

## CHAPTER 3

# LAND MANAGEMENT POLICIES FOR EACH MANAGEMENT UNIT

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## CHAPTER 3

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# LAND MANAGEMENT POLICIES FOR EACH MANAGEMENT UNIT

### Introduction

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The purpose of this chapter is to present resource information and prescribe management policy for specific tracts of land. The policy prescription has three parts. A **designation** indicates which resource uses DNR intends to emphasize in a particular area to produce the maximum benefits for Alaskans. A designation does not necessarily preclude other uses. The designation is accompanied by **management intent** and **management guidelines** specific to that area. These three pieces of information—designations, statement of intent, and management guidelines—promote the most beneficial use(s) and set conditions for allowing undesigned uses. This information should always be taken into consideration along with areawide guidelines provided in Chapter 2.

The planning area is divided into 13 units (regions) and 102 subunits. (See Unit Index Map on page 3-3.) Management subunits are generally homogeneous in resources and topography.

### Background information

This chapter presents the following **background information** for each of the thirteen management units:

- **physical features:** the most prominent geographical features, such as mountains, rivers, and glaciers; and the vegetation and general terrain
- **access:** general location of airstrips, roads, trails, and anchorages
- **land status:** land ownership and land selections within the management unit
- **adjoining lands:** land ownership of and management authority for lands adjoining the management unit
- **resources and uses:** a summary of the predominant resources and uses. More specific resource information, if available, is listed in the table and text for each subunit.
- **management considerations:** legal issues, such as unauthorized uses or university timber rights; potential future uses; and natural conditions or hazards, such as flooding.

A **summary table of resource information** and a **map** showing the subunits are provided at the end of each management unit description.

# YAKATAGA AREA PLAN

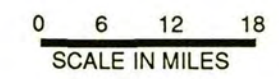
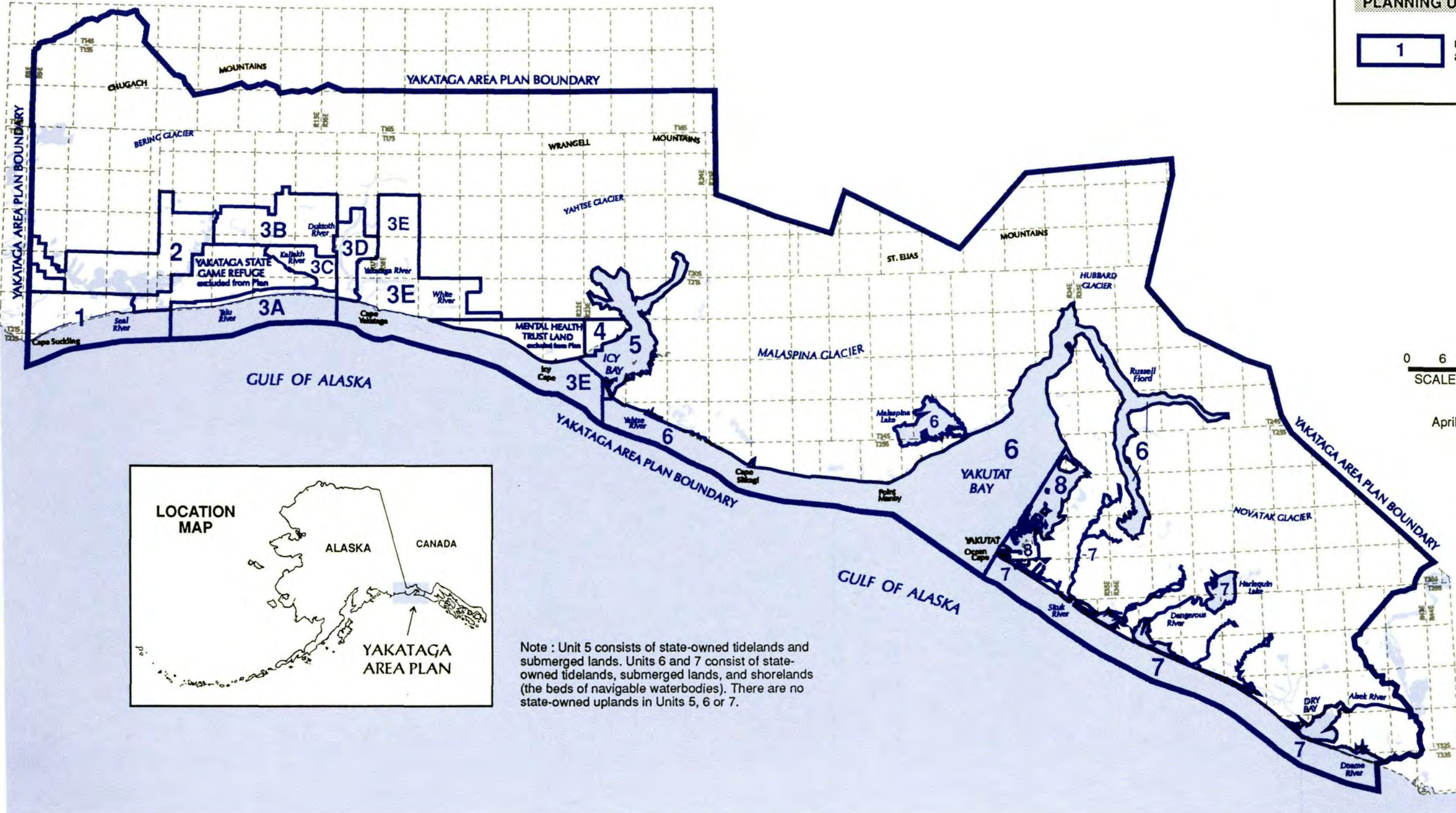
## Yakataga Area Plan - Unit index map

### YAKATAGA AREA PLAN

### Yakataga Area Plan - Unit index map

#### PLANNING UNITS

**1** management unit boundary and number



April 1995



Note : Unit 5 consists of state-owned tidelands and submerged lands. Units 6 and 7 consist of state-owned tidelands, submerged lands, and shorelands (the beds of navigable waterbodies). There are no state-owned uplands in Units 5, 6 or 7.

**Management policy for the 102 subunits is presented as follows:**

- **land use designation:** the primary or co-primary uses for each subunit. Designations are described in more detail later in this chapter.
- **management intent:** a summary of the objectives DNR will try to achieve through land use authorizations or actions
- **guidelines:** guidelines specific to this subunit that the DNR adjudicator will follow in reviewing applications and other land actions. (Areawide guidelines in Chapter 2 also apply.)
- **general information:** explanation of site-specific resources, uses, or management considerations.

## Land use designations<sup>1</sup>

A **designated use** is a primary use in a particular management subunit. DNR will manage resources and activities in order to promote, enhance, protect, or maintain this use. Some subunits have two or more designated uses. If conflicts arise between co-designated uses, DNR will apply the management intent statement and guidelines for the subunit to minimize conflicts.

A designated use does not preclude other compatible uses. DNR manages for multiple use (11AAC 55.040).

Designations are based on resource inventories and the planning team's desired management for each subunit. The resource inventory for the Yakataga Area Plan includes the best available information for the following resources and uses:

- aquatic farm suitability and sensitivity areas
- forest types
- fish and wildlife habitat
- fish and wildlife harvest
- heritage resources
- recreation areas and facilities
- mineral potential
- material sites
- settlement needs
- access and transportation.

Designations may reflect current or future uses. This plan guides land uses for the **next twenty years**, subject to periodic reviews. The plan may assign a designation to ensure a **future use** that will best serve the public interest, even if that use is not imminent.

A designation does not *guarantee* that DNR will approve all proposals for a designated use. DNR will still require best management practices for siting and operating proposed uses. Other regulatory agencies may require permits for some uses. Also, users of state tidelands and shorelands may need to acquire access rights to adjoining non-state uplands.

Upland access across state tidelands, including developed access facilities, may be allowed within all land use designations where DNR determines the proposed facilities are consistent with the management intent and applicable guidelines of the plan and the Public Trust Doctrine. An explanation of the Public Trust Doctrine is located in Appendix C.

<sup>1</sup> Also see glossary in Appendix A for definitions of "Designation," "Designated Use," "Prohibited Use," and Management Intent Statements.

**DESIGNATIONS USED IN THIS PLAN (definitions follow)**

<b>F</b> Forestry (timber production)	<b>RD</b> Recreation - dispersed
<b>G</b> General use	<b>RP</b> Recreation - public use site
<b>H</b> Fish & wildlife habitat	<b>S</b> Settlement
<b>HV</b> Fish & wildlife harvest	<b>T</b> Transportation
<b>HR</b> Heritage resources	<b>WD</b> Waterfront development (commercial or industrial)
<b>M</b> Minerals development (active or imminent)	

**Designation levels**

Several resources have a two-tiered designation, Level 1 or Level 2, to indicate the degree of emphasis DNR wants to place on production and development of that resource. There are Level 1 and Level 2 designations for:

- forestry (F1 or F2)
- habitat (H1 or H2)
- fish and wildlife harvest (HV1 or HV2)
- dispersed recreation (RD1 or RD2); and
- public use site recreation (RP1 or RP2).

All other land use designations have a single level of emphasis. See further explanation on page 3-9. Note: The **sequence** in which multiple designations are listed for a specific management unit does not indicate priorities. For example, in a unit designated F2 H2, forestry and habitat have equal priority; F2 H2 would be the same as H2 F2.

**Definitions of designations:**

**Forestry**

- F** Commercially valuable forest land that the Division of Forestry has identified as suitable for timber production. Commercial forest is land with over 8,000 board feet of timber per acre (net international 1/4 inch rule), or producing twenty cubic feet of industrial wood per year.

**General use**

- G** Land which will provide some combination of recreation, habitat, resource development, future settlement, or other uses. This designation is applied when lack of resource information prevents a specific resource allocation at the time of the plan, or when lack of current demand indicates development is unlikely during the 20-year life of the plan. All other uses are presumed compatible.

**Fish and wildlife habitat**

- H** Land with habitat values that the Department of Fish and Game (DFG) has described and mapped as important for maintaining fish and wildlife resources.

DFG has identified two classes of habitat. The most valuable habitat ('A' value habitat) is defined as "limited, concentrated use area for fish and wildlife species during a sensitive life history stage where alteration of the habitat and or human disturbance could result in a permanent loss of a population or species' sustained yield." For the Yakataga Area Plan, DFG identified 26 'A' habitat types by species and use patterns. Appendix E lists the different mapped habitat types.

'B' fish and wildlife habitat areas are the second most valuable habitat types. 'B' 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. For the Yakataga Area Plan, DFG identified 11 'B' habitat types by species and use patterns (see Appendix E).

### **Fish and wildlife harvest**

**HV** 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. For the Yakataga Area Plan, DFG identified eleven types of harvest or use areas under this second harvest criteria. Appendix E lists the harvest criteria for designation.

### **Heritage resources**

**HR** Land where there is active preservation of, or research for, significant historical, prehistoric, paleontological, or other cultural values; or where there is reason to believe that these values exist.

### **Minerals development**

**M** Land where mineral resources exist and where development is occurring, or is reasonably likely to occur, or where the Division of Mining believes that commercial quantities of minerals exist. This designation notifies the public and interest groups that the state feels mining within those areas serves the public's best interest.

All state land is open for new mineral locations except where previously closed under AS 38.05.185. Mining will be treated as a designated use in all subunits except in subunits closed to mineral entry. If a management unit is open to new mineral location and has a primary surface designation such as wildlife habitat or public recreation, the surface designation will not be construed automatically to prevent mineral development. Limited areas are closed to mineral location where significant conflicts occur between mining and recreation, or mining and anadromous fish waterbodies.

A resource designation of "minerals development" generally is not applied as a surface land use designation to broad areas. The problems in locating and measuring subsurface resources make it difficult and misleading to apply this category in the same way designations are used for surface resources, such as timber.

This plan applies a primary surface designation for minerals where intensive mineral exploration or development is currently taking place or is highly likely in the near term (5 to 10 years).

DNR may effect mineral closures listed in this plan that are less than 640 contiguous acres. A legislative act is generally required to close permanently an area exceeding 640 contiguous acres [AS 38.05.300(a)(2)]. For the proposed mineral closures in this plan that exceed 640 acres, DNR will issue an interim closure that will remain in effect until the legislature approves it, or until the 90th day of the next legislative session, or the adjournment of the next legislative session, whichever comes first.

Closures do not affect existing mineral locations. All state land is available for coal or oil and gas leasing.

### **Recreation and tourism - dispersed use**

**RD** Areas that attract recreationists or tourists who range throughout the area. Also, areas that offer high potential for dispersed recreation because of desirable recreation conditions that are scattered or widespread rather than localized. DNR may allow developed facilities. The need will depend on the relative concentration or dispersal of visitors, and on visitors' expectations for a semi-primitive or primitive recreation experience.

### **Recreation and tourism - public use site**

**RP** Areas that attract concentrations of recreationists or tourists compared to the rest of the planning area; or areas with high potential to attract concentrations of recreationists and tourists. These areas offer localized attractions, and/or ease of access, and/or developed facilities. Examples include cabins, lodges, anchorages, airstrips, etc. The recreation and tourism may be either public or commercial.

### **Settlement**

**S** Areas suitable for sale, leasing, or permitting of state lands to allow private recreational, residential, commercial, industrial, or community use. This designation will generally be used for areas appropriate for subdivisions, set net camps, and other concentrated residential/ commercial areas. Unsettled or unsold land in the management unit will be designated and managed for uses compatible with the type of anticipated settlement.<sup>2</sup>

### **Transportation**

**T** Land identified for the location of easements and rights-of-way under AS 38.04.065(f), including transportation, pipeline, or utility corridors, or land under consideration for a right-of-way. Transportation designations reflect the need for efficient inter-regional infrastructure, the need for intra-regional access to resources on state and non-state land, and consideration of the impacts of increased access on resource uses.

### **Waterfront development**

**WD** Use of tidelands, submerged lands, or shorelands for intensive water-dependent or water-related facilities, usually for industrial or commercial purposes. Waterfront development includes: piers, wharves, harbors, aquatic farms, log storage, log or mineral transfer facilities, seafood processing facilities, commercial recreation facilities, and other resource development support facilities.

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<sup>2</sup> The settlement designation does not imply that DNR will immediately initiate land sales. DNR is unlikely to initiate land sales in the Yakataga area in the next five years. DNR land sales depend on funding. There is greater demand for state land sales in other parts of the state. Any sale would require two or more years of planning by DNR.

## Management intent

The statement of management intent in each subunit elaborates on the designation. This statement may highlight which particular resources or uses earned the designation. It may note the season of use or the particular location of the designated use. Management intent also sets the tolerance level for adverse impacts to the designated resource(s).

The management intent also notes any identified need for future access or additional site specific information that should be compiled before DNR authorizes various uses.

### Correlation of designations and management intent

Each statement of management intent has a directive verb based on the level of the designation. These verbs—promote, protect, enhance, maintain, and allow—are defined in the glossary (see Appendix A).

#### Level 1 or single level designations

- F1 Promote forest management
- H1 Protect or enhance fish and wildlife habitat
- HV1 Protect or enhance conditions for fish and wildlife harvest
- HR Protect or enhance heritage resources
- RD1 Protect or enhance conditions for dispersed recreation
- RP1 Protect or enhance access and facilities for public use site recreation
- M Promote minerals exploration and development
- WD Promote waterfront development
- S Promote sale, leasing or permitting

#### Level 2

- F2 Maintain opportunities for forest management
- H2 Maintain fish and wildlife habitat
- HV2 Maintain conditions for fish and wildlife harvest
- RD2 Maintain conditions for dispersed recreation
- RP2 Maintain access and facilities for public use site recreation
- T Maintain opportunities for transportation facilities
- G Allow general uses

Level 1 designations are followed by a statement that all activities will, to the extent feasible and prudent, **avoid significant adverse impacts** to the designated use.

Level 2 designations are followed by a statement that all activities will **minimize significant adverse impacts** to the designated uses.



### Single and co-designated uses

Some subunits have multiple designations, while others have only one. Management intent and guidelines are important guidance for resolving conflicts between designated uses.

The relation between designated uses is:

- Levels 1 & 1: Uses are equally important and assumed to be compatible.<sup>3</sup> All other activities will, to the extent feasible and prudent, avoid significant adverse impacts to both Level 1 designated uses. The order listed does not indicate order of importance.
- Level 1 alone: The designated use is the single most important use. All other activities will, to the extent feasible and prudent, avoid significant adverse impacts to this designated use.
- Levels 1 & 2: Emphasis is on the Level 1 resource. The Level 2 resource will be accommodated somewhere in the unit, in a manner that avoids impacts to Level 1 resources. All other activities will, to the extent feasible and prudent, avoid impacts to significant adverse impacts to Level 1 and minimize significant adverse impacts to Level 2 resource.
- Levels 2 & 2 Uses are equally important but not necessarily compatible. Both uses will be accommodated in the unit, in a manner that minimizes significant adverse impacts to the other Level 2 resources. DNR will maintain a balance of Level 2 resources proportional to their abundance within the unit. All other activities will minimize significant adverse impacts on Level 2 resources. The order listed does not indicate order of importance.
- Level 2 alone: There is a single dominant use or resource, with moderate value compared to other occurrences of this use in the planning area. All other activities will minimize significant adverse impacts to the Level 2 resource.
- Undesignated uses: 11 AAC 55.040(c) explains the subordinate status of undesignated uses as follows: undesignated uses are initially presumed to be compatible with the primary (designated) use. However, if the department (DNR) determines that there is a use conflict and that activities attendant to an undesignated use are incompatible with the designated use, the undesignated use shall either cease or the user shall modify the activity to enable DNR to determine that the incompatibility no longer exists.

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<sup>3</sup> This plan generally did not co-designate F1, M, or S with H1, HV1, RD1, or RP1. There is a history of conflict, or perceived conflict, between some of these uses. Some agencies and public interests perceive that maximizing one type of these uses would have inevitable impacts on the quality and character of the other type of uses. However, the December 1994 settlement agreement required a co-designation of F1 H1 in subunit 3b-6. This is unlikely to cause management problems for two reasons: the 1994 settlement agreement applies a twenty-year timber moratorium that includes to subunit 3b-6; and requires that DNR revise this area plan before future state timber harvest in the moratorium area. The settlement agreement also requires a co-designation of S and RD1 in subunit 8a-1.

## Management Guidelines

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Management guidelines direct the timing, amount, or specific location of activities to ensure that these activities are compatible with other resource values.

The guidelines may identify prohibited or restricted uses within a subunit. These are uses that have significant conflicts with other significant uses or resources and will not be permitted without a plan amendment. **There are very few restricted uses.**

## Flexibility of the plan

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The land use designations shown on the maps in this chapter are intended to be flexible. Undesignated uses may be permitted case-by-case if DNR determines they are consistent with the statement of management intent for the management unit and consistent with applicable management guidelines.

DNR may modify land use designations within a subunit through on-the-ground implementation activities, such as site planning or disposal, if modifications adhere to the intent of the plan and follow the procedures described in Chapter 4 under the section "Types of Changes to the Plan". Uses not originally designated may be permitted if they are consistent with the intent for a particular management unit.

This plan will not provide direct answers to many of the site-specific issues frequently encountered by state land managers. Rather, the area plan's general policies for the area guide the state land managers toward a more informed decision.

## Commitment to continued resolution of conflicts

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This area plan presents *general* management intent and guidelines with a commitment to additional planning and agency and public comment when long-term or widespread development is proposed for a particular site. Future planning will include:

- Annual Operating Plans for timber harvest by the university under ADL 223456;
- Forest Land Use Plans (FLUPs) for any other state commercial timber sales (see Appendix D);
- ACMP review for projects within the coastal zone; and
- DNR's issuance of preliminary decisions and final findings for any sale, lease or disposal of state interests.

This area plan defers detailed planning to these subsequent processes with the understanding that a) more specific guidelines may be needed to maintain existing high value uses and sustained yields; and b) more detailed analysis of the resources and the proposed actions is necessary to develop effective, efficient, *specific* guidelines.

DNR currently provides 30-day public notice in both state-wide and local media before approving the above types of actions (AS 38.05.945).

If DNR's budget levels or future changes in policy curtail site specific planning and analysis, this area plan will be amended with public input to resolve issues that have been deferred by this plan to the curtailed processes.

## Definitions

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Definitions of terms used frequently in this chapter are found in the glossary (see Appendix A).