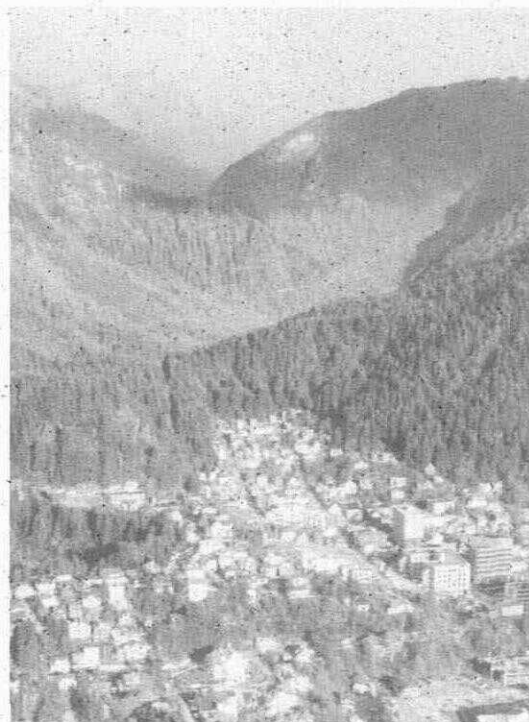


# CHAPTER ONE

## INTRODUCTION

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- 1 - 1 SUMMARY OF PURPOSE OF THE PLAN
- 1 DESCRIPTION OF THE PLANNING AREA
- 5 HOW THE PLAN IS ORGANIZED
- 5 WHY THIS PLAN WAS DEVELOPED
- 6 WHAT THE PLAN WILL DO
- 6 THE RELATIONSHIP BETWEEN THE JUNEAU STATE LAND PLAN & OTHER PLANS
- 7 HOW THE PLAN WAS DEVELOPED
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# CHAPTER 1

## Introduction

### Summary of purpose of the plan

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..."

The plan determines management intent, land-use designations, and management guidelines that apply to all state lands in the planning area.

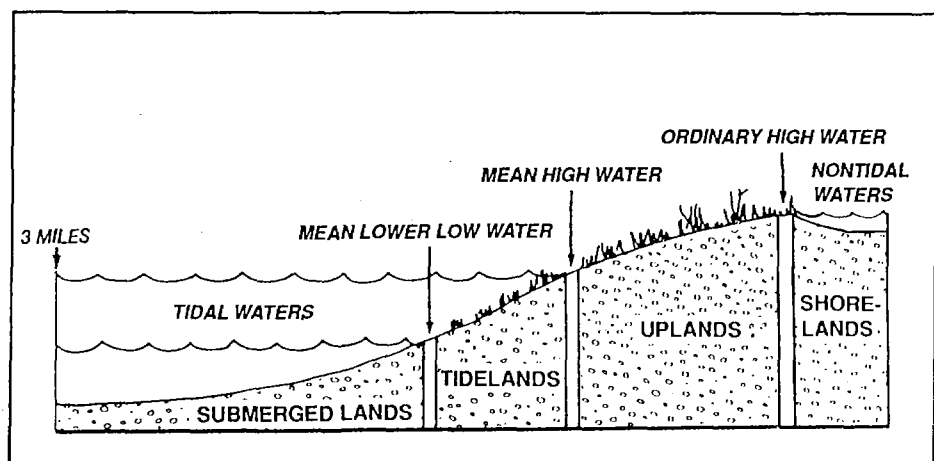
### Description of the planning area

The Juneau State Land Plan directs how the Alaska Department of Natural Resources (DNR) will manage state uplands, tidelands, and submerged lands within the City and Borough of Juneau (CBJ). The planning area also includes state land within the proposed Juneau Borough annexation around the Greens Creek Mine on Admiralty Island.<sup>1</sup> The following is a summary of the acreage the plan will apply to:

State-owned uplands	22,200
State-selected uplands	22,200
State-owned tidelands & submerged lands <sup>2</sup>	306,900
<b>Total Acreage</b>	<b>351,300</b>

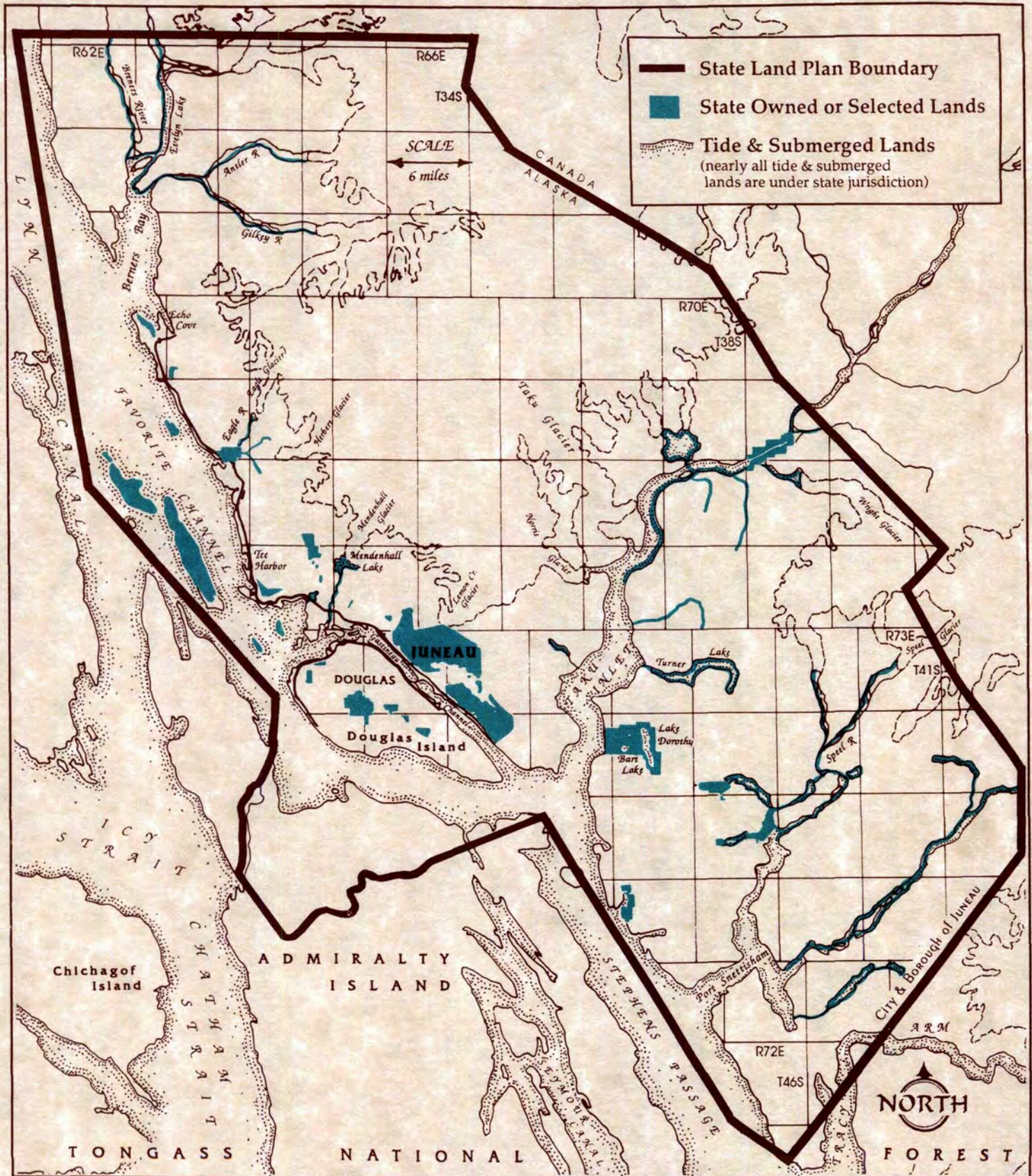
FIGURE 1-1 SUBMERGED LANDS, TIDELANDS, UPLANDS, & SHORELANDS AS DESCRIBED IN THIS PLAN

Tidelands span the area from mean high water to mean lower low water; submerged lands reach from mean lower low water to a line three miles seaward from mean lower low water. Shorelands include the lands below ordinary high water in non-tidal areas.



- 1 Although the 140 square-mile annexation to the borough becomes effective on January 1, 1994, the plan applies to this area at this time.
- 2 In addition, the state owns shorelands beneath navigable rivers. Shoreland acreage is difficult to estimate because of changing channel conditions and the lack of surveys.

# MAP 1.1 - State owned & selected lands within the Juneau State Land Plan



## How the plan is organized

The plan has four chapters. **Chapter 1** includes a summary of the purpose of the plan, description of the planning area, how and why the plan was developed, what the plan covers and does not cover, and a summary of plan actions.

**Chapter 2** includes plan goals and guidelines that apply throughout the planning area. Guidelines are listed in 16 resource and land-use categories. Guidelines are specific directives that will be applied to land- and water-management decisions as resource uses and development occur.

**Chapter 3** includes detailed descriptions of the land-use designations in the plan's 15 regions. Each region is divided into management units (of which there are 38 in the planning area) which are generally homogeneous in respect to their resources, topography, and land ownership. For each management unit there is a background section describing the resources and uses in the unit followed by a statement of management intent, management guidelines, and tables and maps showing designations.

**Chapter 4** discusses specific actions necessary to implement the plan. These include a description of how land-use designations convert into classifications, four land conveyance proposals, and two proposed state land selections. Coastal Management Program coordination, coordinated land-management responsibilities between DNR and CBJ, hydrologic study recommendations, and procedures for changing the plan are also discussed. The last section of this chapter contains a summary of the Public Trust Doctrine.

**Appendices** offer support materials for information presented in the plan including a glossary, mineral closing orders, special use area designation, National Forest Community Grant Selections, list of publications related to the plan, and index.

## Why this plan was developed

The planning area is rich in natural resources. There are many different ideas about how these resources should be used or protected. Although some proposed uses may be in conflict with each other, many different uses can occur throughout the planning area while protecting vital resources, providing uses are responsibly managed.

## The Concern

There are numerous pending applications for the use of state lands in the Juneau area. Proposals include a port and marina on the west side of Douglas Island, the A-J Mine near Juneau, and the Kensington Mine on Lynn Canal, 60 miles north of Juneau. Applications for several other projects on state lands are anticipated. Developing a plan is a way to consider the effects of these projects and to compare them with management goals for all state lands in the Juneau area. A planning process encourages the public to comment on a wide range of interrelated issues on state lands. However, the planning process does not replace the public's opportunity to comment when specific permits and leases are available for review.

## The Mandate

Thirty-four years after statehood, the state has almost finished selecting lands within the City and Borough of Juneau. Although some of the most valuable state lands have been conveyed to CBJ, the state is responsible for managing the lands remaining in state ownership. To ensure that these lands are properly managed, the Department of Natural Resources is developing a plan for all state lands in the CBJ.

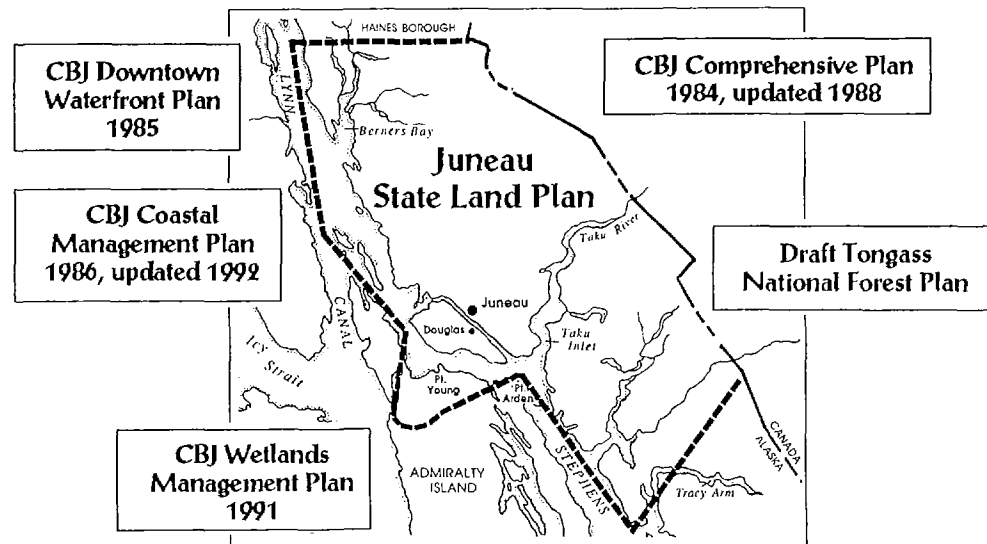
The planning process provides a means of openly reviewing resource information and public concerns before making long-term decisions about public land management. The planning process resolves conflicting ideas on land use and informs the public about what choices were made and why. Decisions are made on a comprehensive basis, rather than case-by-case, providing consistency and consideration of all resources for the whole planning area. This process provides for more efficient use and protection of the area's resources.

## What the plan will do

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 to state land is provided for. The plan encourages cooperation with other landowners to better address conflicts caused by checkerboard land-ownership patterns. Finally, the plan documents the state's intent for land management so that both public and private interests know how the state plans to manage lands over the long term.

## The relationship between the Juneau State Land Plan and other plans

Although there is no previous DNR plan for all state lands in the Juneau area, plans developed by the CBJ address most state lands. The CBJ developed a Comprehensive Plan in 1984 and a Coastal Management Plan in 1986. These plans have recently been updated. In addition, the CBJ developed more specific plans, including a Downtown Waterfront Plan in 1985, the Wetlands Management Plan in 1991, and most recently, draft watershed protection plans for Gold Creek and Salmon Creek. Finally, the CBJ has developed land-use ordinances that are amended regularly. The draft Tongass National Forest Plan was also considered when developing this state plan. These existing plans and ordinances helped guide the development of the Juneau State Land Plan.



## How the plan was developed

### THE PROCESS

- Map and analyze resources and uses (*summer and fall 1991*)
- Develop Agency Review Draft Plan (ARD) consistent with land use designations in the CBJ Comprehensive and Coastal Management Plans (*fall 1991, winter 1992*)
- Planning team and agencies review the ARD (*spring 1992*)
- Prepare the Public Review Draft (PRD) based on comments from the ARD (*summer 1992*)
- Public reviews the PRD (*summer, fall 1992*)
- Prepare the final plan incorporating comments on the PRD (*fall 1992*)
- Commissioner signs the plan and adopts it as DNR's management intent for state lands in the planning area (*winter 1993*)

## Who developed the plan?

The planning team and planning staff direct the planning process, including data collection, draft plan and final plan preparation, and response to public comments. The team includes representatives from state agencies, the City and Borough of Juneau, and federal agencies that manage land or natural resources in the area. The planning team prepares the final plan for the signature of the Commissioner of the Department of Natural Resources.

## Resources and uses within the planning area

**Uses of State Land.** The plan outlines management objectives for state land. This includes describing what resources and valid existing uses should be protected, and what other uses are most suitable.

**State-selected Land and Land Susceptible to Navigation.** Some lands have been selected but not yet conveyed to the state. Other lands are under waterbodies surrounded by federal lands that, if determined navigable, are state-owned. In both cases, the plan determines how to manage these lands if they are state owned.

**Land Sales.** The state has offered land for sale to Alaskan citizens. The planning process reviewed the state land holdings to determine which undeveloped lands are suitable for settlement uses in the future.

**Land Conveyance.** The CBJ has selected land from the state. Until selections are conveyed to the borough, the state will continue to plan for their future use in case some of these lands remain in state ownership.

**Roads, Trails, and Access.** The plan considers access across state lands, including existing and proposed roads, trails, easements, and rights-of-way.

**Land Management Agreement Proposals.** Some land management agreements are recommended between the Alaska Department of Natural Resources and the City and Borough of Juneau to provide more efficient management for both agencies.

**Waterfront Development.** There are a number of areas that have been considered in the past for development on state tidelands. There are also

pending applications for development on tidelands. The planning process reviewed these areas to see whether these developments will be compatible with existing resources and uses.

**Mining.** The plan addresses existing proposals for mineral development support facilities on state land. The plan also considered policies concerning areas of state land to be opened or closed to new mineral location. Chapter 2 summarizes the mineral location closure decisions made in the plan. The Mineral Closing Orders are included in Appendix B.

**Recreation.** Recreation is a popular use of state land in the borough. The plan proposes designations to manage lands for recreation.

**Fish and Wildlife Habitat and Harvest.** The plan documents fish and wildlife habitat and harvest areas and provides management intent and guidelines for these resources and uses.

**Water Resources.** DNR, Division of Water is responsible for allocating water resources on all lands within the state of Alaska. The plan designates areas to be managed for watershed values. Chapter 2 guidelines direct consideration of instream flow reservations and hydroelectric potential when reviewing water appropriation applications. Chapter 4 recommends priorities for hydrologic studies. Guidelines provide protection for seal haulout and pupping areas, and for resolving conflicts with other users when reviewing glacier ice harvest applications.

## What the plan won't do

The Juneau State Land Plan is not the only way in which land management goals are implemented. The area plan is coordinated with a variety of other programs and projects implemented by the Department of Natural Resources and other state agencies. There are some important issues that are not addressed in this plan:

**Non-DNR Lands.** This plan does not apply to borough, private, university, federal, DOTPF, or original Mental Health Trust lands.

**Fish and Wildlife.** Allocation of fish and game stocks and regulating methods and means of harvest are the responsibility of the state boards of Fisheries and Game.

**Short-Term 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.

**Legislatively Designated Areas.** The plan does not apply to existing state parks, game refuges, historic sites, and other legislatively designated areas.

**Decisions on Specific Applications.** While this plan provides general management intent for state lands, the plan does not make decisions about specific land-use authorizations. These decisions are made through the permit review process. 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 provide management intent for prescribing actions and policies for agencies and governments other than DNR.

## Summary of plan actions

The planning area includes high-value fish and wildlife, recreation, mineral resource, and waterfront development areas. The plan balances many disparate and competing interests. It represents the department'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.

More specifically, the plan will ensure the following:

- Where upland resource development is planned, there will be reasonable access across state tidelands.
- If a proposed use is designated, the use can, according to existing information, be authorized by DNR somewhere within the area designated. Exactly where and how a designated use will occur will be resolved 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 by DNR if they are consistent with the management intent and guidelines for the management subunit and unit, and the relevant Chapter 2 guidelines.
- Conflicts with significant fish and wildlife habitat and harvest areas and recreation areas are avoided, minimized, or mitigated through plan management intent and guidelines protected from incompatible uses.

### MANAGEMENT INTENT

Fifteen regions are delineated in the planning area. These regions are divided into units which are broken down into subunits, each with a unique number. The plan presents management intent that explains the department's overall resource management objectives for these areas and provides background information for land managers. The management intent is presented in Chapter 3.

### LAND-USE DESIGNATIONS

Each subunit shows a combination of designations representing the uses and resources the area will be managed for. These designations are explained and mapped in Chapter 3.

### MANAGEMENT GUIDELINES

According to the Alaska Constitution, state lands are intended to be managed for multiple use. 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 area are located in Chapter 2.

### CLASSIFICATIONS

All state lands 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.



**Summary of  
plan  
implementation  
& modification**

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 classifications, mineral orders, and a special use area. Chapter 4 presents the details of plan implementation recommendations and procedures.

Economic and social conditions in Alaska and the planning area are sure to change and the plan must be flexible enough to change with them. The plan will be reviewed regularly 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 after approval by the Commissioner of DNR following public review and consultation with appropriate agencies. Special exceptions and minor changes must follow certain procedures. See Chapter 4 for a more detailed description of plan modifications, amendments, special exceptions, and minor changes.

