

Floating Facilities

Background

There are few permitted floating facilities within the planning area, unlike areas of Southeast Alaska or Prince William Sound in Southcentral Alaska that have a wide variety of residential, industrial (largely forestry), administrative, or commercial floating facilities (primarily commercial lodges). There are a variety of reasons for this: the absence of a dispersed population, the often high-energy character of the coast, the presence of alternative upland sites for commercial lodges, comparatively few good sites, and the absence of a dispersed forest products industry. Nonetheless, this type of use may occur during the planning period and the inclusion of standards for this type of use is prudent.

Goals

Economic Development Opportunities. Provide opportunities to increase personal income and diversify the state's economy by accommodating residential uses needed to support commercial and industrial developments, including opportunities for commercial and industrial development to support tourism, development, upland resource extraction, and provide services for community needs.

Public Access: Public access shall be maintained along the coastline in any authorization for floating facilities issued by the Department.

Definitions

Floating Facilities (General):⁷ A general phrase used to encompass the types of "occupied" floating residential facilities further described below. These facility types do not include commercial fishing vessels engaged in commercial fishing activities. Residential floating facilities require an authorization if moored or anchored within a bay or cove in one location for a period of 14 days or more. Moving the floating facility at least two miles starts a new 14-day period. Commercial floating facilities require authorization before occupying state tidelands.

⁷ Not included in this definition are numerous other types of unoccupied facilities and structures authorized by DNR on state tidelands including but not limited to such things as floats, docks, floating docks, floating rafts used for gear storage, buoys, floating breakwaters, and barge ramps. Management guidelines for unoccupied floating structures are covered under Management Guideline M.

Facility Types	Definition
Floathomes	Floathouses, houseboats, barges and boats, powered or not, that are intended for non-commercial residential use. A floathome is generally for single family use and not associated with economic development activities.
Floatlodge	A floating residential facility providing overnight accommodations for commercial recreation services to the public.
Floating Camp, Floating Caretaker Facility	Single or multi-family floating residential facilities used as housing, or that are necessary to contain equipment or processing to support facilities for economic development activities such as commercial timber harvest, mineral exploration or aquatic farming operations, or associated with public activities.

Management Guidelines

A. Siting, Development, and Operational Standards: General. Floating facilities⁸ will be sited, designed and operated consistent with the requirements of the U.S. Corps of Engineers General Permit for floathomes (currently 89-4) and all successor general permits or with an individual Corps permit; federal and state water quality standards; coastal zone standards under ACMP 6 AAC 80 and the management guidelines of this section. If necessary, DNR may impose additional stipulations to ensure environmental or habitat protection, use compatibility, or to meet the objectives of this plan.

B. General Siting Criteria. Floathomes are not considered an appropriate use within the planning area unless authorized in an adopted land use or coastal plan at particular locations. Other types of floating facilities may be authorized if it is determined that the permitting of a floating facility is in the best interest of the state, the use conforms to the management guidelines of this section, and the use is consistent with the standards of the Alaska Coastal Zone Management Program and with local land use or coastal district management plans. They should not be authorized where the use is considered inappropriate in the management intent statement for a particular unit or tideland resource management zone.

C. Siting: Floating Facilities Inside Municipalities. Within the corporate boundaries of municipalities, DNR will regulate floating facility siting consistent with the Alaska Coastal Zone Management Plan (ACMP), including the district coastal zone management plan, and local comprehensive plan or zoning.

D. Siting: Floathomes Adjacent to Residential Areas. Floating facilities should only be authorized adjacent to upland residential if these uses are allowed under a local land use or district coastal management plan. However, a short-term authorization, not to exceed two years, may be given on an individual basis to the upland owner if the floathome is to be occupied while the upland owner is constructing a residence on his/her upland parcel.

⁸ This management guideline also applies to unoccupied floating facilities.

E. Siting: Floating Facilities within or near Sensitive Uses, Habitats, or Resources. To protect existing habitats, resources and uses, floating facilities should not be authorized in areas designated Habitat (Ha)⁹, Harvest areas (Hv)¹⁰, Settlement (S), or Public Recreation - Dispersed (Rd); that adjoin an upland subdivision (except for those floathomes that are currently permitted and except as authorized under item #D, above); or would occur within important anchorages, near an authorized aquatic farming operation (except for associated caretaker residences), or near known cultural, historic sites or public use cabins. A floating facility may only be authorized in these areas if there is no other prudent and feasible alternative site, the facility will not impair the functions of the resources and uses identified above, and if it is determined in the permitting process that it is in the overall best interest of the state.

F. Siting: Floating Facilities Adjacent to State Parks, Critical Habitat Areas, National Wildlife Refuges, or Katmai National Park and Preserve. Floating facilities are not considered appropriate adjacent to state parks, state game refuges or critical habitat areas, National Wildlife Refuges, or the Katmai National Park and Preserve. However, certain commercial, governmental or research facilities may be authorized in the permitting process in these areas if, at the discretion of DNR, the facility is determined to be of low impact, is compatible with the wilderness, park, or natural character of the adjoining uplands, other prudent and feasible alternative sites do not exist, and is in the overall best interest of the state. Each of these areas is managed under a Resource Management Zone for tidelands and submerged lands. These contain more complete descriptions of management intent and of allowed facilities and structures. See the discussion of Resource Management Zones for tidelands and submerged lands under the 'Management Summary', 'Tidelands' in Chapter 3.

G. Area Occupied by Floating Facility. All floating facilities, including attached floats and anchors, shall occupy the smallest area of tideland or submerged land practicable, consistent with the requirements of the proposed use.

H. Form of Authorization of Floating Structures. Floating facilities may be authorized through the use of a permit. Permits are currently issued for a five-year duration and may be renewed. Renewal may be authorized by DNR for another like duration if the floating structure meets the requirements of the initial permit and any other stipulations that DNR may impose to conform the use to the then current standards or regulations. Commercial structures may also be allowed by, or be converted to, a lease when the use, in the opinion of the Department, is of a permanent nature.

I. Authorization of Temporary Floating Camps. Floating camps and related facilities should be temporary, with full occupancy restricted to the time when resource development is occurring. To the extent practicable, camps and associated facilities should be consolidated to minimize impacts and limit their proliferation. Temporary floating camps shall not be sited in sensitive habitat, resource, or use areas, described more specifically in Management Guidelines

⁹ Where it would be inconsistent with the resources that are to be managed for a particular unit as given in the Resource Allocation Tables in Chapter 3.

¹⁰ Where it would be inconsistent with the resources that are to be managed for a particular unit as given in the Resource Allocation Tables in Chapter 3.

E and F, and may not be sited in other areas unless they are a designated use or support a designated use in the plan. Authorizations for floating camps should terminate when the upland use, which created the need for the floating camp, has ended or when the need for the supporting floating facility ends. Authorization for this type of use should be by permit.

J. Public Notice. The adjacent upland owner(s) shall be notified by DNR during permit review of a proposed floating facility. This shall be in addition to the general public notice requirements of the department.

K. Anchoring of Floating Facilities. In order to protect public access to and along public tidelands, shore ties that would conflict with public access should not be authorized if floating facilities can be safely moored through the use of anchors or rock bolts. In addition, shore ties above Mean High Water will not be used where there is no authorization from the upland owner.

L. Grounding of Floating Facilities. Floating tideland facilities will not ground at any tide stage unless the ADF&G determines there will be no significant impact to the habitat values, or the applicant demonstrates to the satisfaction of DNR that there is no feasible and prudent alternative and DNR determines it is in the state's best interest.

M. Siting: Unoccupied Floating Structures. In order to protect certain uses and resources, unoccupied floating facilities, including but not limited to floats, docks, floating docks, rafts used for gear storage, floating breakwaters, buoys, and barge ramps, should not be authorized within anchorages, areas designated Public Recreation – Developed unless related to the intended use¹¹, or near public use cabins. Unoccupied floating facilities may be authorized in these areas by DNR if it is determined that the permitting of such facilities is in the best interest of the state, the use conforms to the applicable management guidelines of this section, and the use is found consistent with the Alaska Coastal Zone Management Program.

N. Other Guidelines Affecting Floating Facilities. Other guidelines will affect floating facilities. See in particular the following sections of this chapter:

- Coordination and Public Notice
- Fish and Wildlife Habitat and Harvest Areas
- Material Sites
- Recreation, Tourism, and Scenic Resources (*Management Guideline C*)

¹¹ Note to adjudicators: the designation of Public Recreation – Developed is not used in this plan but is included here in order to provide management direction in the event that future plan amendments or reclassification actions create this designation.