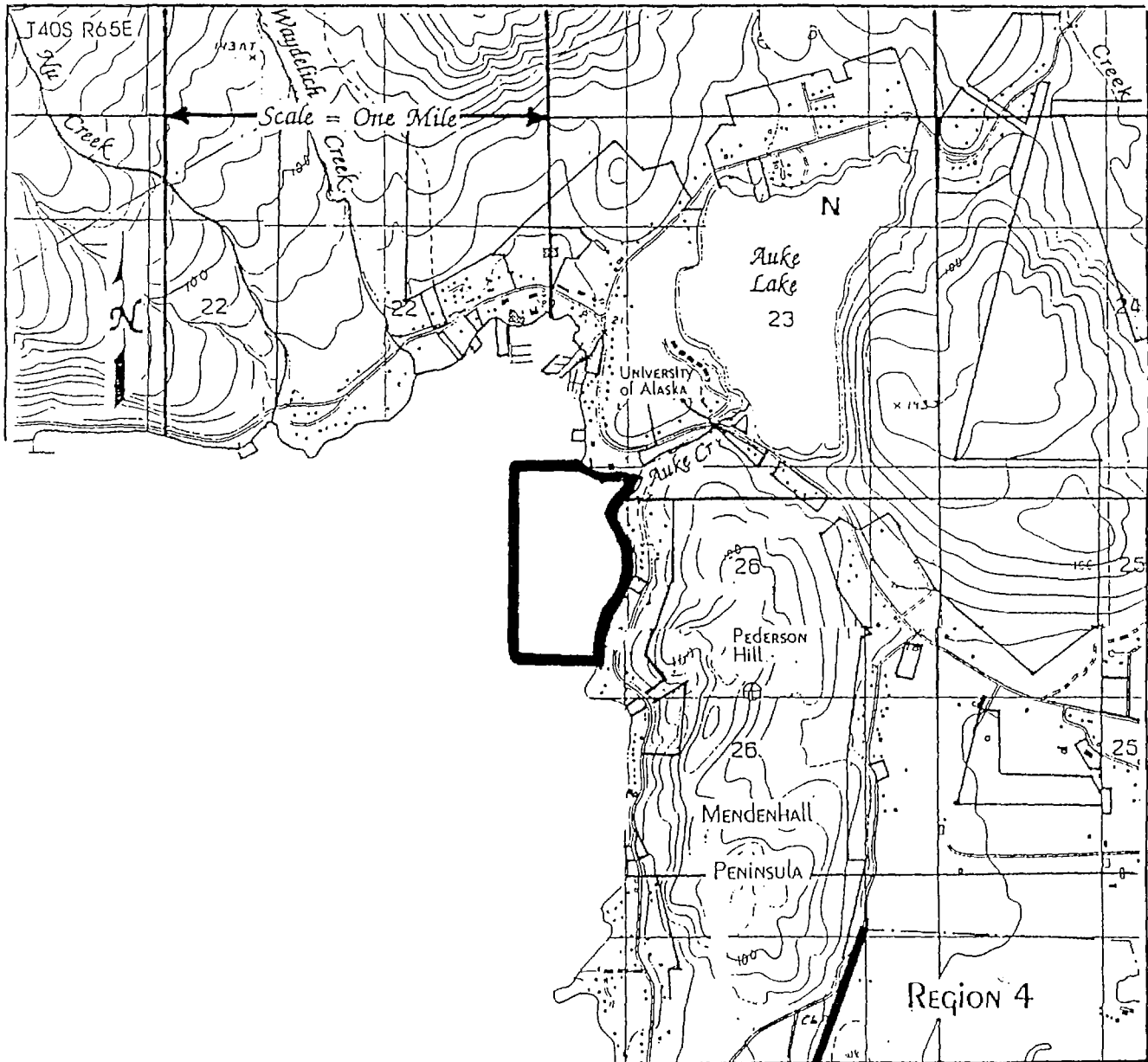


COMMISSIONER
Department of Natural Resources

4/26/93
Date

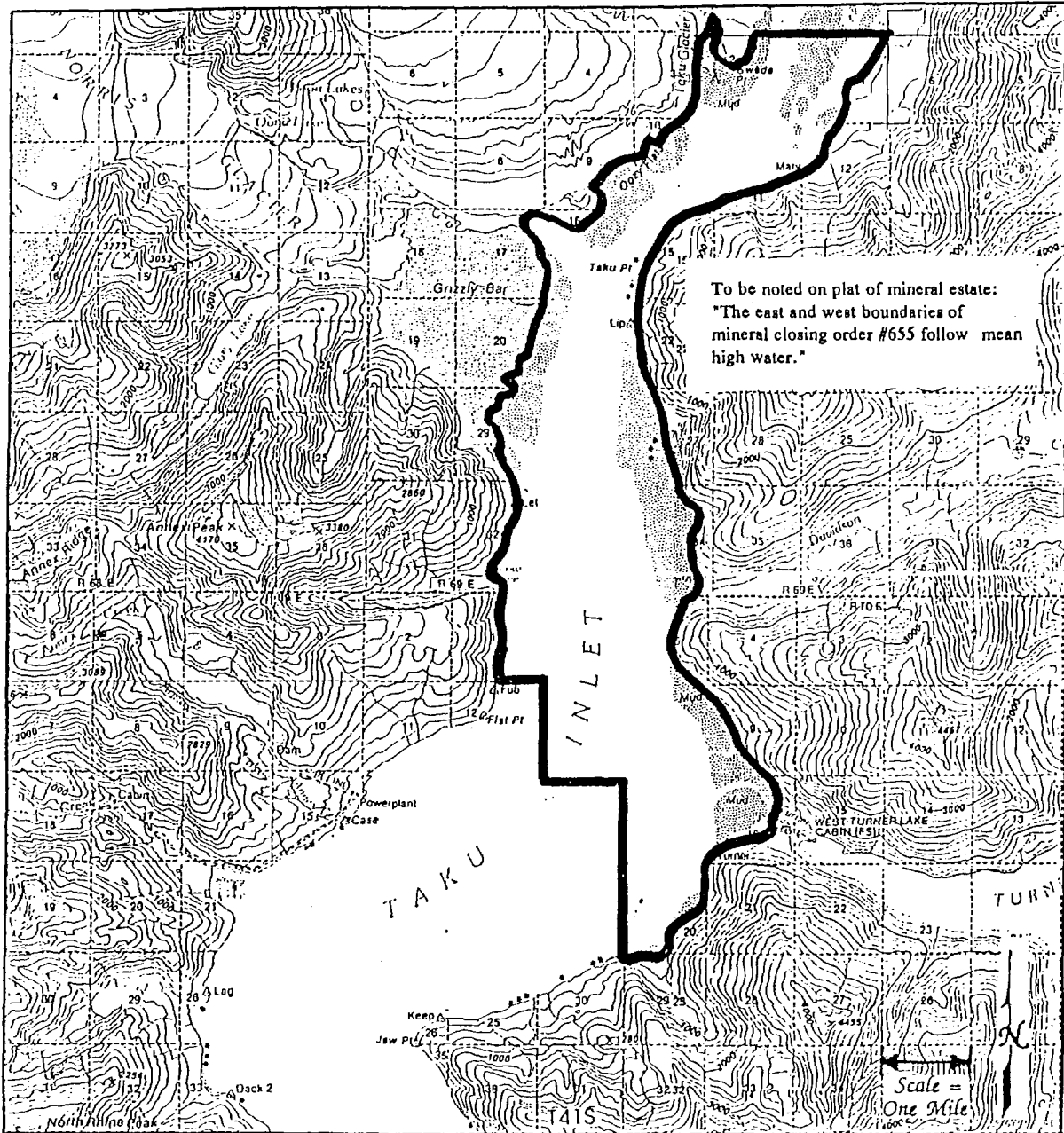
— AREA CLOSED TO
NEW MINERAL ENTRY

#655



#655

— AREA CLOSED TO
NEW MINERAL ENTRY



Mineral Order 576

STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES DIVISION OF LAND

Northern Region
3700 Airport Way
Fairbanks, AK 99709
(907) 451-2705

Southcentral Region
PO Box 10-7005
Anchorage, AK 99510-7005
(907) 762-2492

Southeast Region
400 Willoughby, #400
Juneau, AK 99801
(907) 465-3400

MINERAL ORDER 576

XX Closing Lands to Mineral Entry _____ Opening Lands to Mineral Entry

I. Name Sheep Creek valley near Juneau

II. This mineral order is based upon the attached Commissioner's Finding and the written documentation contained in:

Area Plan: _____	Dated _____
Management Plan: _____	Dated _____
Site Specific Plan: _____	Dated _____
Other: <u>Mineral Closing Order 576 casefile</u>	Dated _____

III.	<u>File Number</u>	<u>Legal Description</u>	<u>Acreage</u>
	MCO 576	ATTACHMENT A	1,300

and

ATTACHMENT B - Map depicting the mineral closure area

IV. This order is subject to valid existing rights and issued under the authority granted by AS 38.05.185 - 38.05.275 to the Department of Natural Resources. The above described lands are hereby XXX closed _____ opened to entry under the locatable mineral and mining laws of the State of Alaska.

Concur: [Signature] Feb 24 1992
Director Date
Division of Land

Concur: [Signature] February 27, 1992
Director Date
Division of Mining

Approved: [Signature] 2/28/92
Commissioner Effective Date

FINDING OF THE COMMISSIONER
AS 38.05.185(a)

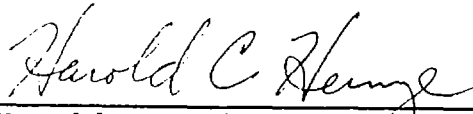
MINERAL CLOSING ORDER 576

FOR APPROXIMATELY 1,300 ACRES
IN THE VICINITY OF SHEEP CREEK NEAR JUNEAU

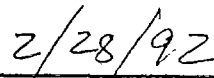
The area described and depicted in the mineral closure contains approximately 1,300 acres of state selected lands. These lands may be needed for a portion of the proposed Echo Bay road access and mine tailings impoundment. Mineral location and mining is considered incompatible with these lands and the state is committed to take all reasonable actions necessary to preclude the creation of any new third-party interest in these state selected lands once ownership is conveyed to the state.

All state mining claims on state selected land will become null and void on the day the state receives title conveyance from the Bureau of Land Management.

Therefore, it is my finding, in accordance with AS 38.05.185(a), that the best interest of the state and its residents are served by the closing of the lands described in Mineral Closing Order 576 to entry under the locatable mineral and mining laws of the State of Alaska.



Harold C. Heinze, Commissioner
Department of Natural Resources



Date

Mineral Closing Order 576 - Attachment A

LEGAL DESCRIPTION

All Community Grant state selected land within U.S. Survey 1762 (Juneau Townsite Elimination Survey) within unsurveyed Sections 27, 28, 29, 32, 33, and 34, Township 41 South, Range 68 East, Copper River Meridian further described below:

Section 27, S2SW4SW4

Section 28, S2S2

Section 29, SE4SE4

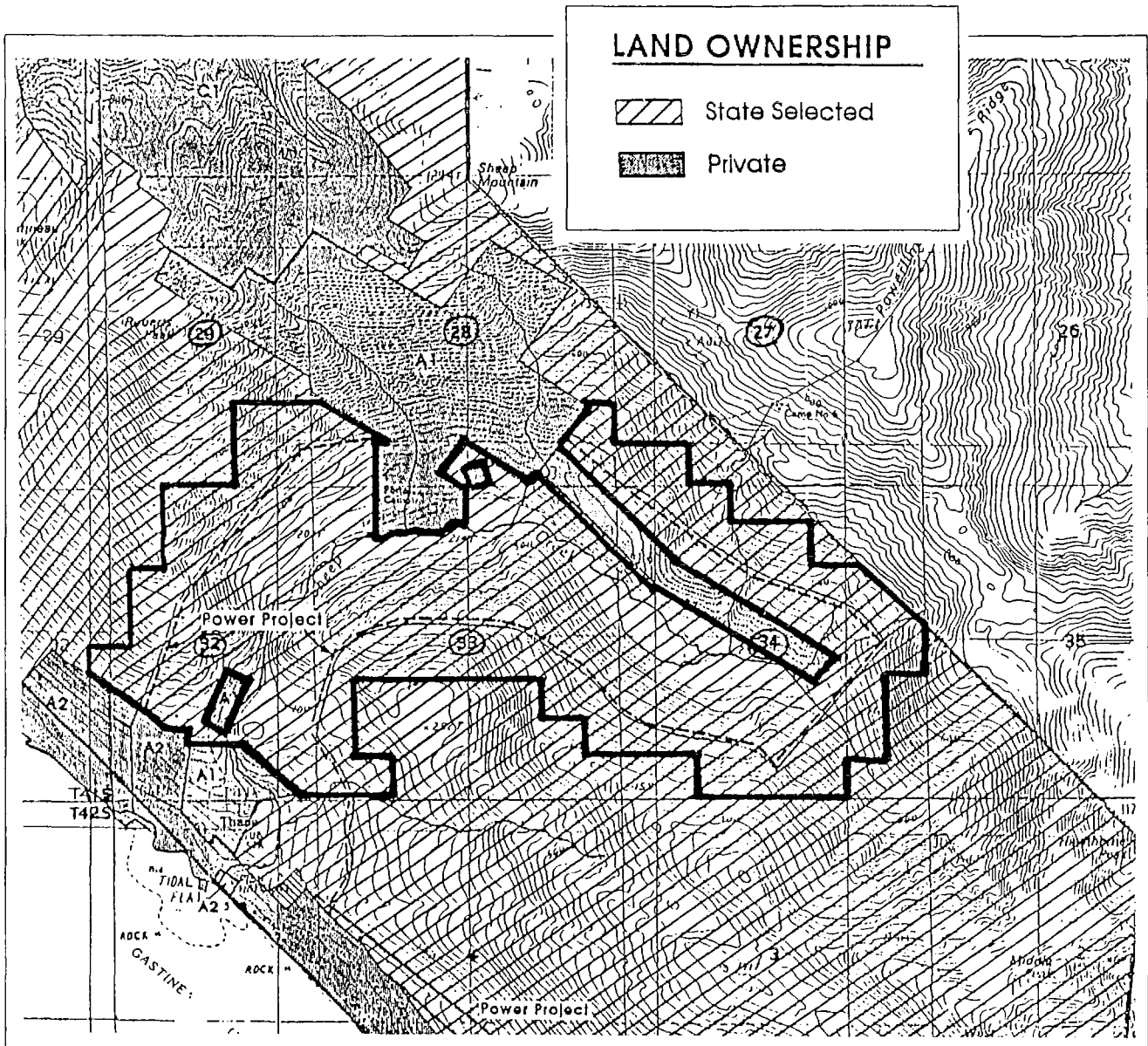
Section 32, E2SW4, E2SE4NW4, E2

Section 33, NE4SE4SE4, S2NE4SE2, N2N2S2, N2, SW4NW4SW4, SE4SW4SW4, W2SW4SW4

Section 34, S2NE4NW4, S2NW4, NW4NW4, NW4NE4NW4, S2NE4, SW4NW4NE4, N2SW4, SE4SW4, N2SW4SW4, W2SE4, N2NE4SE4, SW4NE4SE4, NW4SE4SE4

Containing approximately 1,300 acres

Mineral Closing Order 576 - Attachment B



Approximately 1,300 acres of Community Grant state selected land within U.S. Survey 1762 (Juneau Townsite Elimination Survey)



Area of closure denoted by heavy, solid black line