

Table 1

**2013 BBAP Plan Amendment: Public Review Draft
Issue Response Summary
September 2013**

Item	Subject	Issue	Response	Recommendation
1.	2005 BBAP: Development and Resource Protection	The 2005 BBAP places too little emphasis on recreational fishing and on protecting the rivers, streams, and lakes. The state should consider a broader approach to the BBAP – one that emphasizes commercial/ recreational fishing and protecting the rivers, streams, and lakes that support the established multi-million fishery of the BBAP region.	<p>The 2005 BBAP attempted to reach a balance between resource protection and development.</p> <p>The 1984 BBAP is often cited as an indicator of an appropriate balance – with the assumption that natural resource protection was ascendant in this version of the BBAP. Many commenters indicated that they wanted ‘to go back to this plan’, assuming that it only provided for environmental protection. The 1984 BBAP allowed a wide variety of uses. Much is made over the classification of the majority of the planning area as Habitat. In fact, very large areas of the planning region were also classified (actually co-classified with Habitat) Oil and Gas, Transportation, or Minerals. Additionally, for each region (19 in total) a table of primary and secondary uses were identified that listed a wide variety of uses that were allowed, ranging from settlement, to forestry, to minerals, and these were all in addition to Habitat. Moreover, any use that was compatible with these uses was also permitted.</p> <p>The 2005 BBAP used a different approach to achieving a balance between development and environmental protection. The 2005 BBAP better defined the highest value habitat areas; whereas the 1984 BBAP indicated most habitats were of equal value. The 2005 BBAP designates the riverine areas of major water bodies as Habitat along with many areas that are important habitat for waterfowl, brown bear, and caribou and moose. These were concentrated areas of sensitive habitats. Other more dispersed habitat areas are included in units that are often designated General Use. Areas designated General Use are often large, more remote or less accessible, parcels of state land that are not expected to be developed during the 20 year planning period. In these units, if important habitat existed they are noted in the Resource section of the Resource Allocation Table and management requirements for the protection of fisheries, wildlife and associated habitats are included in the Management Intent section of a unit.</p> <p>The other predominant designations included Habitat, Settlement, Public Recreation, and Minerals. Heritage</p>	No change from PRD.

Item	Subject	Issue	Response	Recommendation
			Resources, Materials and Public Facilities are also identified, but to a lesser extent. The list of primary and secondary uses that characterized the 1984 BBAP was dropped in lieu of the use of specific plan designations. Moreover, similar to the 1984 BBAP, specific management guidelines are included in Chapter 2 of the area plan that provided for environmental protection. The 2005 BBAP is a multiple use plan that achieves a suitable balance between environmental protection and resource development.	
2.	2005 BBAP: Development and Resource Protection	The 2005 BBAP struck a proper balance between resource development and resource protection. The 2005 BBAP did not favor mining above other uses. More lands were classified as mineral land in the 2005 BBAP because of the additional mineral inventories between 1984 and 2005 that reflect this potential use. Mineral lands are still managed for multiple uses and are still available for recreation, hunting, fishing, and subsistence activities.	The 2005 BBAP strikes a proper balance between environmental protection and natural resource development. It does not favor mining over other uses. The amount of land classified (or co-classified Minerals) in the 2005 BBAP (331,457 acres) was actually much less than in the 1984 BBAP (2,419,000 acres), with a decrease of over two million acres. (The 2005 BBAP plan maps show which units were affected by this change.) The smaller inventory of lands classified Minerals was the result of better, more definitive geologic data that allowed the areas of mineral occurrence to be more precisely identified, effectively reducing the amount of state land with a mineral classification. And, as indicated in the comment, state land classified minerals, remains multiple use land, allowing for recreation, hunting, fishing, and subsistence activities.	No change from PRD.
3.	2005 BBAP: Development and Resource Protection	The 2005 BBAP supports resource development over the protection of the area's fisheries, wildlife, and subsistence lifestyle. Over 90% of the 1984 BBAP Habitat designations were eliminated; this indicates the resource development orientation of the 2005 BBAP and the absence of a satisfactory balance.	Please refer to the above responses for a detailed explanation of how the 1984 and 2005 BBAP plans achieved a reasonable balance between resource development and environmental protection. The elimination of over 90% of areas classified Habitat in the 1984 BBAP by the 2005 BBAP did not reduce the level of protection. Such protection is provided through the use of the Habitat and Public Recreation classifications coupled with the management intent for the protection of fish, wildlife and their associated habitats in the units that are designated General Use. Over 11 million acres of land are under these classifications and protection is provided in the management intent.	No change from PRD.
4.	2005 BBAP: Habitat	The 2005 BBAP is not sufficiently protective of the waters and resources of the BBAP watershed. The 2005 BBAP changed the emphasis from habitat protection to the development of the region's resources,	As mentioned in the comment, the recommended changes in classification in the Plan Amendment (2013) classify additional areas habitat partially as a result of additional information being available between 2005 and 2013. Management intent language has been added to units	See Map 3A, the List of Approved Revisions, and the recommendations in this document for specific unit changes.

Item	Subject	Issue	Response	Recommendation
		<p>especially mineral development. The proposed 2013 amendments, while providing more habitat protection, do not restore the foundation of stewardship that was fundamental of the 1984 BBAP. The entire 2005 BBAP should be rejected in its entirety and DNR should start over. The Citizens' Alternative Bristol Bay Area Plan is offered as a starting point and attempts to revise the area plan to more closely resemble the 1984 version. DNR should seriously consider this alternative plan and consider it in the spirit of cooperation in which it is offered.</p>	<p>designated General Use where that text was found to be lacking as the result of this additional data that preceded the 2013 Plan Amendment.</p> <p>There are additional changes in classification that are recommended in this Issue Response Summary; over 2,900,000 acres were re-designated for Habitat or Water Resources as a result of agency review, public comments and the review of the Citizens' Alternative. These changes provide an adequate balance between resource development and environmental protection and additional changes to the mix of classifications are not warranted. These changes are distributed widely throughout the planning area. See Map 3A.</p>	
5.	2005 BBAP: Habitat and Recreation	<p>The 2005 BBAP defined recreation to exclude fishing and hunting and used navigability to determine whether an anadromous stream should be classified Habitat.</p>	<p>As indicated in the 2013 Plan Amendment, DNR has agreed to add 'sport fishing and hunting' to the list of uses associated with the term 'recreation' in the Glossary of the plan. It should be noted that the dispersed recreation designation, which includes sport hunting and fishing, was used in the 2005 BBAP to make determinations about recreation. Terms in the Glossary are not used to make management determinations, but are provided as an aid to the reader. The issue of the classification of anadromous streams is dealt with elsewhere in the Issue Response Summary and is specifically dealt with the Plan Amendment under the Third Cause of Action.</p>	No change from PRD.
6.	2005 BBAP: Habitat and Recreation	<p>The 2005 BBAP eliminated nearly all of the prior classifications of the land for habitat, hunting, and fishing, and classified the lands mineral deposits only as mineral lands. Under this plan, mineral development does not have to be compatible with habitat or traditional hunting and fishing. This is blatant disregard for the stakeholders and 'legislating for mineral companies.' Further, this plan transformed habitat, subsistence, and recreation into 'prohibited uses' when they conflict with mining or mineral exploration.</p>	<p>The reduction in land classified as Habitat from the 1984 to the 2005 BBAP is addressed above, and there are no land use classifications specific to hunting and fishing. Hunting and fishing are generally allowed uses under 11 AAC 96.020 and are protected under this section of Administrative Code. The 2005 BBAP recognized these uses and did not impose any constraints upon hunting and fishing. Mineral deposits were, as noted, classified solely as Mineral in the 2005 plan. In response to issues raised during the comment period, two areas designated Minerals in the 2005 BBAP will now be co-designated Minerals and Habitat, similar to other area plans where both of these resources co-exist spatially. The units affected by this re-designation are R06-03 and R06-36.</p> <p>The 2005 BBAP balances mineral development with the protection of other resources. The 2005 BBAP requires that potential mineral development consider habitat or traditional hunting or fishing in the authorization process used for</p>	See Map 3A, the List of Approved Revisions, and the recommendations in this document for specific unit changes.

Item	Subject	Issue	Response	Recommendation
			<p>projects of this type. Finally, the 2005 BBAP did not identify habitat, subsistence or recreation as ‘prohibited uses’ in the areas classified Minerals in the 2005 BBAP. See the 2005 BBAP Resource Allocation Tables for units R06-03 (Shotgun), R06-18 (Sleitat), R06-23 (Pebble), R06-24 (Pebble Streams), R06-36 (Kemuk), R09-10 (Fog Lake) and R10-02 (Pebble 2). As noted above, state land classified Mineral remains open to these uses; that is, state land remains multiple use land open to the public for a wide variety of uses even under this classification.</p>	
7.	2005 BBAP: Habitat Data	Marine habitat criteria were used in the preparation of the 2005 BBAP in order to exclude inland habitat far from the coast.	<p>Marine habitat criteria were not used to delineate habitats areas in uplands and it would have been illogical to do so. Rather, typical criteria were used for the delineation of upland habitats; including anadromous streams, bear concentration areas along streams, caribou and moose calving and rutting areas. The listing of important criteria to be used in the delineation of Habitat areas in the Fish and Wildlife section of Chapter 2 in the 2005 BBAP did not include caribou calving and rutting and moose calving, wintering and rutting areas. This was an oversight and this Plan Amendment recognizes this deficiency and recommends adding these to the list of important upland habitats. These upland criteria were used in the delineation of Habitat areas in the 2005 BBAP; they were just inadvertently omitted from this Chapter 2 listing. The use of these as criteria is noted in the Resource Allocation Table of units under the Resource and Management Intent components.</p>	<p>Add caribou calving and rutting and moose calving, wintering and rutting to Management Guideline B in the Fish and Wildlife section of Chapter 2 in the 2005 BBAP.</p>
8.	2005 BBAP: Mineral Classification	<p>The stated purpose of the 2005 BBAP revision was a need to take a broad scale approach to land classification and yet the plan needed to take this approach down to smaller areas. This statement was used to justify why broader habitat classifications and multi-purpose management were replaced with mineral extraction as the sole purpose for much of the area of the plan.</p>	<p>The statement made by staff at public meetings on the Plan Amendment was more properly, the very large regions in the 1984 BBAP, which sometimes encompassed over 5 million acres, often did not provide the necessary specificity for effective management of state land. Additional specificity is required to effectively determine land use designations, identify land management policies and establish management intent. This mandates that many more units be established for an area of the size of BBAP; in the 2005 BBAP over 250 units were created.</p> <p>Of the approximately 250 units, only five were classified Minerals. The rest of the units are classified Public Recreation, Habitat, Settlement, or Resource Management Land; these constitute over 11.5 million of the 12.6 million acres of uplands within the 2005 BBAP.</p>	<p>No change from PRD.</p>

Item	Subject	Issue	Response	Recommendation
9.	2005 BBAP: Mineral Designation	The mineral designations applied in the 2005 BBAP should be reconsidered. Allowing mining in this area with large scale use of arsenic and other refining metals that are toxic to fish and wildlife in an earthquake prone area is foolish and short-sighted.	<p>The mineral classifications were re-evaluated following the submittal of public comments on the 2013 Plan Amendment. This re-evaluation was conducted by DGGs and the Mining Section of DMLW, and resulted in the reconfiguration of at least three of the units. Units classified Mineral were either reduced in size or reconfigured to better fit with existing geophysical data, or both.</p> <p>The BBAP does not determine whether mining will be allowed in any given area. Area plans identify the resources within an area and classify state land according to their resources values and consistent with state statute guiding the preparation of area plans (AS 38.04.065), Article 8 of the state constitution, regulations and DNR practice and policy for the preparation of these plans. Any mining operations are authorized through the state and federal permitting processes (which may involve the preparation of an Environmental Impact Statement) for mineral resources.</p>	No change from PRD.
10.	2005 BBAP: Planning Process	DNR's 2005 area plan seems to ignore much of the data that is available for the region and the past history of state cooperative planning efforts.	Past planning efforts and material that was available from the 1984 planning effort was considered in preparation of the 2005 BBAP. This material was reviewed and the many maps that were made during the preparation of the 2005 BBAP reflect this data. The 2013 Amendment also relies on new information that was more recent than 2005.	No change from PRD.
11.	2013 BBAP Plan Amendment	The BBAP amendment is currently incomplete and does not meet the minimum state requirements for this document as it relates to Nondalton tribal interests and will also be inadequate to support anticipated permitting and compliance steps that will follow the implementation of this document. The BBAP needs to take the information gathered in the Integrated Resource Management Plan of the Nondalton Tribal Council into account during the revision of this plan to be effective.	<p>The 2013 Plan Amendment has been augmented by additional analyses that were conducted subsequent to the public review of the Amendment. These additional revisions include statements of policy dealing with the overall management objectives of the state for the BBAP region as well as further refinements of particular management units, especially for units classified Minerals, Resource Management, or Habitat. These revisions reflect overall statements and perspectives as to how state land should be managed for the benefit of the people of the state, consistent with the requirements of AS 38.04.065.</p> <p>These changes reflect a statewide perspective and not necessarily those of individual entities. While DNR considers local plans and policies when developing area plans, certain statewide interests may be in conflict with local interests of a community or neighborhood. In this respect the 2005 BBAP and the 2013 Plan Amendment may not reflect all of the</p>	No change from PRD. See other entries in this document for specific revision.

Item	Subject	Issue	Response	Recommendation
			<p>priorities in the Nondalton Integrated Resource Management Plan, but they do reflect a broader, regional and statewide perspective. Nonetheless, the information from the Integrated Resource Management Plan was reviewed and incorporated into these revisions, as appropriate.</p>	
12.	2013 BBAP Plan Amendment	<p>The plan needs to provide management language for Oil and Gas development and exploration.</p>	<p>By law, state land use plans that are issued by the Department of Natural Resources, Division of Mining, Land and Water do not govern oil and gas leasing and permitting activities.</p> <p>Oil and Gas resources are managed by the DNR Division of Oil and Gas and determinations regarding exploration, leasing and development are authorized through a separate process under AS 38.05.131-134. Language regarding oil and gas resources can be found in chapter 2 of the 2005 BBAP on pages 2-38/39. Further discussion of oil and gas resources is beyond the scope of the 2013 BBAP Amendment.</p>	No change from PRD.
13.	2013 BBAP Plan Amendment	<p>The proposed plan amendment is not keeping with the planning requirement (AS 38.04.065) to give priority to “physical, economic, and social factors affecting the area” or “to rely, to the extent that is available, on the inventory of the state land, its resources and other values.” If the plan took that information into account, Region 7 would be designated for subsistence and habitat.</p>	<p>The plan amendment follows all statutory requirements, including the requirements of AS 38.04.065(2) (consider physical, economic, and social factors affecting the area and involve other agencies and the public in achieving a systematic interdisciplinary approach) and takes these factors into account in the revised planning recommendations.</p> <p>The plan amendment does rely on the ‘inventory of the state land, its resources, and values’. The revisions recommended in the Plan Amendment, which largely deal with habitat, are based upon the review of habitat data from the ADF&G that was more recent than that used in the 1984 and 2005 plans. DNR requested ADF&G provide the most current available information, especially as it would relate to moose and caribou wintering and calving areas. The information that they provided included information from 2005 to 2013. Based upon that information, further ADF&G review, and consideration of public comments on the Plan Amendment, DNR has further refined its recommendations to more specifically identify areas of water resources (Water Resource designation) and habitat (Habitat designation). Based on this review DNR did not find it appropriate to designate the entirety of Region 7 as Habitat.</p> <p>Further, there is no land use designation (or classification) for subsistence and therefore no ability to apply such a designation (or classification). Although there is a harvest land use</p>	No change from PRD.

Item	Subject	Issue	Response	Recommendation
			<p>designation; it is not necessarily applicable in the Bristol Bay planning area. The concentration of harvest activities varies by season throughout region 7 and the planning area in general. Harvest activities have become more dispersed throughout the planning area since the 1984 BBAP due to the availability to of transportation and off-road access provided by snow machines, ATV's and faster boating methods. Technological advances in this equipment over the past 30 years have made them faster and more durable on rugged terrain and in inclement weather. Many people are able to travel to a variety of locations for harvest activities. Most harvest activities are a generally allowed use on all state land, regardless of the land classification. Subsistence activities are important and are conducted throughout the BBAP area. However, the state does not have a land use classification for "Subsistence". Land use classifications are defined by regulation (11 AAC 55.050-11 AAC 55.230), and regulations are promulgated and amended in accordance with the Administrative Procedures Act, and not as part of the land use plan development or revision process.</p>	
14.	2013 BBAP Plan Amendment: Habitat	The 2013 BBAP Plan Amendments do not put enough emphasis on the protection of lakes, streams, and rivers. DNR does not go nearly far enough in restoring the vast tracts of habitat designations that were stripped from the 1984 plan in 2005.	The 2013 BBAP amendment puts a stronger emphasis on the protection of water bodies than the 2005 BBAP. The amendment reclassifies as Habitat all streams in the planning area that have been determined to be anadromous and navigable. Language has been modified in the 2013 Plan Amendment to clarify that the classification affects the entire stream, not only the spawning and rearing areas. Similarly, all streams included within MCO 393, including a 100' riparian buffer, are also classified for wildlife habitat. The plan amendment also clarifies that the entirety of Lake Iliamna is classified for wildlife habitat. Further the water resources designation has been applied to large areas of state land where this resource needs particular protection and management.	No change from PRD.
15.	2013 BBAP Plan Amendment: Municipal Entitlement	The Lake and Peninsula Borough supports the 'current amendment' since it allows DNR to approve further entitlement acreage to the borough. Any changes to the amendment must respect the Legislature's promise to the borough when they incorporated as a borough – that we finish our selections.	The changes that are proposed in the Issue Response Summary protect the municipal selections of the LPB. Either the current classifications for management units that encompass municipal selections were retained, or if changed to reflect a different classification, the ability of the state to adjudicate the selections was maintained. Plan text has been included in each management unit that has a different classification that acknowledges this ability.	No change from PRD.

Item	Subject	Issue	Response	Recommendation
16.	2013 BBAP Plan Amendment: Resource Protection	DNR's proposed revisions to the 2005 BBAP adequately protect wild game, subsistence, recreation, sport fishing, or other public uses of land, fish, and game.	Based on the review of the Citizen's Alternative, public comments, and additional DNR assessment, additional changes to the 2013 Plan Amendment are recommended in the Issue Response Summary. There are revisions within the Plan Amendment that will provide for the protection of habitat and water resource areas by redesignating or co-designating for Water Resources and Habitat in the Plan Amendment.	See Map 3A, the List of Approved Revisions, and the recommendations in this document for specific unit changes.
17.	2013 BBAP Plan Amendment: Scope	DNR stipulated to six changes to the plan. Changes should be limited to those agreed on in the case. Should further changes be made beyond those agreed to in the settlement, we are concerned that this will set a dangerous precedent. Using litigation to force further changes in an area plan sets a dangerous precedent to let groups opposing projects hold sway, especially over an area plan that impacts 19 million acres.	<p>DNR agreed to the requirements stated in the Stipulation for Remand, which required DNR to make certain specific changes and consider certain aspects of the Third Amended Complaint as if it were a petition to reclassify state land. The Stipulation required DNR to review eight of the original Causes of Action in the Third Amended Complaint under the administrative process described in 11 AAC 55.270 (Proposing Classification). DNR, in its review of the recommendations from the public has responded to those aspects that are directly or partly directly related to the eight Causes of Action. Many of the responses to the Causes of Action are very specific and DNR has responded to these in a very specific manner.</p> <p>The first two causes of action relate to issues of classification and reclassification of areas designated Public Recreation and Habitat in the 1984 BBAP and as revised in the 2005 BBAP. Because classification issues are identified in the first two Causes of Action, it is appropriate that DNR deal with additional issues of classification raised by the public in some detail. The Citizens' Alternative essentially recommends the reclassification of nearly all areas classified Resource Management Land, Wildlife Habitat and Public Recreation Land in the 2005 BBAP. This Issue Response Summary contains a response to these recommendations on a management unit specific level. DNR carefully reviewed the Citizens' Alternative Plan and has incorporated certain specific information and recommendations from it into the plan revision. While the 2013 Plan Revision is significant, it was not intended to be a comprehensive rewrite of the 2005 BBAP. Such a comprehensive revision was not contemplated by the Stipulation for Remand and Dismissal in Nondalton Tribal Council et al. v. DNR, Case No. 3DI-09-46CI, nor the public notice of the 2013 revision.</p>	No change from PRD.

Item	Subject	Issue	Response	Recommendation
18.	2013 BBAP Plan Amendment: Subsistence	The State's plan ignores its own long term subsistence data and does not recognize the importance of the planning area for subsistence and the survival of the indigenous people. The state should show sensitivity to the people's needs and the recreation and non-mineral economical assets of the Bristol Bay Area.	<p>The State did review the subsistence data obtained by the Alaska Department of Fish and Game over the past 10 - 15 years in the Bristol Bay planning area during the drafting of the plan amendment. As referenced above, harvest activities of a variety of resources have become more dispersed since the 1984 plan was developed and the concentrations of those activities vary by season.</p> <p>The State recognizes that harvest activities are important for all Alaskans, including the indigenous people within the planning area. There are examples of this in the 2005 BBAP such as Management Guideline T on page 2-15 that requires: "Decisions to authorize land use activities will consider the effect on and minimize significant conflicts with traditional uses of fish and wildlife resources."</p> <p>Language regarding "Harvest Resources" will be added as a Management Guideline to Chapter 3 that will describe the importance of this activity within the Bristol Bay region. One of the purposes of this statement is to alert adjudicators of those activities during the authorization process and, more importantly, require that the effect of proposed activities and facilities upon subsistence be taken into consideration in its decision making. See response #32.</p>	Add the following to Harvest section of the Management Summary of the 2005 BBAP starting at p.3-24: "It is the policy of DNR that the Bristol Bay area fisheries, wildlife and their associated habitats be maintained throughout the planning period. These areas are essential to the commercial fishery, maintenance of the traditional subsistence lifestyle, public recreation and the commercial recreation industry. DNR decisions are to carefully consider the effects of a proposed use upon these uses and resources, and all authorizations are to ensure that adverse impacts are avoided, minimized, or mitigated consistent with the requirements in Chapter 2." Also add the following to the Fish and Wildlife section of Chapter 2 under Management Guideline: Habitat Areas: "The underlying integrity of the ecological system and traditional way of life in this region is to be maintained to the maximum extent practicable."
19.	2013 Nushagak River Watershed Traditional Use Area Conservation Plan (TUACP)	The BBAP needs to take the 2013 Nushagak River Watershed Traditional Use Area Conservation Plan (TUACP) into account while revising the 2005 BBAP. The plan includes maps developed based on traditional knowledge of land uses in the area, collected between 2005-2006.	DNR reviewed the information contained in the 2007 TUACP and has taken the information into consideration. The TUACP was reviewed, in part, to determine if the existing BBAP plan designations for units within the Nushagak River drainage were appropriate. DNR has recommended changes for three units: R06-18, R06-36 and R06-42.	See Map 3A, the List of Approved Revisions, and the recommendations in this document for specific unit changes.
20.	2013 Citizens' Alternative	The Citizens' Alternative relies on better mapping to designate primary uses and improved public participation, provides improved area wide guidelines to ensure that habitat, recreation and subsistence are protected, recommends that subsistence resources are the most important aspect of the BBAP, and asserts that the proposed amendments do not go far enough in protecting fish and wildlife and subsistence and recreation uses. The state should adopt all	<p>DNR carefully reviewed the Citizens' Alternative Plan and has incorporated certain specific information and recommendations from it into the plan revision. While the 2013 Plan Revision is significant, it was not intended to be a comprehensive rewrite of the 2005 BBAP. Such a comprehensive revision was not contemplated by the Stipulation for Remand and Dismissal in Nondalton Tribal Council et al. v. DNR, Case No. 3DI-09-46CI, nor was there public notice of the Citizens' Alternative.</p> <p>A more detailed analysis of the Citizens' Alternative is contained in Table 2.</p>	See Map 3A, the List of Approved Revisions, and the recommendations in this document for specific unit changes.

Item	Subject	Issue	Response	Recommendation
		recommendations made in the Citizens' Alternative Bristol Bay Area Plan.		
21.	Anadromous Streams	Anadromous water protection: Four specific actions are recommended in the Citizens' Alternative to protect anadromous waters in the BBAP: Habitat classifications for all streams regardless of navigability, restoration of the 1984 in-stream flow reservation for anadromous waters, an additional mineral closing order for anadromous streams not included in MCO 393 that conflict with mineral prospects, and inclusion of a presumption in the plan that all waters in BBAP should be presumed anadromous for purposes or permit application where the stream may be affected by the proposed action.	The Issue Response summary deals with each of these issues in specific responses. Responses to issue 1) classification of all streams as habitat regardless of navigability, see #27; responses to issue 2) restoration of the 1984 in-stream flow requirement, see #52; responses to issue 3) an additional mineral closing order for streams not closed in MCO 393; see #62 and #64; and responses to issue 4) presumption that all waters in BBAP should be presumed anadromous for purposes of permit application, see #25.	No change from PRD.
22.	Anadromous Streams	Cause of Action 3 and 6: DNR should properly classify the entire reach of anadromous streams as habitat regardless of navigability and the navigability language in Chapter 3 should be amended accordingly. The state holds title to the entire reach of the streambed regardless of navigability, so the land can be classified.	This issue is covered at length in the discussion on pp. 22-24 in the PRD Determination of Reclassification. DNR continues to maintain that this is the most appropriate and effective approach to the classification of anadromous streams, for the reasons given in the Determination.	No change from PRD.
23.	Anadromous Streams	DNR should also consider lake Trout, Steelhead, Grayling and Shee fish when making habitat determinations.	DNR considers the fisheries and habitat for all species when making allocation decisions regarding areas considered appropriate for the Wildlife Habitat land use classification, and consults with ADF&G about those decisions. Typically, land use plans focus the discussion regarding these determinations upon the dominant species in the area and their sensitive life cycle areas or threatened species.	No change from PRD.
24.	Anadromous Streams	DNR should not rely on the ADF&G anadromous waters catalog (AWC) in assessing whether waters are important to salmon populations. ADF&G data is not complete. It is noted on the ADF&G website for the Fish Distribution Database that although the database contains about 16,000 bodies of water across Alaska, it is believed that this number represents less than 50% of the streams, rivers and lakes used by anadromous species.	DNR relies on the ADF&G anadromous stream catalogue because DNR does not have that expertise and the authority for the determination of such water bodies is vested with ADF&G. DNR recognizes that there may be additional anadromous streams that exist but are not included in the AWC. Therefore, as a matter of practice and policy when DNR makes an authorization decision for a particular site, DNR reviews the latest AWC to identify all anadromous streams that may exist within a proposed project area.	No change from PRD.

Item	Subject	Issue	Response	Recommendation
25.	Anadromous Streams	The requirements for the protection of anadromous streams are inadequate and since DNR does not have adequate enforcement authority this mechanism to protect streams is meaningless. DNR should operate on assumption that all waters in BBAP are needed for salmon unless proven otherwise.	The Habitat land classification documents the general management intent to protect such streams, but it does not provide enforceable authority for such protection. Such protection occurs and is enforced through the use of the Title 16 anadromous stream authority, which mandates that all in-stream work be conducted in accordance with a permit issued by ADF&G. Review of a proposal occurs at the site level and stipulations are proposed that will avoid or mitigate impacts to anadromous streams. ADF&G effectively exercises its enforcement authority.	No change from PRD.
26.	Anadromous Streams: Navigability	It is important to recognize that non-navigable streams comprise important salmon habitat in BBAP and it is important to conserve those areas in order to sustain salmon populations. Conservation of those areas important to salmon rearing, spawning, and migration is critical to the continuation of this species. Salmon use small headwater habitats for spawning, incubation, and rearing and some species can remain in small non-navigable streams one to two years. Significant alternation of these natal habitats can greatly affect salmon populations. It is recommended that all anadromous streams be classified Habitat and that reserving in-stream flows, including natural groundwater flow in winter, be instituted since this is critical to sustaining salmon productivity in this region.	DNR does recognize the importance of salmon habitat throughout the Bristol Bay area. This issue is covered at length in the discussion on pp. 22-24 in the Determination of Reclassification. See responses #21 - 25, and 27 of this document (Table 1) for further information.	No change from PRD.
27.	Anadromous Streams: Habitat designation	The reason given for not designating small anadromous streams as Habitat is related to the scale of the plan and the difficulty of putting them on plan maps. This seems a lame reason for not designating these streams as Habitat. Change the map scale if that is the issue.	The Determination that describes DNR's response to the issue of the classification of anadromous streams actually lists four criteria explaining why it is not appropriate to classify all anadromous streams as Habitat. The problem of mapping is listed as one of the reasons, and it is important, although not as significant as the other reasons. Area Plans deal with large geographic areas and maps are often at the 1:1,000,000 scale for plans of the size of the BBAP (19 million acres in total area) and it simply would be impractical to develop maps at the scale of , say, 1:4,000' to depict all steams. That said, the ADF&G Anadromous Waterbody Catalog lists all known streams and depicts the majority of those. DNR adjudicators rely upon this document for determinations as to whether a	No change from PRD.

Item	Subject	Issue	Response	Recommendation
			stream is anadromous and there is no reason to repeat the mapping that has been developed by that agency. The catalog includes numerous large scale maps that identify streams in detail within the Bristol Bay region.	
28.	Development	DNR has a constitutional obligation to manage state owned lands for the ‘maximum public benefit’ and ‘to encourage the settlement of its land and development of its resources by making them available for maximum use consistent with the public interest’. Sole designation of large sections of the state for wildlife or recreation is contrary to constitutional mandates.	The Constitution and Alaska statutes recognize that state land is to be managed for the ‘maximum public benefit’ and ‘to encourage the settlement of its land and development of its resources by making them available for maximum use consistent with the public interest’. The sole designation of large areas of the BBAP region for habitat or recreation is inappropriate unless justified by specific habitat or recreation resource values. DNR determined in the response to Causes of Action One and Two (habitat and public recreation) in the Determination of Reclassification that use of the Habitat and Public Recreation designations for vast areas is inappropriate. However, certain areas do warrant a Habitat or Public Recreation designation and DNR has proposed in the 2013 amendment that additional areas be so classified, in addition to the areas classified for these uses in the 2005 BBAP.	See Map 3A, the List of Approved Revisions, and the recommendations in this document for specific unit changes.
29.	Development	It is appropriate for resource development to occur within the BBAP region. Resource development provides economic benefits to the region as well as improved or added infrastructure and access for multiple uses.	<p>DNR recognizes that portions of the BBAP region may be appropriate for development and that certain economic benefits do accrue from such development. However, we note that development is unlikely to occur on lands designated General Use during the planning period of 20 years of area plans.</p> <p>Area plans make land use designations; they do not make decisions on specific development proposals. Development decisions are made at more detailed scale through specific review and regulatory processes; these make the actual determination as to whether a particular use is appropriate, whether it will be allowed, and how/where it should occur.</p> <p>It should also be noted that relatively few areas are actually identified for potential development in the BBAP region under the 2005 BBAP and the 2013 Plan Amendment. The only two classifications where it is likely to occur are Settlement and Minerals, although development may occur on all state land regardless of classification.</p>	No change from PRD.
30.	Development and Resource Protection	Subsistence is crucial to native people and villages, and is an important part of our culture and economy. However, local residents need	DNR recognizes that the people in the Bristol Bay area need both subsistence and economic opportunity. The recommendations made in the 2005 Bristol Bay Area Plan,	Add the following to the Fish and Wildlife section of Chapter 2 under Management Guideline: Habitat Areas: “The

Item	Subject	Issue	Response	Recommendation
		<p>cash and need to be involved in the cash economy. Without appropriate economic opportunities, villagers will leave and out-migrate. There is a need for both subsistence and economic opportunity. For this reason, the LPB supports responsible economic development. The LPB supports economic development than can occur consistent with local lifestyles and with the habitat and populations of fish; and wildlife. The area plan must protect this balance.</p>	<p>together with the 2013 Amendment, provide a balance between necessary resource protection along with prudent resource development. Management guidelines and information related to traditional uses and subsistence are included in the 2005 BBAP on pages 2-15 - 2-17. The management guidelines and intent in the 2005 BBAP indicate that these uses are an important component in DNR decision making and how to protect them. See Management Guideline T “Conflicts with Traditional Uses of Fish and Game” on page 2-15 of the 2005 BBAP. However, additional language regarding the importance of these uses will be included in the management guideline. See response #32 for the recommended management guideline.</p> <p>It is also important to recognize that there are future opportunities to further ensure that this balance occurs during the state’s decision making process for specific authorizations.</p> <p>During the authorization process for each decision, agencies and the public will be provided with opportunities to provide comment. Those comments are taken into consideration when making the final determination about an authorization.</p>	<p>underlying integrity of the ecological system and traditional way of life in this region is to be maintained to the maximum extent practicable.”</p>
31.	Development and Resource Protection	<p>The concept of diversity central to ecological systems must also be honored in the human community. There should be diversity of employment, resource production, development, and diversity of wildlife and fisheries. These uses can and do coexist where thoughtful land use regulation and land development planning are held to the highest standards, DNR has a constitutional mandate to encourage the settlement of its land and development of resources by making them available for maximum use consistent with the public interest. Fulfillment of this mandate will lead to the result of diversity.</p>	<p>The issues of balancing habitat protection with development and other uses, and managing for maximum use of the state’s resources consistent with the public interest are addressed in several of the responses in this Issue Response Summary. For example, see previous response.</p> <p>DNR’s decision making is based upon the Constitution (Article 8) and state statute (such as AS 38.04.065 and AS 38.05.065) that require multiple use management of state land and resources, this can result in a diversity of both human and natural systems, DNR believes that the provision of jobs within the region as well as natural resource protection is central to a healthy community relations and the maintenance of effective ecological systems. Perhaps this is the diversity that is intended in the comment.</p>	<p>No change from PRD.</p>
32.	Development: General Approach	<p>Both sides in the debate should consider a balanced approach to natural resource development. We cannot sacrifice one resource for the development of another, mining for subsistence or subsistence for mining.</p>	<p>There should be a balanced approach to natural resource development, and that it is inappropriate to diminish one resource for the development of another, mining for subsistence or subsistence for mining. This is a theme that was repeated again and again throughout the public meetings that occurred in April and May on the 2013 Plan Amendment. To</p>	<p>Add the following to Harvest section of the Management Summary of the 2005 BBAP starting at p.3-24: “It is the policy of DNR that the Bristol Bay area fisheries, wildlife and their associated habitats be maintained throughout the planning period. These</p>

Item	Subject	Issue	Response	Recommendation
			<p>this end, we have included a general management orientation for the BBAP area that had been lacking and we believe it appropriate to modify overall management intent section of the plan so that this overall theme is to be taken into consideration in DNR decision making on natural resource projects.</p>	<p>areas are essential to the commercial fishery, maintenance of the traditional subsistence lifestyle, public recreation and the commercial recreation industry. DNR decisions are to carefully consider the effects of a proposed use upon these uses and resources, and all authorizations are to ensure that adverse impacts are avoided, minimized, or mitigated consistent with the requirements in Chapter 2.” Also add the following to the Fish and Wildlife section of Chapter 2 under Management Guideline: Habitat Areas: “The underlying integrity of the ecological system and traditional way of life in this region is to be maintained to the maximum extent practicable.”</p>
33.	Fisheries Protection	<p>DNR should use a precautionary approach when making land management decisions considering the potential impacts on water and fisheries values as adopted by the Alaska Board of Fisheries in the State’s Policy for management of sustainable salmon fisheries (5 AAC 39.222). Why isn’t DNR managing the waters in the BBAP consistent with the state’s policy for the management of sustainable fisheries as provided in (5 AAC 39.222)?</p>	<p>The Bristol Bay Area Plan and Amendment provide a basis for land management decisions in the Bristol Bay area. The Alaska Department of Fish and Game is responsible for the management of fish and game. DNR works in consultation with ADF&G during the authorization process in an effort to ensure that the authorizations issued are not in contradiction with ADF&G regulations. The Sustainable Fisheries policy deals largely with issues not related to the land management decisions or authorities of DNR.</p> <p>Further, protection of water flows on the main rivers within the BBAP region (Kvichak and Mulchatna) occurs under current in-stream flow reservations. Additionally, an in-stream flow reservation is being adjudicated by DNR for the middle Nushagak River. These water reservations specifically aim to ensure that sufficient water is available to maintain the fisheries in the region. These reservations are directly aimed at sustainability.</p>	No change from PRD.
34.	General Use Designation	<p>Based on state regulation 11 AAC 55.200, the land in Bristol Bay should not be designated for “General Use”. It does not meet the either of the criteria listed in the regulation.</p> <p>The 1984 BBAP recognized the Bristol Bay area as important for fish and wildlife,</p>	<p>11 AAC 55.200 for Resource Management Land states that Land classified resource management is either: 1) land that might have a number of important resources but for which a specific resource allocation decision is not possible because of a lack of adequate resource, economic, or other relevant information, or is not necessary because the land is presently inaccessible and remote and development is not likely to occur</p>	No change from PRD.

Item	Subject	Issue	Response	Recommendation
		<p>commercial, recreational and subsistence uses. Very little has changed based on current data.</p> <p>The Bristol Bay region is a highly productive salmon ecosystem. The Nushagak and Kvichak watersheds produce 50% of the world's sockeye salmon. The salmon based ecosystem supports a large variety of upland mammals as well.</p> <p>A general use designation is also inappropriate because it assumes that development is unlikely to occur. Mining claims have been staked across the area. Large mining operations, such as Pebble would begin operation in less than 10 years.</p> <p>A general use designation makes development of all types easier. A habitat classification would at least signal the need to look for incompatible uses on the land.</p>	<p>within the next 10 years; or, 2) land that contains one or more resource values, none of which is of sufficiently high value to merit designation as a primary use. DNR maintains that the use of the General Use designation is appropriate within the BBAP region since nearly all state land is remote, inaccessible, and not expected to be developed during planning period.</p> <p>The General Use designation is used appropriately in the BBAP. Although the designation assumes that development is unlikely, it does not necessarily preclude all types of development, nor does it necessarily make it easier for development to occur. The management intent for this designation recognizes that development is unlikely and not expected to occur.</p> <p>DNR recommends that all land designated for General Use be retained in state ownership in the 2013 plan amendment (see p. 27 2013 BBAP Determination and Amendment). All state land is open to mineral entry unless closed (AS 38.05). Although mining claims are staked in the area, the areas with known significant mineral occurrence are not situated in areas designated General Use. They occur in areas that are designated Minerals or are co-designated with habitat.</p>	
35.	General Use Designation	<p>Many of the units that are designated General Use should be co-designated Habitat where fish and wildlife protection is identified in the management intent statements of the unit.</p>	<p>Many of the areas that have been identified as Habitat in comments received during the public review process do not warrant a Habitat designation. The occurrence of wildlife throughout the planning area does not warrant all such areas being designated Habitat. The definition of the designation of Habitat that DNR uses in its area plans focuses on concentrated areas of habitat that is important to critical life stages; generally, for caribou and moose, this is their calving areas, and to a lesser extent, wintering habitat for moose. These areas occur in some parts of the planning area, but not all.</p> <p>The 2005 BBAP uses both Habitat and General Use designations to provide for the effective management of important habitat. Habitat designations are applied where the aforementioned areas are found to exist on ADF&G maps (or reports) within the planning area. The General Use designation is used for very large areas of state land where development is not expected because of its remote, inaccessible location and where development is not to be</p>	No change from PRD.

Item	Subject	Issue	Response	Recommendation
			encouraged. If important habitat areas are found within areas designated General Use, the Management Intent and Resource information of the unit notes this and provides for the protection of the fishery, wildlife, and associated habitat. This combined approach to land management identifies the truly critical areas as Habitat, which distinguishes these areas in later adjudication processes and in so doing ensures an effective level of consideration and protection.	
36.	Grazing	Grazing should not be prohibited in Port Heiden.	Grazing is not a prohibited use in the 2005 Bristol Bay Area Plan or 2013 amendment, but the regulations at 11 AAC 60.101 prohibit grazing in areas designated Settlement, Public Recreation, or Reserve Use. Except for a small area near the community of Port Heiden, which is designated Settlement, the remainder areas are designated General Use. Grazing is a generally allowed use for up to five domesticated animals on state land without a permit under state regulation (11 AAC 96.020). A permit is required for more than 5 domesticated animals and must be issued through the authorization process. (Note: The recommended changes in this Issue Response Summary would reclassify certain areas Water Resources and Habitat. Grazing may be allowed in these designations.)	No change from PRD.
37.	Habitat and Harvest Designation	Include a management guideline/management intent statement that places fish and wildlife habitat and harvest as a primary use. (p. 2-7 of the 1984 BBAP)	<p>A management intent statement for the management of important habitat is provided in both the Fish and Wildlife section of Chapter 2 in the 2005 BBAP and in specific units designated Habitat. It would not be appropriate to include a management intent statement or guideline that asserts that the dominant use is always fish and wildlife habitat and harvest for all areas of state land in the planning area. One of the purposes of an area plan is to delineate other possible uses of state land, a requirement that is mandated by AS 38.04.065. It is appropriate to strengthen the language regarding the importance of fish and wildlife habitat in the plan and that this should be an over-arching aspect of DNR decision making throughout the planning area.</p> <p>To emphasize the importance of this component, it is recommended that the overall Management Intent statement applicable to the entire planning area be amended.</p>	<p>Add the following after the first paragraph on p. 3-6 of the 2005 BBAP: “The maintenance of the fishery resource and important habitat areas for subsistence and for the maintenance of the ecological and physical systems that occurs throughout the planning area is an overarching aspect of this plan. The people and economy of the BBAP are largely dependent on these resources and habitats, and it is vital that DNR ensure in its decision making that these systems are not unduly compromised.</p> <p>DNR decisions are to carefully consider the effects of a proposed use upon these uses and resources, and all authorizations are to ensure that adverse impacts are avoided, minimized, or mitigated consistent with the requirements of</p>

Item	Subject	Issue	Response	Recommendation
				<p>Chapter 2.”</p> <p>Also add the following to the Fish and Wildlife section of Chapter 2 under Management Guideline: Habitat Areas: “The underlying integrity of the ecological system and traditional way of life in this region is to be maintained to the maximum extent practicable.”</p>
38.	Habitat and Public Recreation Designation	Cause of Action 2: DNR should co-designate Public Recreation and Habitat in additional units throughout the Nushagak and Kvichak watersheds. The General Use designation is not appropriate. DNR is tasked with managing state lands for multiple uses and sustained yield. AS 38.04.065(b)(1). DNR must also consider “physical, economic, and social factors affecting the area.” In doing so, DNR is authorized to use up to three classifications where dominance of a particular use cannot be determined (11 AAC 55.040(d)).	<p>The General Use designation is appropriate throughout much of this area. This designation is used when state land is remote and inaccessible and is not expected to be developed during the planning period. This designation is also appropriate for the many large tracts of state land that occur throughout the planning area where a number of complementary uses can occur. However, DNR recommends in the Plan Amendment that several areas be redesignated Habitat, Water Resources, or co-designated Habitat and Minerals. The General Use designation remains appropriate for much of the planning area because it provides for habitat, fisheries, and wildlife protection though management intent statements.</p> <p>DNR did consider physical, social, and physical factors in the preparation of the 2005 BBAP. See other responses on this issue. And while it is permissible to use up to three classifications for a particular management unit, DNR has found it more appropriate to identify a principal use, which equates to the use of a single designation. In certain instances, where the values are equal, it is appropriate to use three classifications, and some of the recommended designation changes do so.</p>	See Map 3A, the List of Approved Revisions, and the recommendations in this document for specific unit changes.
39.	Habitat Classification	The removal of the Habitat classification as a co-classification with Minerals was unjustified in the Pebble, Sleitat, and Shotgun and Kemuk management units. The areas still contain habitat for caribou, moose, and salmon habitat and are used for subsistence and recreation.	<p>Re-evaluation of mineral and habitat data for the areas designated Mineral in the western part of the planning area, generally within the Nushagak River drainage, indicate the presence of significant habitats; in some cases it is bear denning habitat, in other areas moose and caribou calving. It is appropriate to co-designate the following units as Minerals and Habitat: R06-03 and R06-36. The management intent of these units is to be modified to focus on the management of both resources.</p> <p>Unit R06-24 does not warrant a co-designation of Habitat. ADF&G data indicates the presence of moose wintering</p>	See Map 3A, the List of Approved Revisions, and the recommendations in this document for specific unit changes.

Item	Subject	Issue	Response	Recommendation
			<p>habitat in a minor portion along the western edge of this unit. This habitat meets the criteria in BBAP Chapter 2 as modified by this document and the List Approved of Changes for the designation of land for habitat in this unit; however, the unit is not co-designated Minerals and Habitat because the extent is minimal. It is appropriate to note this in the Resources and Uses section of the unit description and to revise the management intent to identify that this habitat is to be taken into consideration during mine plan review.</p>	
40.	Habitat Classification	<p>There is very little land in the Bristol Bay Area Plan area that does not fit both definitions for a habitat classification described in 11 AAC 55.230, based on the importance of all waters in the Bristol Bay area to the world's largest sockeye salmon runs that originate in the area's waters.</p>	<p>The comment refers to the two definitions of Wildlife Habitat Land in Administrative Code (11 AAC 55.230). The two definitions are separated by the word 'or', and DNR has followed the latter of the two definitions. The first of the two is difficult to interpret and there is no generally accepted methodology to determine 'optimum sustained yield' as it pertains to land management. The second of the two is much more specific and is the one that DNR applies: It focuses on specific habitat areas where there is a 'unique or rare assemblage of a single or multiple species of regional, state, and national significance'. The designation of Habitat in the area plan is based on this second definition in the classification regulation. In the 2005 BBAP the designation of Habitat focuses on the identification of 'areas of various sizes' where important life cycle periods exist for those species identified in Management Guideline B in the Fish and Wildlife section of Chapter 2 (p. 2-9). Applied in this manner, only specific areas are appropriate for a Habitat designation, as maintained by DNR in its analysis of area plans in the Determination of Reclassification.</p>	No change from PRD.
41.	Habitat Classification: Headwater Streams	<p>Headwater streams should be classified as Wildlife Habitat and protected as a water resource important to salmon, amphibians, birds, mammals and other biota. Conservation of Bristol Bay salmon productivity relies in large part on the continued ability of the headwaters, intermittent or not, to sustain them.</p> <p>Salmon use small headwater habitats for spawning, incubation and rearing. Some species remain in small, non-navigable streams for one to two years prior to seaward migration, which makes them particularly vulnerable to</p>	<p>DNR recognizes that small headwater stream habitats are important for spawning, incubation, and rearing. However, DNR maintains that these areas do not require classification as Habitat in order to be effectively protected.</p> <p>Anadromous headwater streams are protected through the management guidelines that provide for the maintenance and protection of riparian areas (the areas adjacent to streams). These standards are identified in Chapter 2 under 'Shorelines, Stream Corridors and Coastal areas', specifically management guidelines and G and H (pp. 2-65 and 2-66). They apply whenever DNR adjudicates an authorization in such areas. The protection of these areas is also addressed whenever in-</p>	No change from PRD.

Item	Subject	Issue	Response	Recommendation
		watershed management practices. Salmon adapt to natural flow regimes in their natal habitats and natural flow regimes strongly influence thermal, chemical, physical and biotic regimes of natal habitats, significant alterations to these parameters may potentially reduce salmon re-productivity. Historically, the loss and alteration of productive salmon habitat has led to their extirpation and endangerment in some U.S. waters.	stream work in anadromous streams occurs under Title 16. This permit is administered by ADF&G.	
42.	Habitat Designation	There is more than enough data to support returning to the Habitat designation used in the 1984 BBAP. The use of the General Use designation is inappropriate. Traditional knowledge indicates that the hunting/gathering use patterns have not changed much in the last 20 years and that moose and caribou continue to frequent the Nushagak River drainage. ADFG, NPS, and US FWS data also indicate the presence of moose and caribou for calving and wintering in this drainage.	This issue is addressed in responses above.	No change from PRD.
43.	Habitat Designation: Fiscal Impact	The Iliamna Village Council does not want Iliamna to be considered as a “habitat area”. The designation may negatively affect the village’s economy.	Acknowledged. Most land where the village is located is private or native corporation land and not subject to this land use plan.	No change from PRD.
44.	Habitat: Caribou Calving Areas	<p>ADFG&G recommends that additional areas within the historic calving grounds of the Southern Alaska Peninsula Caribou Herd (SAP) and the Northern Alaska Peninsula Herd (NAP) be reclassified as Wildlife Habitat land. These areas are currently included within management units designated General Use. They were classified for Wildlife Habitat in the 1984 plan.</p> <p>The populations of these herds have not met the harvest objectives in recent years as established in 5 AAC 92.108. The population of these herds has diminished and further potential displacement of these animals onto federal lands would greatly diminish management</p>	DNR will add five management units, with varying designations. See Plan Map for units and affected areas. These areas may contain caribou calving or moose calving, wintering and rutting areas. Portions of certain of the units also contain significant concentrations of wetlands and are appropriate for designation as Water Resources or co-designated that with Habitat.	<p>Unit R21-04 has been re-designated as Habitat.</p> <p>Add the following units:</p> <p>R14-02A; co-designations: Habitat and Water Resources</p> <p>R15-01A; co-designations: Habitat and Water Resources</p> <p>R15-01B; designation: Habitat</p> <p>R18-01A; designation: Habitat</p> <p>R21-01A; co-designations: Habitat and Water Resources</p> <p>See Map 3A, the List of Approved</p>

Item	Subject	Issue	Response	Recommendation
		options. The NAP herd calving areas have become more dispersed, which is typical when a herd population is low. However, once the population begins to rise again, the historic calving areas will become increasingly important for sustaining the herd.		Revisions, and the recommendations in this document for specific unit changes.
45.	Habitat: Moose and Caribou Calving and Wintering Areas	DNR missed a whole bunch of moose habitat, moose calving areas, and caribou habitat. (These are shown on a map submitted in the comment; these areas are generally located to the northeast of Levelock.)	Although ADF&G habitat data does indicate the presence of moose and caribou in the locations noted, it does not indicate moose and caribou calving. Caribou wintering habitat is present but is dispersed geographically.	No change from PRD.
46.	Habitat: Moose and Caribou Calving Areas: Change in Description	<p>ADF&G recommends that the language on page 15 of the PRD be revised to accurately describe the biology of moose and caribou relative to wintering and calving areas. Caribou do calve in concentrated areas; the use of common calving areas is what defines a population of caribou for management purposes. In contrast, moose are more likely to disperse to suitable habitat during calving and post-calving and aggregate in suitable winter environments.</p> <p>ADF&G recommends the following language for Caribou Wintering Areas:</p> <p>“Caribou Wintering Areas: These areas show no particular concentration and, in fact, there is a fairly widespread distribution of these habitats throughout the planning areas. The location of caribou wintering varies throughout this range from year to year and within years and does not exhibit the same concentrated pattern that is characteristic of moose wintering areas.”</p> <p>The language for Calving should also be updated to reflect this information.</p>	The information ADF&G provided is appropriate and will be incorporated into the text.	Revise Management Guideline K in the Fish and Wildlife section of Chapter 2 to include the following: “Caribou wintering areas show no particular concentration and, in fact, there is a fairly widespread distribution of these habitats throughout the planning areas. The location of caribou wintering varies throughout this range from year to year and within years and does not exhibit the same concentrated pattern that is characteristic of moose wintering areas.”
47.	Habitat: Moose and Caribou Calving Areas	Moose and caribou calving grounds are not properly protected. Caribou and Moose calving and wintering areas should be designated for habitat.	DNR has reevaluated information on moose and caribou calving grounds and wintering areas. DNR has concluded that certain changes are warranted and has specifically recommended that a number of parcels be redesignated Habitat	See Map 3A, the List of Approved Revisions, and the recommendations in this document for specific unit changes.

Item	Subject	Issue	Response	Recommendation
			<p>or that an area of Habitat be expanded to include newly determined areas of habitat. See the section at the end of this table that deals with recommended changes to management units.</p>	
48.	Heritage and Cultural Resource Management Research: Pebble Project	<p>The state needs to take the study conducted by the Pebble Partnership into account while revising this plan “Pebble Project Environmental Baseline Document”. Specifically, chapter 23 “Subsistence Uses and Traditional Knowledge (Bristol Bay Drainages” and Chapter 25 entitled “Recreation (Bristol Bay Drainages”.</p>	<p>DNR reviewed the ‘Pebble Project Environmental Baseline Document and specifically its Chapter 23.</p>	No change from PRD.
49.	Heritage and Cultural Resources	<p>The BBAP does not address nor identify protection measures for the significant amount of heritage and subsistence resources within the Bristol Bay region that are integral to Nondalton social, economic, cultural and religious practices. The plan omits reference to significant geographical areas and entire constellations of resources that are necessary for the continuation of these practices.</p>	<p>The BBAP is a land use plan developed to manage state land, as required under AS 38.04 and 38.05. Heritage and Cultural Resources, including those used for religious practices, are managed under various legal authorities, including the Alaska Historic Preservation Act (AS 41.35.010 - .240 and regulations at 11 AAC 16.010 - .900). Subsistence is managed under AS 16.05.094.</p> <p>The plan is the basis for land management decisions made by DNR and cultural resources are, in fact, described in the 2005 BBAP. There is a whole section on Cultural Resources in Chapter 2; the requirements of this component effect all management units and subsequent authorizations.</p> <p>Further, the plan identifies for each management unit whether cultural resource are known to be present within the unit or not. DNR intentionally does not provide a detailed listing of such resources in the Resources section of the Resource Allocation Table, in order to protect the resource. The purpose of this form of identification is as a ‘red flag’ to ensure that DNR adjudicators review the cultural material at the Office of History and Archeology, which does contain detailed information on these sites but is confidential.</p> <p>The 2005 BBAP directs adjudicators to contact the Office of History and Archaeology if heritage and cultural resources have been identified or are known to exist in the affected area (see 2005 BBAP Ch. 2 pp. 2-25 - 2-28). The sites will be taken into consideration during the authorization process and stipulations to mitigate potential adverse effects on the sites or</p>	No change from PRD.

Item	Subject	Issue	Response	Recommendation
			<p>cultural practices that are known to occur within the area will be included in the Best Interest Finding. Potentially, the application will be denied if mitigation efforts are not feasible.</p> <p>The inclusion of references and mapped locations of cultural and heritage sites in land use plans is controversial. It may make it easier for adjudicators to determine the amount and types of sites within a given geographic area and emphasize their importance but it also diminishes the protection of those sites because it provides location information about culturally sensitive areas to the general public.</p>	
50.	Heritage and Cultural Resources	<p>The BBAP needs to take the 2013 Nushagak River Watershed Traditional Use Area Conservation Plan (TUACP) into account while revising the 2005 BBAP. The plan includes maps developed based on traditional knowledge of land uses in the area, collected between 2005-2006. Based on the traditional knowledge of the indigenous people, the locations of moose, caribou, and salmon had not changed since 1984. The people hunted and fished in the same areas. Subsistence uses in the area have not diminished, they have expanded. The availability of new technology, such as snow machines and outboard jet units have made it possible to hunt in areas they could not reach twenty years ago.</p>	<p>DNR did review the TUACP. Based on the review of this information in addition to data supplied by ADF&G, harvest activities have become more dispersed since 1984. A Harvest designation is typically reserved for specific areas of harvest activities and is not used as a broad land use designation, such as “General Use”. Given that subsistence harvest activities have become more diffuse throughout the planning area and these activities are protected as a Generally Allowed Use, there are no areas recommended specifically for harvest designation.</p> <p>DNR recognizes that subsistence harvest is very important and to emphasize the importance of this component, it is recommended that the overall Management Intent statement applicable to the entire planning area be amended as described in response to comment #32.</p>	See other entries in this document for specific revision.
51.	Heritage and Cultural Social Impacts	<p>The stress that development is having on local communities should be taken into consideration. The constant visits, phone calls and emails from those who are for or against mineral development have placed a heavy, financially uncompensated burden on the Nondalton Tribal Council. DNR must conduct or authorize a health assessment with Bristol Bay residents that addresses current project impacts of mining exploration in the region on the physical and psychological health of affected communities, as well as the projected health impacts of proposed mining activities.</p>	Community physical and psychological health evaluations are beyond the scope of DNR’s land use planning authority.	No change from PRD.

Item	Subject	Issue	Response	Recommendation
52.	In-stream Flow Reservation	In-stream flow reservation: the 1984 BBAP established an in-stream flow reservation that required ADF&G to make determinations of in stream flow requirements for fish and waterfowl before applications for appropriation of water for private use could be adjudicated. The 2005 BBAP changed this. In-stream flow reservations were to follow the requirements of AS 46.15.145 that requires an affirmative application by a government agency or person in the form of an application to establish a reservation for such common uses as fish and wildlife, recreation, water quality or navigation. If ADF&G chooses not to affirmatively apply for an in-stream flow reservation, there is effectively no one other than a private person to stand in for these common uses of water. DNR should amend the area plan to go back to the requirement that existed under the 1984 BBAP.	The 2005 BBAP changed the water reservation section of the plan to comply with statutory and administrative code requirements. AS 46.15.145 states that an entity may apply to reserve sufficient water to maintain a specified in-stream flow at a specified point of a stream or portion of a water body. The 1984 BBAP provided that “the DNR will not allow an appropriation of water to cause the instream flow to fall below the amount determined necessary by ADF&G and/or USFWS to protect fish habitat and production and waterfowl habitat . . .” This requirement, which attempts to create an instream flow reservation based only on ADF&G’s and/or USFWS’s determination, is inconsistent with AS 46.15, which lays out a process that is to be followed and determinations that must be made before a reservation can be made. The process that is statutorily provided must be followed in DNR adjudicatory decisions. The 1984 BBAP cannot trump statutory requirements for the establishment of water reservations. Furthermore, implementing this requirement would require agencies outside DNR and even outside state government to submit applications for in-stream flow reservations before an appropriation request could be adjudicated. Such analyses are difficult and time consuming and probably are outside the resources of ADF&G or USFWS to complete.	No change from PRD.
53.	Land Classification: Authority for Changes	Changes significantly beyond DNR’s proposed amendments are illegal without additional public process. It is an abuse of the process and illegal to advertise one change and then adopt something greatly beyond the scope of what was advertised. DNR cannot legally introduce completely new concepts and changes without another entire process. Therefore, proposals such as those made by certain anti-mining groups, such as to classify the entire area as wildlife habitat cannot legally be adopted without additional public process.	Changes that are outside the scope of the public notice pertaining to the 2013 Plan Amendment cannot be processed under the current plan modification. Proposed Plan revisions must be noticed under AS 38.05.945 prior to the agency making a decision, and many of the changes proposed by the public during the comment period go well beyond the scope of the 2013 Plan Amendment. This amendment has been undertaken to respond to the issues addressed in the Stipulation for Remand and Dismissal. Implementing these additional changes would require a completely new plan amendment process which would have to be noticed separately in the future.	No change from PRD.
54.	Land Classification: Resource Management Land	There is objection to the land designation system used in the 2005 BBAP. Lands classified as Resource Management do not sufficiently convey the importance of these lands as fish and wildlife habitat or as used by local residents. This designation could too	Area plans consist of management intent, management guidelines, and designations, which are applied to each management unit. Each of these components is required by administrative code and has a specific function in describing how an area of state land is to be managed. Classifications are derived from plan designations. The management intent of a	No change from PRD.

Item	Subject	Issue	Response	Recommendation
		<p>easily allow their habitat and subsistence values to be overlooked and lost in the long term. It is not enough that the wording in the management intent section relating to Resource Management land requires the consideration of fish, wildlife, and habitat; the commenter wants maps and documents that clearly designate land as habitat or recreation very prominently where they demand attention and provide reassurance to the public that habitat and recreation values will be protected.</p>	<p>unit carries the same weight as a plan designation, and each of the management units that are designated General Use carry a management intent statement providing for the management of sensitive resources, if present. Excessive use of the Habitat designation fails to distinguish the truly critical areas for DNR adjudicators who must consider these attributes in making subsequent land use authorization decisions and protect them for local residents who rely on them.</p> <p>DNR is required to follow the area plans in the adjudication of decisions so the inclusion of management intent language is at least as effective as a Habitat designation.</p>	
55.	Leasehold Location Order: Wildlife Habitat Designation	<p>All land covered by LLO 1 should be designated as wildlife habitat. Development is not precluded on land covered by LLO 1, it is only required to go through the state leasing program. A habitat designation will result in more strict leasing requirements and responsible development.</p>	<p>Mineral Leasehold Location Order (LLO) 1 was developed during the 1984 plan to deal with potential use conflicts between various significant land uses including fish and wildlife habitat, recreation, and minerals exploration and development within the Bristol Bay region.</p> <p>It is inappropriate to use it as the basis for the delineation of Habitat areas. It does not provide criteria for the identification of such areas and is not intended to serve as the basis for the delineation of habitat areas. ADF&G habitat data is used by DNR to delineate such areas and DNR views this data as the best data, and the most appropriate source of information, for this delineation.</p> <p>A Habitat designation does not necessarily ensure strict leasing requirements and better, more responsible development. Under LLO 1, DNR is required to evaluate the effects of mining upon recreation, fish, and wildlife as part of the state decision process for mineral development projects. A typical part of that process is the development of an Environmental Impact Statement (EIS). This document thoroughly assesses potential impacts, including those on habitat, and will, if appropriate, require mitigation stipulations. The LLO requires that certain aspects of this decision be assessed and the EIS process normally evaluates this in any event.</p>	No change from PRD.
56.	Leasehold Location Order: Protection	<p>DNR needs to ensure that LLO 1 will not be diminished or removed and that stipulations to protect habitat are in place prior to mineral operation development.</p>	<p>DNR cannot ensure that LLO 1 should not be diminished or withdrawn in the future. DNR decisions, such as issuance of an LLO, may be overturned by the legislature. DNR also may determine in the future that it would be in the best interest of the state to modify the LLO.</p>	No change from PRD.

Item	Subject	Issue	Response	Recommendation
			<p>Stipulations to mitigate potential adverse effects on habitat will be included in the mining plan of operations. The Plan revision is based on the current validity of LLO, and assumes that LLO 1 will remain in place; accordingly, the considerations it identifies will be part of the review of a potential mining lease.</p>	
57.	Mineral Classification	<p>Classifying land for minerals is presumptive. If all state land is open to mineral claims and exploration, unless it is closed then a Mineral Classification is redundant. State land should only become mineral land after the approval of permits to develop and the approval for a plan amendment to reclassify the land for mineral resources only.</p>	<p>DNR is required by statute to classify the surface uses of state land (AS 38.05.300) based on the inventory of all state land and water and their resource and other values, giving priority to areas of potential settlement, economic development, and critical environmental concern (AS 38.04.060). DNR also is required to assess the need for the development (and protection) of renewable and non-renewable resources (AS 38.04.065). Land Classifications identify what surface uses are allowed (or preferred), whether or not the land can be conveyed out of state ownership, and it must be in place prior to a disposal of state interest.</p> <p>As part of the development of an area plan DNR attempts to relate the resources and uses of an area with plan designations and land use classifications. Where significant mineral resources are believed to exist and the land is open to mineral entry, it is appropriate to designate (and classify) an area Mineral. As part of this determination, DNR also considers whether mineral development is likely to occur or if there is a reason to believe that commercial quantities of minerals exist, either measured or inferred by geologic investigation or geologic studies. DNR relies on geologic information and professional judgment in making the latter determination. The Mining Section in DMLW and the Mineral Resources Section of DGGs have qualified geologists and engineers able to make such determinations.</p> <p>The purpose of an area plan is to identify the resources present in the planning area and make a basic determination of how state land is to be managed. This aspect is specifically required under AS 38.04.065(b)(3), (5), & (7). Deferring the decision on the classification of state land to Minerals after the suggested processes defeats one of the major purposes of an area plan and undercuts the ability of the state to comprehensively plan for the land uses and natural resources on state land.</p>	No change from PRD.

Item	Subject	Issue	Response	Recommendation
58.	Mineral Classification: Habitat and Public Recreation Co-classification	Mineral classification: The 1984 BBAP co-classified several areas in the Nushagak River Watershed as Habitat and Mineral. The 2005 BBAP removed these co-classification and reclassified four management units as solely Mineral (Mi) – Pebble, Sleitat, Shotgun and Kemuk. This reclassification was not justified by the evidence available in 2005 and does not stand up to the evidence that demonstrates these areas still contain essential habitat for moose, caribou and salmon and are heavily used for subsistence and recreation. At a minimum these four areas warrant co-classifications of Habitat (Ha) and Public Recreation (Rd).	Habitat areas exist within some of the units that are mentioned and that a co-designation of Minerals and Habitat may be appropriate in certain instances. This approach is used in other plans and is appropriate for inclusion in this Plan Amendment. Based on recent, additional geologic analyses by DGGs, there have been changes to the configuration of the Sleitat, Kemuk and Pebble management units (R06-18, R06-36, R06-23, and 10-02) and three of these units, R06-03, R06-36, and R10-02 have been co-designated Habitat and Mining based on revised habitat data.	See Map 3A, the List of Approved Revisions, and the recommendations in this document for specific unit changes.
59.	Mineral Classification: Premature and Presumptively Illegal.	Mineral classification: Several entities assert that classifying or co-classifying any of these areas Pebble, Sleitat, Shotgun and Kemuk as Mineral is premature and likely illegally presumptive. According to 11 AAC 55.130 mineral land is “land where known mineral resources exist and where development is occurring or is reasonably likely to occur, or where there is reason to believe that commercial quantities of minerals exist.” (Emphasis added). Development has not been permitted in any of these management units and none of the companies exploring in these units has demonstrated that development is reasonably likely to occur. The commercial viability of any mineral deposit is not certain until permit applications have been filed and granted. Because all state lands are open to mineral claim and exploration the Mineral classification is redundant. State land should become mineral land only upon the approval of permits to develop and approval of a petition for a plan amendment to reclassify the land to be mined to mineral only.	The Mineral land classification includes land where DNR has reason to believe, based upon available information and professional judgment, that commercial quantities of materials exist. The classification does not require certainty that development of a mineral resource will occur, only the likelihood that it may. DNR maintains that the available mineral resource information supports DNR’s determination that commercial quantities of the resource may exist. We recognize, however, that this may occur sometime in the future and that actual development is a function of minerals price, the costs of development of the deposit and infrastructure, and the ability to get permits to mine, which cannot always be reliably predicted at the time of area plan adoption.	No change from PRD.

Item	Subject	Issue	Response	Recommendation
60.	Mineral Closing Order	Establish a new mineral closing order that would ban new mining claims on or along salmon spawning grounds or streams.	DNR's authority is limited to mineral closures of not more than 640 contiguous acres. An act of the state legislature is required for mineral closures that exceed this. AS 38.05.300. The amount of land that would be affected by the suggested closure is roughly estimated to be more than 10,000 acres. New mineral closing orders were not included in the public notice for the 2013 Plan Amendment, and are therefore beyond the scope of the amendment process.	No change from PRD.
61.	Mineral Closing Order	The BBAP should recommend mineral closing orders, consistent with MCO 393 issued with the 1984 plan.	DNR's authority is limited to mineral closures of not more than contiguous 640 acres. An act of the state legislature is required for mineral closures that exceed this. AS 38.05.300. The amount of land that would be affected by the suggested closure would probably total more than 10,000 acres. New mineral closing orders were not included in the public notice for the 2013 Plan Amendment, and are therefore beyond the scope of the amendment process.	No change from PRD.
62.	Mineral Closing Order 393	DNR needs to ensure that MCO 393 will not be diminished or removed. The BBAP needs to emphasize that the MCO has a preclusive effect; that it precludes all surface uses and activities associated with mining, including but not limited to, the discharge of dredged or fill material, the installation of structures and the disposal of mining waste. Any mineral claims located within MCO 393 should be considered null and void.	DNR instituted MCO 393 as part of the 1984 BBAP, and the 2005 BBAP retained the MCO. Although there are no changes to this Order or in the Plan Amendment that would diminish its effect, administrative actions, such as this MCO, could be changed in the future, subject to public notice requirements. The types of uses that are allowed in an area closed to mineral entry are described in Response #65. Mineral rights established through valid claims that existed at the time MCO 393 was adopted, are not affected by this closure if they have remained current. DNR could not nullify or void valid existing claims. However, most mining claims in the plan area were filed after MCO 393 was adopted.	No change from PRD.
63.	Mineral Closing Order 393: Additions	MCO 393 should be applied to the Chulitna River.	DNR's authority is limited to mineral closures of not more than 640 contiguous acres. An act of the state legislature is required for mineral closures that exceed this. AS 38.05.300. The amount of land that would be affected by the suggested closure is roughly estimated to be more than 10,000 acres. New mineral closing orders were not included in the public notice for the 2013 Plan Amendment, and are therefore beyond the scope of the amendment process.	No change from PRD.
64.	Mineral Closing Order 393: Habitat Classification	All streams affected by Mineral Closing Order 393 were found to be appropriate for wildlife habitat classification and there should also be a habitat designation along the riparian zone,	A riparian zone of state uplands 100 feet from the ordinary high water mark on either side of a water body identified in MCO 393 is provided and closed to new mineral entry. This zone is protected from mineral entry and is classified Wildlife	No change from PRD.

Item	Subject	Issue	Response	Recommendation
		including the Mulchatna River.	Habitat. Specifically, the Upper Mulchatna River is affected by LLO 1. Moreover, this river and its adjacent riparian zone (which is significantly greater in width than the 100' of Habitat classification in MCO 393) are co-designated Habitat and Public Recreation in the 2013 Plan Amendment. Protection is also provided to the riparian area of this stream under management guidelines G and H in the Shorelines, Stream Corridors, and Coastal Areas section of Chapter 2.	
65.	Mineral Designation and Permitting	<p>The mineral designation in the 2005 plan includes the statement “includes surface uses in support of mineral exploration and development, including tailings deposition, waste rock disposal, mineral processing facilities, administrative facilities, and residential living quarters.” The amendment proposes to delete that language from the text.</p> <p>Those opposed to mining in the Bristol Bay area have alleged that that mineral designation does not necessarily mean that the designation supports mine facilities and have argued that it is illegal to locate mine facilities in mineral closures. This argument is, of course, legally incorrect. A mineral closure closes an area to mineral staking only. While a mineral closure prevents a claimant from gaining a property right to the minerals in that area (i.e., a mining claim), it absolutely does not restrict the more detailed permitting process from locating facilities at the most appropriate location, which could be in a closed area. In some circumstances, such as mitigation reasons, closed locations may be appropriate places for mining or mine facilities. A permitting process that is done based on science determines what is best for the environment, wildlife, and human health. Mineral designations should not prevent permitting agencies from making the best decision on placement of facilities, or otherwise.</p> <p>AMA has concerns that the proposed amendment to modify the mineral designation</p>	<p>Under authority of Alaska Statute 38.05.185, Mineral Closing Orders, now referred to as “Mineral Orders” by the Alaska Department of Natural Resources, close specific lands from a specific date forward to new mineral locations (mining claims) for the purpose of acquiring rights to locatable minerals. A mineral order does not affect valid existing mineral rights, nor does it affect leasable minerals.</p> <p>From the date of issuance a mineral closing order prohibits future acquisition of locatable mineral rights to an area; however, it does not preclude mineral related activities such as exploration for locatable minerals or obtaining geotechnical information for the subsurface mineral estate. Therefore, permitted exploration activities such as drilling, sampling and geophysical surveying are permissible within an area closed to mineral entry. A mineral closing order also does not preclude activities that may support mining, such as access roads, water intake structures, and other support activities that can be authorized by DNR through permits and leases but do not require a mining claim.</p> <p>Mineral entry may not be located within an area previously closed to mineral entry and the area may not be mined until such time that the mineral closing order is revised or vacated and mineral rights and necessary permits are acquired. Consistent with AS 38.05.300, a mineral order cannot close more than 640 contiguous acres of land (land and water) to new mineral location except by act of the Legislature or when the classification is necessary for a land disposal or exchange or is for the development of utility or transportation corridors or similar projects or infrastructure, per AS 38.05.300(a)(2).</p>	No change from PRD.

Item	Subject	Issue	Response	Recommendation
		<p>definition will give unintentional support to these anti-mining groups' erroneous arguments. Therefore, they believe that DNR must make it 'crystal clear' to the general public that mineral facilities may still be appropriate as determined by the mine permitting process; and a mineral closure does not foreclose facilities or even mining within the closed area if the more detailed permitting process determines that it is appropriate. If the record makes this long-held interpretation clear, then AMA holds no objection to the change. If the record does not make this intent clear, then we strongly object to the change. The change, without the accompanying clarification will provide support to a dangerous and new interpretation of law.</p>		
66.	Mineral Development	<p>DNR has a constitutional mandate to manage state land for the 'maximum public benefit' and the sole designation of large areas for wildlife or recreation is contrary to constitutional mandates. Multiple uses include mining as well as recreational and other potential uses. Areas should be kept open to mineral development and the BBAP area should be further evaluated prior to imposing restrictive land use designations.</p>	<p>DNR has a constitutional mandate to manage state land for the 'maximum public benefit' and the sole designation of large areas for wildlife or recreation is contrary to constitutional mandates – unless such designations are warranted by their resource characteristics and meet the standards of 11 AAC 55 and AS 38.04.065. Multiple uses on state land can often include mining as well as recreational and other potential uses and state law protects mineral development as well as recreation and other potential uses. DNR is precluded from closing areas in excess of 640 contiguous acres to mineral entry in any event.</p>	No change from PRD.
67.	Mineral Development: Fiscal Impact	<p>Large scale mineral development in the BBAP will have an overall negative impact on the Alaskan economy. The BBAP area is largely undeveloped with a low population density. The construction of roads and other public facilities, such as schools, will be at the cost of the state budget, not the mining operation.</p> <p>There is no guarantee that the mining operations will have an Alaskan state resident preference for employment opportunities. It is likely that they will bring employees from out of state, which will put strain on the State's budget since there is no income tax to pay for</p>	<p>The evaluation of the economic impact of large scale development is not within the scope of state land use plans.</p>	No change from PRD.

Item	Subject	Issue	Response	Recommendation
		the development and maintenance for the facilities.		
68.	Mining	DNR should exercise more control over mining claims. It is irresponsible to allow for open staking of claims. These areas need infrastructure and access that should be required and authorized by the state prior to issuing a claim.	The decision to allow for staking of mining claims is allowed under the Alaska Constitution, Article VIII, Section 11 and the process of staking is controlled under AS 38.05.195 and related sections of statute. Further, DNR does not have the authority to close areas to mineral entry in excess of 640 contiguous acres without an act of the Legislature unless the classification is necessary for a land disposal or exchange or is for the development of utility or transportation corridors or similar projects or infrastructure, per AS 38.05.300 (a)(2).	No change from PRD.
69.	Mining	The area included in the BBAP should be further evaluated for mineral potential before restrictive land use designations are implemented. Sufficient mapping and geological information should be acquired and until then the land should be open to all uses.	The 2013 BBAP Plan Amendment identifies some additional areas as Habitat and this Issue Response Summary adds more Habitat areas in response to public comments and further, more detailed review of ADF&G habitat data. These areas are not within generally known mineralized areas and there should little impact through the process of classification to significant habitats, fisheries, or wildlife. These additional areas of Habitat (or Water Resources) are warranted based on available habitat and other resource data, and it is not necessary that additional mapping and geologic information be developed to make this determination. In any event, mineral development is not identified as a prohibited use in the areas that are newly designated Habitat or Water Resources, and the Plan Amendment does not recommend a closure to mineral entry in these areas (or other areas within the region).	No change from PRD.
70.	Mining	The plan is heavily weighted towards mining. The plan should protect the natural resources and renewable resources of the Bristol Bay area and ban development and mining in this area.	This issue is dealt with in other responses; see especially responses 29-31. These responses explained that DNR is required to follow constitutional and statutory mandates and restrictions. These provide for the maximum development of the state's resources in a prudent and responsible way. The 2005 BBAP provides for the opportunity of various forms of natural resource development. It does not, however, do this in an imprudent way. Moreover, the state lacks the authority to ban mining (mineral entry) in such a large area unless the state legislature specifically approves the action.	No change from PRD.
71.	Mining	The State of Alaska has opened a large amount of land to mining that is located in the heart of the Nondalton subsistence resource use area, an area that is sacred to Nondalton residents.	The State has not opened a large amount of land to mining in the Bristol Bay area. State land is open to mining, mineral entry or location, mineral prospecting, and mineral leasing unless closed by DNR or the legislature. DNR may not close	No change from PRD.

Item	Subject	Issue	Response	Recommendation
			<p>more than 640 acres to these uses unless necessary for a land disposal or exchange or for the development of utility or transportation corridors or projects or similar projects or infrastructure. AS 38.05.300.</p> <p>Most state land in the planning area has been open to staking of mining claims since it was first acquired by the state and remained open to mining under the 1984 BBAP. The recommendation to keep the land open to mineral entry in the 2005 BBAP is actually retained from the 1984 BBAP. (See Chapter 2 of the 1984 BBAP Minerals and Materials Section, beginning on page 2-23.)</p> <p>The Goal for Minerals and Materials on state land that is open to mineral entry, provided in the 1984 BBAP states: “Maintain opportunities to develop the region’s mineral and material resources.” Management Guideline 2 for this section of the 1984 BBAP states: “Recognized exploration methods for mineral location (i.e. core drilling and geochemical sampling) will be allowed on all state lands (excluding Wood-Tikchik State Park).”</p> <p>Further, the amount of land identified for mineral designation actually decreased with the adoption of the 2005 BBAP. Comparison of the Plan Map of the 1984 BBAP with those of the 2005 BBAP will reveal that considerably fewer areas are designated for mineral use.</p>	
72.	Mining	There is concern that (with the 2005 BBAP) mining does not have to be compatible with habitat, public hunting and fishing, or subsistence use. This is a drastic change from the 1984 BBAP to the 2005 BBAP.	Both the 1984 BBAP and the 2005 BBAP were concerned with the effects of mineral development (if it occurs) upon each of the factors that are listed – habitat, public hunting, and subsistence. There is specific management guidance that states the requirements of the area plan apply; see especially the requirements of Chapter 2. Both plans relied on state and federal permitting processes to deal with the potential effects of mining and to ensure that adverse impacts were avoided, reduced, or mitigated. The permitting processes associated with large project mineral development are extensive and frequently involve the preparation of an environment impact statement, which analyzes these potential impacts in detail.	No change from PRD.
73.	Mining: Sulfide Mine Prohibition	A mineral closing order should be implemented across Bristol Bay and metallic sulfide mines should be prohibited in the Nushagak and Kvichak drainages. Metallic sulfides have	The authorization or prohibition of mines, including metallic sulfide mines, is beyond the scope to this Plan Amendment. These decisions are made in the context of state/federal permitting and regulatory processes that are outside the scope	No change from PRD.

Item	Subject	Issue	Response	Recommendation
		<p>unavoidable risks with uncertain consequences that will be eternally present in areas of those mineral operations and they will have a toxic effect on fish and wildlife and be a detriment to the fish, wildlife and people of the Bristol Bay area.</p>	<p>of an area plan. These facilities may or may not be determined to be inappropriate within these drainages, but this determination will not be made through the area plan review process.</p> <p>See response to item 65.</p>	
74.	Mining: Standards	<p>Standards for Responsible Mining. Several entities endorse the inclusion of specific standards for mining activity in the Bristol Bay area. These were developed by the Nushagak Mulchatna Watershed Council; see http://www.icmm.com/our-work/sustainable-development-framework/10-principles</p>	<p>The development of mining standards is beyond the scope of the Plan Amendment.</p>	No change from PRD.
75.	Mining: Sulfide Mine Prohibition	<p>Prohibit metallic sulfide mines in the Nushagak and Kvichak watersheds and drainages and also the five river systems within the Bristol Bay area. The application of strict standards may be sufficient to protect the renewable resources of Bristol Bay from most mining activity. However, standards may not be sufficient in the Nushagak and Kvichak watersheds given the important resources at risk, in particular the globally significant productivity of salmon from these watershed.</p> <p>Two studies underscore these concerns: One analysis suggests that metallic sulfide mines have unavoidable risks with uncertain consequences that will be eternally present. Another study concluded that the chemical characteristic of the water tested at the Pebble mine has little capacity to buffer the toxic affects to fish associated with increases in copper concentrations.</p>	<p>The authorization or prohibition of mines, including metallic sulfide mines, is beyond the scope of this Plan Amendment. These decisions are made in the context of state/federal permitting and regulatory processes that are outside the scope of an area plan.</p>	No change from PRD.
76.	Municipal Entitlement: Lake and Peninsula Borough	<p>The 1984 Bristol Bay Area Plan used a broad habitat classification for almost all of the area. The Area Plan was adopted before the Lake and Peninsula Borough was formed. While the Legislature granted the Borough an entitlement of 125,000 acres, the 1984 plan prevented the Borough from selecting its land. One of the</p>	<p>DNR is required to make a good faith effort at providing state land for the purposes of meeting the municipal entitlement of the LPB. To date, DNR has approved the conveyance of over 92,000 acres and has conveyed about 6,000 acres. There is a remaining entitlement of about 33,000 acres. With few exceptions, DNR has maintained land use classifications that would permit the conveyance of state land to the borough to</p>	No change from PRD.

Item	Subject	Issue	Response	Recommendation
		<p>main reasons that the plan was revised in 2005 was to allow the Borough to select its land. The commenter understands that the Borough has a remaining entitlement of 40,000 acres. Any changes to the plan should not inhibit the Borough's ability to gain its promised entitlement.</p>	<p>fulfill its entitlement.</p>	
77.	<p>Municipal Entitlement: Western portion of Bristol Bay Area.</p>	<p>One of the reasons for revising the 1984 BBAP was to accommodate the municipal entitlement selections of the Lake and Peninsula Borough. After the 1984 BBAP the Legislature granted this borough an entitlement of 125,000 acres. DNR, in its preparation of the 2005 BBAP, reviewed each of the borough selections and made a determination as to whether it would be appropriate to reclassify an area affected by these entitlements to Settlement (or Public Recreation). One of the reasons for using a broad classification (like Resource Management Land) was to permit a borough that might be formed in the western part of the Bristol Bay area to select and receive state land without going through a plan amendment process. Is it advisable to change classifications in this area (to a non-conveyable classification) given that it would preclude the conveyance of state land?</p>	<p>See previous response. It is inappropriate to reclassify areas that are now classified Resource Management Land (or Settlement) to a land use classification that would preclude the potential conveyance of land to the borough on land currently under borough selection.</p>	<p>No change from PRD.</p>
78.	<p>Municipal Entitlements</p>	<p>Cause of Action 3 and 6: DNR has an obligation to manage the land. Municipal entitlement decisions should not affect the proper management of state land.</p> <p>The argument that classifying non-navigable, anadromous streams for habitat would prevent land conveyances to municipalities should be dealt with through the land conveyance decisions. DNR should not be arbitrarily deciding to not manage anadromous streams for habitat values in order to make municipal entitlement conveyances easier.</p>	<p>One of DNR's land management responsibilities is to provide land to municipalities to fulfill land entitlements granted under AS 29.65. DNR, in its preparation of the 2005 BBAP, reviewed each of the municipal selections made by the Lake and Peninsula Borough (LPB). In most instances, DNR concluded that the selections were appropriate for conveyance and that it would be appropriate for state land to be classified Resource Management Land, Settlement Land, or Public Recreation Land in recognition of these selections but also because the attributes of the land – adjacent to attractive lakes and streams that could be accessed by water or float plane – coincided with these classifications. This analysis is included in Table C-2 in the 2005 BBAP. The municipal entitlement selections therefore did not unduly influence the manner that</p>	<p>No change from PRD.</p>

Item	Subject	Issue	Response	Recommendation
			<p>state land should be classified and managed.</p> <p>The effect of making all anadromous streams within a municipal selection Habitat would be to essentially preclude the conveyance of state land to the borough. In any parcel of state land there may be numerous small streams that would be considered anadromous. Under the State Statutes (AS 29.65.130(10)), Habitat lands cannot be conveyed to a municipality, therefore each stream (plus adjacent riparian areas) would be excluded from the parcel to be conveyed to the borough and the borough would be responsible for the costs of surveying out each stream corridor. If approached in this way, parcels would be separated into small subunits that would make the use of the parcel questionable for settlement or other development and public purposes. The intent of the land conveyed by the state to the borough is to enable the municipality to generate revenues that these lands might potentially provide.</p>	
78A.	Inaccurate descriptions in the Determination of Reclassification	There are a number of inaccuracies that need correction in the Determination of Reclassification and Plan Amendment: development projects would be precluded through the application of the Wildlife Habitat classification (p. 22), only areas classified settlement can be conveyed to municipalities under the Municipal Entitlement Act (p. 24), and there is an incorrect reference an increase in acreage assigned to the Minerals classification (p. 28). Note: this comment was added by DNR in order to clarify aspects of the 2013 Plan Amendment.	DNR acknowledges that the Determination of Reclassification needs to be changed to eliminate the statement on p. 22 about development being precluded (it is not), to correct the statement that conveyances are limited to areas classified Settlement (areas classified Resource Management and Public Recreation may also be conveyed), and to correct the misstatement on mineral acreage (in fact the amount of land classified Minerals decreased from that allocated in the 1984 Bristol Bay Area Plan).	<p>Page 22 of the Determination of Reclassification will be corrected to eliminate the following statement: “Development projects would be precluded for this same reason.”</p> <p>The following will be added to page 24 of the Determination of Reclassification at the end of the first paragraph: “except for municipal selections and only when the adjudication of the entitlement decision determines that conveyance to the municipality is warranted.”</p> <p>Additionally, the statement on page 28 of the Determination of Reclassification will be corrected to the following: “The <u>decrease</u> in the acreage assigned”</p>
79.	Navigable Waters	The state owns the water for non-navigable waters as well as for navigable waters.	The state owns the water for those non-navigable waters that are deemed public waters.	No change from PRD.
80.	Public Process	The public will not have a say in future projects in this area after the plan is adopted. The state government is trying to streamline the public process and permitting process and eliminate	The public will have a say in what future projects occur within the BBAP region. Any major project would entail environmental reviews and detailed authorization decisions. Each of these requires public notice and, usually, public	No change from PRD.

Item	Subject	Issue	Response	Recommendation
		public participation. (HB 77 and SB26)	outreach. Comment on the two pieces of legislation is beyond the scope of this review.	
81.	Settlement Designation	Explain the purpose and need for the settlement area classifications within the Chulitna River watershed and around the eastern half of Iliamna Lake.	The Settlement designations in the Chulitna Area and the eastern half of Iliamna Lake are related to the municipal entitlement selections of the LPB. One of the reasons the 1984 BBAP was revised was the need to accommodate the borough's municipal land entitlement. The 2005 BBAP evaluated the appropriateness of the selections, including the appropriateness of the land use classification to be associated with the selections, and often concluded that, in general, most of the selections were appropriate and that change to a Settlement or Public Recreation classification was justifiable. The result of this process was to identify a number of areas in the two areas noted above as Settlement.	No change from PRD.
82.	Settlement Designation	The settlement designation near the Chulitna River need to be removed because they will adversely affect the watershed.	The two units (R07-20 and R07-21) that are at issue here are not situated immediately within the Chulitna River or its watershed, except for a small portion of the easternmost part of unit R07-21. It is therefore unlikely that there will be significant impacts to this drainage with the development of rural recreation type settlement that is characterized by few, isolated, large-lot settlement patterns. All forms of development, including this type, also require adequate disposal of wastewater under ADEC regulations. Portions of both units are also affected by municipal selections of the Lake and Peninsula Borough and the removal of these units as settlement areas will preclude their conveyance to the municipality by the state.	No change from PRD.
83.	Subsistence Classification	There is a need for a subsistence land use classification. Subsistence is a primary use in the Bristol Bay area and requires protection. This protection needs to occur through a land use classification of subsistence. The BBAP should restore subsistence use as a land management classification and provide a priority for this designation over other uses.	Subsistence activities are important and are conducted throughout the BBAP area. However, the state does not have a land use classification for "Subsistence". Land use classifications are defined by regulation (11 AAC 55.050-11 AAC 55.230), and regulations are promulgated and amended in accordance with the Administrative Procedures Act, and not as part of the land use plan development or revision process. There is a land designation for "Harvest", which converts to a Wildlife Habitat land use classification. Harvest activities in upland areas typically occur on land designated for "Habitat",	No change from PRD.

Item	Subject	Issue	Response	Recommendation
			<p>which also converts to a “Wildlife Habitat” classification. The 2005 BBAP and the Plan Amendment recognize riparian areas and adjacent uplands as important habitat areas and are classified Wildlife Habitat currently. The aforementioned areas are, to the best of our knowledge, the primary areas where the harvest of fish and some wildlife resources occur. The results of this analysis were recently confirmed by a separate analysis of subsistence patterns within the Nushagak and Mulchatna river drainages by ADF&G. Their analysis indicated that subsistence activity concentrated along and within the major river drainages.</p> <p>It is also not necessary to classify land for subsistence in a land use plan in order to protect the use. Subsistence activities are allowed throughout the BBAP area and are protected as a Generally Allowed Use under (11 AAC 96.020). Harvest activities and allocations are managed by the Alaska Department of Fish and Game.</p>	
84.	Subsistence Classification	<p>There is no need for a subsistence land classification since subsistence activities are included in the regulatory definition of Wildlife Habitat Land so there is no need to add a separate category for subsistence. Additionally, subsistence is a generally allowed use on state land and area plans do not affect generally allowed uses. Also, DNR does not manage subsistence; this is under the jurisdiction of the ADF&G, not DNR.</p>	See above response.	No change from PRD.
85.	Subsistence Designation	<p>Although subsistence hunting is allowed in the planning area, it is not specifically protected. DNR should adopt the subsistence language included in the Citizens’ Alternative Bristol Bay Area Plan. DNR needs to include management intent for subsistence to make sure it is protected. A subsistence designation would result in more restrictions on the types of development that can occur in land traditionally used for subsistence.</p>	<p>Subsistence hunting occurs and is protected in the planning area. However, it is not necessary to include a Subsistence land use designation in order to protect the use. It is protected as a Generally Allowed Use under 11 AAC 96.020. Subsistence uses are taken into consideration during the use authorization process. Subsistence is recognized as an important land use throughout the 2005 BBAP (for examples see management guidelines on page 2-15 and 2-16 of the 2005 BBAP) and the 2005 Plan and 2013 Plan Amendment require that subsistence resources and activities be considered prior to issuing land use authorizations and land disposals.</p> <p>The development of a Subsistence Land Use designation is not addressed in the 2013 BBAP amendment. Land use</p>	No change from PRD.

Item	Subject	Issue	Response	Recommendation
			<p>classifications are defined by regulation (11 AAC 55.050-11 AAC 55.230), and regulations are promulgated and amended in accordance with the Administrative Procedures Act, and not as part of the land use plan development or revision process. See item #83 above.</p>	
86.	Subsistence Management Guideline	<p>There is a need for an area wide subsistence guideline. Because of the importance of this use, DNR should consider subsistence impacts in all of its decisions. These impacts need to be considered whatever the land classification. A specific wording is recommended that would require DNR in all its decisions when authorizing use or development to consider the decision's effect upon access to subsistence resources by local villagers. For any decision that may have an adverse impact on local village use of fish, wildlife, or other subsistence resources, DNR will, to the extent feasible and prudent, require the activity to be designed to avoid, minimize, or mitigate significant adverse impacts to the local use.</p>	<p>Harvest activities related to subsistence are widespread and essential throughout the Bristol Bay region. A management guideline recognizing the importance of these activities is included in the 2005 BBAP (see Chapter 2, in the Fish and Wildlife Habitat and Harvest Areas Management Guidelines for Harvest Areas. Additional language regarding these activities has also been recommended in this plan amendment; see responses 32 and 37.</p>	No change from PRD.
87.	Subsistence Resource Information	<p>The State should not rely on ADF&G data in determining the value of subsistence in the Bristol Bay region. Subsistence determinations should be made in consultation with the indigenous people of the area. We lack financial resources to conduct our own studies.</p>	<p>DNR relies on the ADF&G Subsistence Division for information related to harvest activities because it is the managing state agency for such activities.</p> <p>The data provided by ADF&G is very important in state determinations because it is generated through consultation with indigenous people. Subsistence information is obtained through personal interviews with the indigenous people and questionnaires filled out by those people from communities.</p>	No change from PRD.
88.	Water Resources Classification	<p>All land classified for Habitat should be co-classified for water resources. The Water Resources classification would offer the highest protection for the salmon.</p>	<p>The Water Resources designation is used to protect water resources and supply and hydropower sites, and is not meant to apply to the very large areas that are designated Habitat. 11 AAC 55.222. However, a high level of protection for most water resources is afforded by the Habitat designation.</p>	No change from PRD.

Item	Subject	Issue	Response	Recommendation
89.	Water Resources Designation	Water Resources designation: All lands are proposed in the Citizen’s Alternative to be designated Water Resources. In this Alternative, all headwaters and wetlands are included. Many if not most watersheds support salmon, and recent research suggests that the productivity of the BBAP area (for salmon protection) is likely attributable to the undisturbed and complex array of headwaters and wetlands. The focus in BBAP should not be on managing the land as distinct from water, but on maintaining the interaction between water and land.	The Water Resources designation is used in area plans to protect specific areas of watershed, water supply, and hydropower sites, and is not appropriately applied to the wide variety of lands of significant size that are encompassed by the 2005 BBAP or its 2013 Plan Amendment. (The Citizens’ Alternative covers a smaller area than the BBAP but the concept is still the same: Water Resources is an inappropriate classification for very large areas of state land encompassing different uses. When used, this designation has applied to specific areas, usually related to municipal water systems and watersheds and, more recently, for specific wetland complexes.)	No change from PRD.
90.	Water Resources Designation: Watershed	The Chulitna River watershed is not recognized in the plan as a sensitive habitat area. The settlement designations near the watershed should be removed.	The Chulitna River and its adjoining uplands are largely on native owned land. Only a small portion of the watershed area is on state land. These areas have been reconfigured from the previous management unit (R07-19) and are identified on Map 3A as R07-19A and R07-19B.	Create two new units, R07-17A and R07-19B, from the original unit R07-19. Unit R07-19A is designation as Water Resources. Unit R07-19B is designated at Habitat and Public Recreation and Tourism-Dispersed Use. See Map 3A for their depiction.
91.	Water Resources Designation: Watershed	The Lower Talarik Creek Special Use Area. The Lower Talarik Creek SUA should be expanded to include the entire watershed. This is a world renowned trout and salmon water. It is important to subsistence users as well as recreation users and contributes salmon to the commercial fishery. If the whole watershed cannot be made a special use area, then mineral exploration and development must be prohibited. Public access to this area for subsistence and recreation use should be the highest priority.	Unit R10-03 has been re-designated to Water Resources and Habitat, thereby protecting the watershed associated with the SUA. It is unnecessary to expand the SUA given the recommended changes in designation. Note: R10-5, which is part of the SUA was inadvertently missed and will be co-designated Habitat and Public Recreation, similar to the larger unit, R10-04. R10-05 is a small, previous native allotment that was acquired for inclusion in the SUA.	Unit R10-03 is re-designated as Water Resources, Habitat and Public Recreation and Tourism-Dispersed Use. Units R10-04 and R10-05 are re-designated as Habitat and Public Recreation and Tourism-Public Use Site. See Map 3A for their depiction.
92.	Water Resources Designation: Watershed	The watersheds of the Chulitna River draining into Lake Clark, which drains into Sixmile Lake, which drains through the Newhalen River, into Lake Iliamna and on down to the Kvichak River to Bristol Bay need to be protected for habitat. The entire watershed along the Chulitna River up to Long Lake and the entirety of the three	Much of the area of the Chulitna River drainage is native owned land. Other portions are on state land, some of which is designated Habitat but other areas are designated Settlement or General Use. In addition, a number of riparian and moose wintering areas that are associated with a number of significant streams are to be co-designated Habitat and Public Recreation or as Water Resources. The remainder area that is requested to be Habitat is a very large and does not warrant a Habitat or Water Resources designation in and of itself. These areas are	Create two new units, R07-19A and R07-19B, from the original unit R07-19. Unit R07-19A is designation as Water Resources. Unit R07-19B is designated at Habitat and Public Recreation and Tourism-Dispersed Use. See Map 3A for their depiction.

Item	Subject	Issue	Response	Recommendation
		<p>Nicovena Lakes need to be protected as habitat for fish, game and plant species and area essential to Nondalton Dena'ina subsistence, economic and cultural practices.</p>	<p>designated General Use and management intent language is included for each of these units requiring the protection of significant fisheries, wildlife, and habitat resources. Further, some of the area is classified Settlement and includes municipal entitlement selections of the LPB. Land cannot be conveyed to the borough if it classified Habitat. That area that is designated General Use has been identified to be retained by the state; this should provide adequate protection.</p>	

SPECIFIC GEOGRAPHIC / MANAGEMENT UNIT CONCERNS

	Unit No. / Area	Issue	Response	Recommendation
93.	Chulitna River drainage	The watershed of the Chulitna River should be designated for subsistence. It is used for subsistence and is a center for commercial trapping by the Nondalton people.	See previous response on Chulitna River drainage and responses on subsistence. Subsistence is a protected use on state land and there is no subsistence classification. See especially responses #83 and #85.	No change from PRD.
94.	Chulitna River and Pedro Bay	All of the lands and waters identified on Map 1 as moose wintering and calving areas deserve the same habitat designation, particularly in and around the Chulitna River and Pedro Bay.	Based on recent analysis, moose wintering, rutting, and calving occur in areas adjacent to the streams near the Chulitna River and Pedro Bay. It is appropriate to reflect these habitat values and re-designate these areas as Wildlife Habitat.	Create new units, R09-01A, R07-19A, and R07-19B, from the original units R09-01 and R07-19. See Map 3A for their depiction.
95.	Chulitna River drainage	Designate all portions of the upper Chulitna watershed for habitat, subsistence, and recreation. The lower portion of the watershed is protected by the Lake Clark NP. The upper portion needs to be protected; it is a subsistence 'bread basket'.	See previous responses on Chulitna River drainage especially response #92.	Create two new units, R07-19A and R07-19B, from the original unit R07-19. Unit R07-19A is designated as Water Resources. Unit R07-19B is designated at Habitat and Public Recreation and Tourism-Dispersed Use. See Map 3A for their depiction.
96.	Chulitna River drainage	There is no protection afforded to the Chulitna River, which is the main subsistence area for Nondalton as well as a major tributary to Lake Clark. The Settlement area in the basin would affect the stream and wildlife habitats of the entire watershed, on downstream into Lake Clark National Parks. Another concern is the settlement areas located flush against Lake Clark on the south in the valleys of Chikok and Canyon Creeks and the Pile River. All of these areas are rich in moose habitat, and support many furbearers and bear.	See previous response on Chulitna River drainage. See especially response #92. The valleys and riverine areas to the northeast of Lake Iliamna area identified as having moose calving and wintering areas. It is appropriate to re-designate these areas to reflect the habitat values. Many of the settlement areas mentioned are approved municipal entitlement selections of the Lake Peninsula Borough and equitable title has been conveyed to the borough. This land is essentially now borough owned land, and the borough needs to be consulted about the issues that have been raised. It should also be noted that there are a number of municipal selections in areas designated General Use, and re-designation of these areas to Habitat would preclude conveyance to the borough.	Create two new units, R07-19A and R07-19B, from the original unit R07-19. Unit R07-19A is designated as Water Resources. Unit R07-19B is designated at Habitat and Public Recreation and Tourism-Dispersed Use. See Map 3A for their depiction.
97.	Chulitna River drainage: Mining Impacts	DNR has allowed state mining claims to be staked just upstream of Lake Clark's National Preserve's boundary. EPA's analysis shows that three deposits – Groundhog, Big Chunk North, and Big Chunk South – could be mined there. If Pebble Mine is developed, the likelihood of expanding the mining district and	Most of these issues are beyond the scope of the Plan Amendment and will be addressed through the state and federal process for reviewing mineral development projects. A cumulative impact analysis is likely to be required for the Environmental Impact Statements that will be required. The authority to stake mining claims is controlled under	No change from PRD.

	Unit No. / Area	Issue	Response	Recommendation
		road system to include the Chulitna watershed, the Preserve's largest freshwater tributary, increases substantially. How does DNR perceive the potential direct, indirect, and cumulative impacts of this decision? How will DNR ensure that park resources will not be impaired by these impacts?	AS 38.05.195; it is not an administrative act that DNR approves. Moreover, DNR can only close up to 640 acres to mineral entry without approval of the legislature; the area requested for closure is much, much larger than this and has been open to mineral entry since it was first acquired by the state.	
98.	Goodnews River	Goodnews River: all forks of this river are highly valued for subsistence uses by the villages of Goodnews, upper reaches by Togiak and Twin Hills. The plan should recognize these uses. Recreation use co-designation would be appropriate as it is highly valued by rafters and anglers.	The principal tributaries of the Goodnews River are not currently listed in Table 3.1. It is appropriate to designate the navigable portions of these tributaries including the Middle and South Forks as well as Barnum, Granite, Cascade, Wattamuse and Slate Creeks as Habitat and Public Recreation.	Update Table 3.1 to include the Middle and South Forks of the Goodnews River, and Barnum, Granite, Cascade, Wattamuse and Slate Creeks. They will be co-designated Habitat and Public Recreation and Tourism-Dispersed Use.
99.	Kaskanak Creek and Peck's Creek	The entirety of Kaskanak Creek and Peck's Creek should be salmon habitat not just a portion.	Based on recent analysis, Unit R10-03 and Unit R10-07 contain a number of small lakes and wetlands or riverine areas that support use by local residents and the visiting public. Based on this information it is appropriate to re-designate this area to recognize these values.	Units R10-03 and R10-07 are re-designated as Water Resources Habitat, and Public Recreation and Tourism-Dispersed Use. See Map 3A for their depiction.
100.	Kisaralik Lake and Upper Kisaralik / R02-2	R02-02 (Kisaralik Lake and Upper Kisaralik) should be designated Public Recreation and salmon habitat. The area is incredibly scenic and the Kisaralik is an important salmon producing river for the lower Kuskokwim and is highly valued as a producer of subsistence fish for the nearby communities of Kwethluk, Bethel, and others.	This unit is isolated from other general state domain land but is directly west of Wood Tikchik State Park. This area is extremely scenic and contains important anadromous fish streams. The Kisaralik River is also a popular river to float. For these reasons it is appropriate to re-designate this unit to a co-designation of Public Recreation and Habitat. Land is to be retained in state ownership and is to be managed in a manner consistent with adjacent state park. Mineral exploration and development is, however, recognized as a potential use.	Unit R2-02 will be re-designated to Habitat and Public Recreation and Tourism-Dispersed Use. See Map 3A for the depiction.
101.	Lake Iliamna, Six Mile River and Kvichak River	All waters that drain into 6 mile, Iliamna Lake, and the Kvichak River should be designated for habitat and subsistence in order to protect the salmon runs, culture of the local people, and to ensure food security for the region.	Anadromous waters that drain into Iliamna Lake are designated Habitat and are affected by MCO 393. The Plan Amendment added a number of streams to those that have already been designated Habitat. However, only small portions of the uplands adjoining Lake Iliamna are under state control; the vast majority of land is either owned by Native entities or other private parties. Based on recent analysis it is appropriate to designate these areas to recognize their habitat and public use values.	A new unit, Unit R10-07A, is created from the original and is designated as Habitat, Water Resources. The remainder of R10-07 is re-designated as Habitat, Water Resources, and Public Recreation and Tourism-Dispersed Use. See Map 3A for their depiction.
102.	Levelock	Levelock Area: The plan does not recognize the use of several rivers for hunting by residents of Levelock: the Kvichak and Yellow	The areas in question are largely on native owned land and are beyond the scope this Plan Amendment. A portion is, however, on state selected land and is associated with unit	A new unit, Unit R10-07A, is created from the original and is designated as Habitat, Water Resources. The remainder of R10-

	Unit No. / Area	Issue	Response	Recommendation
		Creek. Caribou calving along the Kvichak River is also not mentioned; in the spring they calve from below Levelock to the No-see-um Lodge.	R10-07; areas in this unit adjacent to Kvichak River have been re-designated to Public Recreation and Habitat. It is appropriate to re-designate these areas to reflect the public recreation and habitat values.	07 is re-designated as Habitat, Water Resources, and Public Recreation and Tourism-Dispersed Use. See Map 3A for their depiction.
103.	Nushagak and Kvichak river drainages	The moose wintering and caribou calving wintering areas in the Nushagak and Kvichak river drainages should be classified Habitat.	After analysis, it has been determined that large portions of the Nushagak and Kvichak River drainages are appropriate to re-designate. Unit R10-07 is co-designated as Habitat, Water Resources and Public Recreation and Unit R06-42 is co-designated Habitat and Public Recreation.	Unit R10-07 is co-designated as Habitat, Water Resources and Public Recreation and Tourism-Dispersed Use. Unit R06-42 is co-designated as Habitat and Public Recreation and Tourism-Dispersed Use. See Map 3A for their depiction.
104.	Six Mile Lake and Chulitna River	The land surrounding Six mile Lake and the Chulitna River watershed are essential hunting, fishing and gathering grounds throughout the year for the Nondalton people and it should be recognized as a subsistence area in the plan. These subsistence activities have been documented in joint studies between the Nondalton Tribal Council and the federal government. Studies conducted by the Alaska Department of Fish and Game mirror those results.	Subsistence activities are important and are referenced as important in the plan. The importance of subsistence activities and the requirement that DNR analyze impacts to these activities and require appropriate mitigation measures is appropriate. See the response to #32 and #37 for more information.	See other entries in this document for specific revision.
105.	Upper Talarik Creek	Upper Talarik Creek should be co-designated Habitat. It supports a very strong return of sockeye salmon annually as well as supporting rainbow trout, grayling, Dolly Varden and other resident species. Some silver salmon and other salmon species may also use this small river.	The Upper Talarik Creek adjoins the Pebble prospect immediately to the east of R06-23. Portions of Upper Talarik Creek (R10-01) contain an important anadromous fish stream and are occupied by moose wintering range. However, the current designation of General Use and the management guidelines/intent for this unit call for the protection of anadromous fish streams and wildlife resources, which is sufficient to ensure adequate protection of this area.	No change from PRD.
106.	R03-05	R03-05 Weary River: This area is heavily used by the villages of Manokotak and Aleknagik and by Dillingham residents for hunting in the winter and in the summer. This should have a moose habitat and subsistence/recreation priorities.	Re-evaluation of this unit by DNR determined that the current designation of Settlement was inappropriate for this unit; the area consists of significant wetlands, ponds, and lakes and approach to this unit from the water is not feasible because of the high bluff that fronts the bay. This area is also used heavily by local residents for hunting in the winter and summer.	Change the designation of Unit R03-05 from Settlement to a co-designation of Habitat and Public Recreation and Tourism-Dispersed Use.

	Unit No. / Area	Issue	Response	Recommendation
107.	R05-02	R05-02 Nunavaugaluk (Snake) Lake: Ice Creek has strong runs of sockeye and some coho and pink salmon and rainbow trout. This area should be considered subsistence/recreation priority.	This unit is designated General use and management intent provides for fish and wildlife and habitat protection. The resources of this unit do not warrant a Dispersed Recreation designation and there is no subsistence classification to apply.	No change from PRD.
108.	R05-03	R05-03 Table Mountain. This area is heavily used by Aleknagik, Dillingham and possibly Manokotak. The Muklung supports a small but valued king salmon run as well as coho, pink, sockeye, and probably some chum. This area should be considered subsistence/recreation priority.	This unit is designated General use and management intent provides for fish and wildlife and habitat protection. The resources of this unit do not warrant a Dispersed Recreation designation and there is no subsistence classification to apply.	No change from PRD.
109.	R05-13	R05-13 (Muklung Hills). Moose are found and hunted along the Little Muklung as well as waterfowl. Caribou are known to use the area in the summer and early fall when the caribou population is large.	This unit is designated General use and management intent provides for fish and wildlife and habitat protection. The resources of this unit do not warrant a Dispersed Recreation designation and there is no subsistence classification to apply.	No change from PRD.
110.	R05-32	R5-32 It is silly to have this General Use when it so closely adjoins moose calving habitat.	This unit is designated General Use and provides for the protection of fish, wildlife, and habitats. There are no known moose calving areas within this unit.	No change from PRD.
111.	R06-03	R6-20 Shotgun Mountain. This unit contains a brown bear denning habitat; the state erred in its application of AS 38.05 and should have included a designation for habitat.	Shotgun Mountain is identified in the Plan as unit R06-03, not R06-20. Recent analysis has shown that this unit has a brown bear denning concentration and warrants a co-designation of Habitat and Minerals.	Add the Habitat designation to Unit R06-03 so that it is co-designated Habitat and Minerals. Alter the management intent statement for Unit R06-03 to include the following: "Any mineral development must consider effects on brown bear denning and shall follow the requirements of Management Guidelines A and B in the Fish and Wildlife section of Chapter 2."
112.	R06-18	R06-18 Sleitat Mountain. This unit contains a brown bear denning habitat; the state erred in its application of AS 38.05 and should have included a designation for habitat.	Recent analysis by DNR has determined that the area of the mineral designation should be altered to conform to newer geophysical information and as such will be reduced in size. No brown bear denning habitat was found to occur in this unit.	The unit is reconfigured to coincide with the new geophysical data. See Map 3A for a depiction of the reconfiguration. Unit R06-13 is reconfigured to absorb portions of R06-18 that were designated Minerals. Unit R06-13 is designated General Use.

	Unit No. / Area	Issue	Response	Recommendation
113.	R06-23	R06-23 Pebble. This unit supports anadromous fish, a caribou calving area, resident fish, moose wintering and calving, and prime caribou habitat. The state erred in its application of AS 38.05 and should have included a designation for habitat.	<p>The Pebble Prospect is a major mineralized area and meets the criteria for designation as Mineral. The boundaries of this unit have been reconfigured and no longer include areas with caribou or moose calving or wintering habitat.</p> <p>The anadromous fish streams in this unit are affected by MCO 393 and the Plan Amendment reclassified these streams to Habitat in a separate action. There is no good basis for the co-designation of this unit as Minerals and Habitat. A Minerals designation remains warranted based on geologic and habitat information.</p> <p>However, it is appropriate to reconfigure the size and shape of this unit to coincide more closely with newly available geophysical data – this has the effect of reducing the size of the unit significantly, limiting it to the area of the mineral occurrence plus a one mile buffer. Note: portions of the previous unit R06-23 have been absorbed into adjacent units R06-05.</p>	<p>Reconfigure Unit R06-23 to coincide with the new geophysical data. Revise the management intent for this unit with the following: “The general management intent for the Pebble Copper area is to <u>consider</u> mineral exploration and development and to allow DNR the discretion to make specific decisions as to how the development may occur, through the authorization process.”</p> <p>Unit R06-05 is reconfigured to absorb portions of R06-23 that were designated Minerals and are now designated General Use.</p> <p>See Map 3A for a depiction of the reconfigurations.</p>
114.	R06-36	<p>R06-36 This unit is not suited for mineral development and should have been classified to Habitat or co-classified Minerals and Habitat. The mineral deposit at this location is in a very flat area and there is at least 90 to 140 feet of overburden to penetrate before bedrock is reached. The surface area consists of a huge wetland area situated close to the main stems of the Nushagak and Nuyakuk Rivers at an elevation of about 10’. Development of this deposit would require the relocation of these massive rivers and therefor make the project impractical and certainly uneconomic to develop. And yet, the management intent language states that this unit is to be managed for the exploration and development of mineral deposits. In contrast, there is much information that would indicate that this parcel should be managed for its habitat and wildlife values. ADF&G data indicates that there is ‘essential’ habitat for moose, caribou, and salmon.</p> <p>This unit is used by local people from Koliganek, New Stuyahok, and Ekwok for</p>	<p>Reevaluation of mineral and geologic information by DNR following the public review of the 2013 Plan Amendment reconfirmed the presence of a significant mineral deposit, so it is appropriate to maintain the Mineral designation of this unit but recent analysis by DNR has determined that the area of the mineral designation should be altered to conform to newer geophysical information. Areas not related to mineral development are to be absorbed into a re-configured unit R06-42. ADF&G mapping indicates this area is a caribou calving and wintering area so it is appropriate to co-designate this unit as Minerals and Habitat.</p>	<p>Reconfigure Unit R06-36 to coincide with the newly available geophysical data. See Map 3A for a depiction of the reconfiguration. Add the Habitat designation so that the unit is co-designated Habitat and Minerals. Alter the management intent statement with the following: “Any mineral development must consider effects upon caribou calving and wintering areas and shall follow the requirements of Management Guidelines A and B in the Fish and Wildlife section of Chapter 2.”</p> <p>Unit R06-42 is reconfigured to absorb portions of R06-36 that were designated Minerals. Unit R06-42 is now co-designated Habitat and Public Recreation and Tourism-Dispersed Use.</p>

	Unit No. / Area	Issue	Response	Recommendation
		hunting and fishing. The state erred in its implementation of AS 38.05.005 when the state classified it for one use (Mineral) but did not take into consideration the value of this unit to the local people and recreational users.		
115.	R07-01	An area of caribou calving is present in the northern portion of this unit. The presence of this habitat is not currently noted within the Resources and Uses section of Resources Allocation Table for Upland Units contained in the 2005 BBAP.	It is appropriate to note this habitat in the Resources and Uses section.	Note caribou calving habitat in the northern portion of the unit in the Resources and Uses section of the unit description to identify this habitat.
116.	R09-07	<p>R9-07 There is moose calving and wintering habitat in the Copper and Kokhanok River drainages within units R9-07 and R9-08. Some of this is included in the Resources and Uses column for these units and sometimes not. In general, the moose winter habitat includes most of the lower elevations of the Copper and Kokhanok River watersheds up to approximately 400 foot contour and extending to the lower part of the Moose Lake drainage and somewhat above that elevation to the lower part of Meadow Lake. This information should be added to this column.</p> <p>Because much of the area is subject to a municipal entitlement application by the LPB, the borough does not recommend reclassifying the area to Habitat. They do, however, recommend including revised management intent that would require DNR to avoid significant winter disturbances to calving and winter habitat or that would significantly degrade the use of the area by moose.</p>	Based on further analysis and because of the distinct nature of the occurrences of some of the uses in the area, it is appropriate to divide the unit into two, R09-07A and R09-07. Unit R09-07A will be designated Habitat and Unit R-07 will remain designated General Use. Additionally, the management intent text will be amended to recognize the importance of moose calving and wintering areas.	Reconfigure this unit into two units, R09-07A designated Habitat and R09-07 designated General Use. See Map 3A for a depiction of this change. The management intent statement for R09-07A will be amended to add the following: "Avoid significant winter disturbances to moose calving and wintering habitats or to activities that would significantly reduce the utility of unit as moose habitat."

	Unit No. / Area	Issue	Response	Recommendation
117.	R09-08	R9-08 See comments on R9-07.	The management intent text will be amended to recognize the importance of moose calving and wintering areas. Due to public recreational use and the Kokhanok Lakes, prominent features in the area, it is appropriate to co-designate this unit Public Recreation.	The management intent for this unit will be amended to include the following: “Avoid significant disturbances to moose calving and wintering habitats or to activities that would significantly reduce the utility of unit as moose habitat.” Co-designate the unit to Settlement and Public Recreation and Tourism-Dispersed Use.
118.	R10-02	DNR has reevaluated the shape and spatial extent of this unit and has concluded that the shape of the unit does not correspond with available geophysical information (more recent data than existed in 2005).	This unit has a known mineral deposit that is under active exploration. The use of a mineral designation is therefore warranted. The application of a co-designation of Habitat is also warranted since significant portions of the eastern part of this unit are occupied by a moose wintering area. It is also appropriate to amend the management intent text to that which is recommended for unit R06-23. Note also that the anadromous streams in this unit have been co-designated Ha and Rd in the Plan Amendment as part of the Department’s proposed extension of the Habitat designation of all streams affected by MCO 393, which include these streams. A moose wintering habitat occurs throughout the northeastern part of this unit, but a caribou calving area is not present, as indicated in the 2005 BBAP. It is appropriate to further revise the Resource section of the unit description to note these changes and to revise the management intent section to require the consideration of the moose wintering area in the mine permitting process, if this occurs. DNR reevaluated the spatial extent of the mineral deposit in this unit and has determined that the current configuration is too large and should be reduced to the area of the deposit plus a buffer of one mile.	Reconfigure Unit R10-02 to coincide with the new geophysical data, and re-designate unit to a co-designation of Minerals and Habitat. Revise the Resources and Uses section to recognize the presence of moose wintering habitat and delete reference to caribou calving. Revise the Management Intent section to require the consideration of the moose wintering area in any mine permitting process. Revise Management Intent to replace the word “accommodate” in first paragraph to “consider”. See Map 3A for a depiction of the reconfigurations.
119.	R11-01	Several areas within this unit are important moose wintering and calving areas and should be separated from the larger unit of R11-01 and made a separate unit.	Based on further analysis and because of the distinct nature of the occurrences of some of the uses in the area, it is appropriate to divide the unit into two, R11-01A and R11-01. R11-01A will be designated Habitat and R11-01 will remain designated General Use. Amend management intent to reflect this action; manage these areas for their wildlife and habitat values.	Reconfigure this unit into two units, R11-01A designated Habitat and R11-01 designated General Use. The management intent statement for R11-01A will be amended to add the following: “Avoid significant disturbances to moose calving and wintering habitats or to activities that would significantly reduce the utility of unit as moose habitat.” See Map 3A for

	Unit No. / Area	Issue	Response	Recommendation
				their depiction.
120.	Multiple	Changes to multiple units with a various designations in the 2005 BBAP have occurred but may not be individually identified.	These changes are from various designations to Habitat, Public Rec, and Water Resources, or a combination of these designations, and can be determined by viewing the reconfiguration of adjacent units identified in Table 1, Table 2, and List of Approved Changes.	See this table, Table 2, List of Approved Revisions for these changes, and Map 3A for depiction of the reconfiguration.

Table 2

**2013 BBAP Plan Amendment
Citizens' Alternative Issue Response Summary
September 2013**

Item	Management Unit (Affected)	Plan Designations Current / Citizen Alternative/ Final Designation	Citizens' Alternative: Proposed Management Intent and Designations	DNR Response	Recommendation
REGION 5					
1.	R05-01	2005 BBAP: Rd CA: Ha, Rd, Su, Wr <i>Final: Ha/Rd</i>	Management increased to include the four proposed designations.	Because of the presence of significant wildlife concentrations and recreation activities, a co-designation of Habitat and Public Recreation-Dispersed is appropriate. Management intent for fish and wildlife management is now included and does not need to be modified. This unit is occupied by moose rutting and wintering habitat and bear denning is known to occur. Neither the Water Resources nor Subsistence classifications are warranted. There is no subsistence classification and the Water Resources classification would not be used in this context. 2005 BBAP p. 3-73.	Change unit to co-designation of Habitat and Public Recreation and Tourism-Dispersed Use.
2.	R05-02	2005 BBAP: Gu CA: Ha, Rd, Su, Wr <i>Final: Gu</i>	Management changed to include four proposed designations. Gu designation dropped.	The General Use designation is appropriate for this unit and provides for the protection of habitat and dispersed recreation. 2005 BBAP p. 3-73.	No change from PRD.
3.	R05-03	2005 BBAP: Gu CA: Ha, Rd, Su, Wr <i>Final: Gu</i>	Management changed to include four proposed designations. Gu dropped from language.	The General Use designation is appropriate for this unit and provides for the protection of habitat and dispersed recreation. 2005 BBAP p. 3-73.	No change from PRD.
4.	R05-04	2005 BBAP: Se CA: Se/Ha, Se <i>Final: Se</i>	Management changed to include Ha as a designation.	Settlement designation can only apply since this allows for disposal of state land. A Habitat designation precludes a disposal of this type. The management intent currently provides for the consideration of moose and caribou rutting and calving areas, (but are not present according to more recent ADF&G data). Further, the reclassification of Settlement areas is generally beyond scope of plan amendment, which focused on habitat and	No change from PRD.

Table 2

Item	Management Unit (Affected)	Plan Designations Current / Citizen Alternative/ Final Designation	Citizens' Alternative: Proposed Management Intent and Designations	DNR Response	Recommendation
				public recreation reclassifications. 2005 BBAP p. 3-74.	
5.	R05-05	2005 BBAP: Se CA: Ha, Se Final: Se	Management changed to include Ha as a designation.	See response for unit R05-04.	No change from PRD.
6.	R05-10	2005 BBAP: Se CA: Ha, Se Final: Se	Management changed to include Ha as a designation.	See response for unit R05-04.	No change from PRD.
7.	R05-11	2005 BBAP: Se CA: Ha, Se Final: Se	Management changed to include Ha as a designation.	See response for unit R05-04.	No change from PRD.
8.	R05-11a	2005 BBAP: Se CA: Ha, Se Final: Se	Management changed to include Ha as a designation. Also, language changed from <i>should</i> be considered for disposal to <i>may</i> be considered.	This unit is appropriately designated Settlement but the word 'should' ought to be changed to 'may' in the management intent text. Use of a Habitat designation is inappropriate since this classification precludes a land disposal, which remains an appropriate use of this state land. See response for unit R05-04.	Revise Management Intent language from "should be considered" for disposal to "may be considered".
9.	R05-12	2005 BBAP: Se CA: Ha, Se Final: Se	Management changed to include Ha as a designation.	See response for unit R05-04.	No change from PRD.
10.	R05-13	2005 BBAP: Gu CA: Ha, Rd, Su, Wr Final: Gu	Management changed to include four proposed designations, Gu dropped from language.	ADF&G information does not depict this area as either a moose wintering or moose or caribou calving area.	No change from PRD.
11.	R05-15	2005 BBAP: Se CA: Ha, Se Final: Se	Management changed to include Ha as a designation.	New ADF&G data indicates the presence of moose wintering within portions of both parcels. Note this in the Resource section and add requirement to conform to Management Guideline K for moose and caribou habitats found in Chapter 2 under Fish and Wildlife component. The Settlement designation should be retained. Settlement designation can only apply since this allows for disposal of state land. A	Revise the Resources and Uses section to recognize the presence of moose wintering within portions of both parcels of this unit. Revise Management Intent to add requirement to conform to Management Guideline K for moose and caribou habitats found in Chapter 2 under Fish and Wildlife component.

Table 2

Item	Management Unit (Affected)	Plan Designations Current / Citizen Alternative/ Final Designation	Citizens' Alternative: Proposed Management Intent and Designations	DNR Response	Recommendation
				Habitat designation precludes a disposal of this type.	
12.	R05-16	2005 BBAP: Se CA: Ha, Se Final: Se	Management changed to include Ha as a designation.	Response is same as for unit R05-15.	Revise the Resources and Uses section to recognize the presence of moose wintering within portions of both parcels of this unit. Revise Management Intent to add requirement to conform to Management Guideline K for moose and caribou habitats found in Chapter 2 under Fish and Wildlife component.
13.	R05-17	2005 BBAP: Gu CA: Ha, Rd, Su, Wr Final: Gu	Management changed to include four proposed designations, Gu dropped from language.	See response for unit R05-013.	No change from PRD.
14.	R05-20	2005 BBAP: Gu CA: Ha, Rd, Su, Wr Final: Wr, Rd	Management changed to include four proposed designations, Gu dropped from language.	A large wetland complex covers the majority of this unit, warranting a Water Resources designation. Dispersed recreation is also present, warranting an Rd designation. Do not concur in the application of the Habitat designation.	Change designation to Water Resources and Public Recreation and Tourism-Dispersed Use. Revise Resources and Uses section to note presence of large wetland complex covering the majority of the unit and the presence of dispersed recreation. Revise Management Intent to remove "General Use" and add "water resources" to the list of uses in the first sentence.
15.	R05-21	2005 BBAP: Se CA: Ha, Rd, Su, Wr Final: Ha, Rd	Management changed from Se to Ha, Rd, Su, and Wr. Also, language changed from appropriate for disposal to not considered appropriate for disposal due to its high value moose habitat.	Northernmost part of unit is within a moose wintering and calving area and is more appropriately designated Habitat. Additionally, recent research has determined that this area would not be viable for development because of the 'wetness' of the site and unverified access, especially in the summer months. This unit warrants re-designation to Habitat and Public Recreation-Dispersed.	Change designation to Habitat and Public Recreation-Dispersed Use. Revise Resources and Uses section to note presence of moose wintering and calving areas. Revise Management Intent to delete references to Settlement.

Table 2

Item	Management Unit (Affected)	Plan Designations Current / Citizen Alternative/ Final Designation	Citizens' Alternative: Proposed Management Intent and Designations	DNR Response	Recommendation
16.	R05-22	2005 BBAP: Rd, Ha CA: Rd, Ha, Su, Wr Final: Rd, Ha	Management changed to include Su & Wr as a designation.	The current designations of Ha and Rd are protective and the Wr designation is not normally used when the Habitat designation is applied.	No change from PRD.
17.	R05-23	2005 BBAP: Gu CA: Ha, Rd, Su, Wr Final: Gu	Management changed to include four proposed designations, Gu dropped from language.	This unit is appropriately designated Gu, with adequate protection provided for fish, wildlife, and habitat. However, recent review of wetland data indicates that wetlands are scattered throughout the unit. It is appropriate to add, as one of the resources to manage for under the Management Intent section, wetlands, and to note this feature under Resources.	Revise the Resources and Uses Section to include wetlands and revise the Management Intent to recognize the need to manage the land for wetland values.
18.	R05-24	2005 BBAP: Gu CA: Ha, Rd, Su, Wr Final: Gu	Management changed to include four proposed designations, Gu dropped from language.	The General Use designation is appropriate for this unit and provides for the protection of habitat and dispersed recreation. 2005 BBAP p. 3-81. Wetlands are present in this unit as well and this feature needs to be included in the Management Intent and Resources of the unit description, similar to the recommendation for unit R-05-23. Note: A portion of this unit has been absorbed into unit R10-06A.	Revise the Resources and Uses Section to include wetlands and revise the Management Intent to recognize the need to manage the land for wetland values. A portion of this unit has been absorbed into unit R10-06A. See Map 3A for depiction.
19.	R05-25	2005 BBAP: Ha CA: Ha, Rd, Su, Wr Final: Removed	No change in Management Intent language. Designations added.	This is not state land. At the time of the preparation of the 2005 BBAP it was state selected land but has since been conveyed to a native corporation.	Delete unit from plan.
20.	R05-32	2005 BBAP: Gu CA: Ha, Rd, Su, Wr Final: Gu	Management changed to include four proposed designations, Gu dropped from language.	The General Use designation is appropriate for this unit and provides for the protection of fish, wildlife and their associated habitats and dispersed recreation. 2005 BBAP p. 3-84. There is no particular warrant for the use of the Wr designation. A subsistence classification does not exist.	No change from PRD.

Table 2

Item	Management Unit (Affected)	Plan Designations Current / Citizen Alternative/ Final Designation	Citizens' Alternative: Proposed Management Intent and Designations	DNR Response	Recommendation
21.	R05-34	2005 BBAP: Se CA: Ha, Se Final: Wr, Rd	Management changed to include Ha as a designation.	This unit was found to be inappropriate for settlement and apparently is a significant area for local subsistence use. There are extensive lakes and other drainage features in this unit. A co-designation of Water Resources and Public Recreation-Dispersed is warranted.	Change designation to Water Resources and Public Recreation-Dispersed Use. Revise the Resources and Uses Section to recognize the presence of lands and subsistence use and revise the Management Intent to delete references to Settlement.
REGION 6					
22.	R-06-01	2005 BBAP: Gu CA: Ha, Rd, Su, Wr Final: Gu	Management increased to include the four proposed designations. Deletes mineral development and exploration as a listed use.	There is no evidence of widespread wetlands or sensitive wildlife presence or habitats. Dispersed recreation is present but is currently noted in the Management Intent for this unit. A subsistence classification does not exist.	No change from PRD.
23.	R06-02	2005 BBAP: Ha, Rd CA: Ha, Su, Wr Final: Rd, Ha	Management intent changed to apply to anadromous portions of this river; uses increased to include Su and Wr.	The corridor of this unit includes significant adjacent upland that function as riverine areas; limiting this unit to anadromous areas only would remove most of the riverine areas. Further, it not DNR practice to designate major rivers as Water Resources when they are designated Ha and Rd already. There is no subsistence classification.	No change from PRD.
24.	R06-03	2005 BBAP: Mi CA: Ha, Rd, Su, Wr Final: Ha, Mi	Management intent significantly changed to focus on added uses. Mineral development would require a plan amendment.	There are no significant wetland concentrations within this unit that might warrant a Wr designation and there is no subsistence classification. However, DNR concurs that this unit should be re-designated to a co-designation of Ha and Mi. An extensive bear denning area exists within this unit, warranting a Ha designation. Add management intent that will require the adjudication of the mineral development authorization to consider impacts upon bear denning areas and to avoid, mitigate, or reduce such impacts, should they be expected to occur.	Add the Habitat designation to Unit so that it is co-designated Habitat and Minerals. Revise the Management Intent statement for Unit to include the following: "Any mineral development must consider effects on brown bear denning and shall follow the requirements of Management Guidelines A and B in the Fish and Wildlife section of Chapter 2."

Table 2

Item	Management Unit (Affected)	Plan Designations Current / Citizen Alternative/ Final Designation	Citizens' Alternative: Proposed Management Intent and Designations	DNR Response	Recommendation
25.	R06-05	2005 BBAP: Gu CA: Ha, Rd, Su, Wr Final: Unit R06-05A: Wr Unit R06-05: Gu	Management increased to include the four proposed designations. Deletes mineral development as a listed use but keeps mineral exploration.	<p>The wetland complexes that adjoin the Moose and Portage Creeks, Mosquito River, and East Fork are appropriate for inclusion within a new unit (R06-05A) designated Wr. An area near the confluence of the Koktuli Rivers and Mulchatna Rivers is important as a wetland complex and waterfowl concentration area. This is also identified as R06-05A. Add management intent text that indicates these areas are to be managed for their habitat, dispersed recreation, and water resources.</p> <p>The remainder of this unit should remain designated Gu. There are no known concentrated habitat areas, only a scattering of wetlands, and a subsistence classification does not exist. Note: Portions of previous unit R06-23 have been absorbed into R06-05.</p>	<p>Reconfigure unit to annex portion of R06-05 and create new unit R06-05A to be designated Water Resources. See Map 3A for their depiction.</p> <p>For Unit R06-05A, include Management Intent text that indicates these areas are to be managed for their habitat, dispersed recreation, and water resources.</p>
26.	R06-07	2005 BBAP: Ha, Rd CA: adds Su and Wr Final: Ha, Rd	Management increased to include two additional designations.	It not DNR practice to designate major rivers as Water Resources when they are designated Ha and Rd already. There is no subsistence classification.	No change from PRD.
27.	R06-09	2005 BBAP: Ha, Rd CA: adds Wr and Su Final: Ha, Rd	Management intent changed to apply to anadromous portions of this river; uses increased to include Su and Wr.	<p>The corridor of this unit includes significant adjacent upland that function as riverine areas; limiting this unit to anadromous areas only would remove most of the riverine areas. Further, it not DNR's practice to designate major rivers as Water Resources when they are designated Ha and Rd already. There is no subsistence classification.</p> <p>It is appropriate, however, to expand the size of this unit along the middle of the Koktuli to include upland moose wintering range. This new area will carry the same designations as the principle part of the unit.</p>	Expand the size of this unit along the middle of the Koktuli to include upland moose wintering range. See Map 3A for unit depiction

Table 2

Item	Management Unit (Affected)	Plan Designations Current / Citizen Alternative/ Final Designation	Citizens' Alternative: Proposed Management Intent and Designations	DNR Response	Recommendation
28.	R06-13	2005 BBAP: Gu CA: Ha, Rd, Su and Wr Final: Gu	Management increased to include the four proposed designations. Deletes mineral development as a listed use but keeps mineral exploration.	The General Use designation is appropriate for this unit and provides for the protection of habitat and dispersed recreation. There are no extensive wetland complexes within the unit and there is no subsistence classification. It is appropriate to retain the reference to mineral exploration and development since there is a significant occurrence within this unit (R-06-18).	No change from PRD.
29.	R06-16	2005 BBAP: Gu CA: Ha, Rd, Su and Wr Final: Gu	Management increased to include the four proposed designations. Deletes mineral development as a listed use but keeps mineral exploration.	The Gu designation is appropriate for use in this unit. There are a variety of resources and management intent language is generally adequate. However, wetlands are scattered throughout this unit but are not mentioned in Resources or Management Intent. Plan should be amended to include this. Also, 2005 BBAP text indicates that this area is a caribou calving area; current ADF&G data does not indicate the presence of this habitat; delete this reference.	Revise the Resources and Uses section to recognize the presence of wetlands and delete the references to caribou calving areas. Revise the Management Intent to recognize the need to manage the land for wetland values.
30.	R06-18	2005 BBAP: Mi CA: Ha, Rd, Su, and Wr Final: Mi	Management intent significantly changed to focus on added uses. Mineral development would require a plan amendment; mineral exploration identified as a use.	DNR reevaluated the spatial extent of the mineral deposit in this unit and has determined that the current configuration is too large and should be reduced to the area of the deposit plus a buffer of one mile. DNR disagrees that it is appropriate to re-designate the unit Ha, Rd, Su, and Wr. Neither the Habitat, Water Resources or subsistence classification are warranted, since there is no subsistence classification; no indication of important moose wintering, moose or caribou calving areas being present; and extensive, concentrated wetland complexes do not exist in this unit. Further, we do not agree that the mineral designation should be dropped; this is a significant mineral	Reconfigure the unit to coincide with the new geophysical data. See Map 3A for a depiction of the reconfiguration.

Table 2

Item	Management Unit (Affected)	Plan Designations Current / Citizen Alternative/ Final Designation	Citizens' Alternative: Proposed Management Intent and Designations	DNR Response	Recommendation
				prospect and warrants the use of the Mi designation. Further, the need for a plan amendment is not consistent with keeping the Mi designation and the inclusion of a plan amendment statement is not warranted.	
31.	R06-23	2005 BBAP: Mi CA: Ha, Rd, Su, and Wr Final: Mi	Management intent significantly changed to focus on added uses. Can be co-classified Mi if development permitted by DNR. Requires plan amendment. Mineral exploration allowed.	<p>This unit has a known mineral deposit that is under active exploration. The use of a mineral designation is therefore warranted. The application of a co-designation of Habitat is not warranted in this instance (unlike the other units that have been recommended for re-designation as Mi and Ha) since caribou calving areas are not present (with caribou moving further to the west over the past 20 years).</p> <p>However, it is appropriate to reconfigure the size and shape of this unit to coincide more closely with newly available geophysical data – this has the effect of reducing the size of the unit significantly, limiting it to the area of the mineral occurrence plus a one mile buffer. Additionally, revise management intent to replace the word ‘accommodate’ in first paragraph to ‘consider’ and reconfigure the unit to that indicated on the Plan Map. Recent geologic analysis indicates that a revised configuration is appropriate.</p> <p>Note: Portions of the previous unit R06-23 have been absorbed into adjacent unit R06-05.</p>	<p>Reconfigure Unit to coincide with the new geophysical data. Revise the Management Intent for this unit with the following: “The general management intent for the Pebble Copper area is to <u>consider</u> mineral exploration and development and to allow DNR the discretion to make specific decisions as to how the development may occur, through the authorization process.”</p> <p>Unit R06-05 is reconfigured to absorb portions of R06-23 that were designated Minerals and are now designated General Use.</p> <p>See Map 3A for a depiction of the reconfigurations.</p>
32.	R06-24	2005 BBAP: Mi CA: Ha, Rd, Su, and Wr Final: Mi	Management intent significantly changed to focus on added uses. Can be co-classified Mi if development permitted by DNR. Requires plan amendment. Mineral exploration allowed.	This unit has a known mineral deposit that is under active exploration. The use of a mineral designation is therefore warranted. The application of a co-designation of Habitat is not warranted in this instance (unlike the other units that have been recommended for re-designation as Mi and Ha) since caribou calving areas are not present (with caribou	Reconfigure the unit as indicated on Plan Map 3A. Revise Management Intent to replace the word ‘accommodate’ in first paragraph to ‘consider’. Amend the Management Intent to include the protection of the streams affected by MCO 393 and their associated

Table 2

Item	Management Unit (Affected)	Plan Designations Current / Citizen Alternative/ Final Designation	Citizens' Alternative: Proposed Management Intent and Designations	DNR Response	Recommendation
				<p>moving further to the west over the past 20 years).</p> <p>A separate aspect of the Stipulation for Remand deals with MCO 393. DNR has agreed to change the classification of streams affected by this MCO when they are anadromous and are identified in the ADF&G Anadromous Waters Catalog. Streams within this unit are affected by this revision. Accordingly, amend the management intent to include the protection of the aforementioned streams and their associated riverine areas, which include upland areas within 100' of OHW.</p> <p>However, it is appropriate to reconfigure the size and shape of this unit to coincide more closely with newly available geophysical data – this has the effect of reducing the size of the unit significantly, limiting it to the area of the mineral occurrence plus a one mile buffer. Additionally, revise management intent to replace the word 'accommodate' in first paragraph to 'consider' and reconfigure the unit to that indicated on the Plan Map. Recent geologic analysis indicates that a revised configuration is appropriate.</p> <p>Note: A portion of the previous unit R06-24 has been absorbed into adjacent unit R06-30.</p>	<p>riverine areas, which include upland areas within 100' of OHW.</p> <p>Note moose wintering habitat along the western edge of the unit in the Resources and Uses section of the unit description and revise the management intent to identify that this habitat is to be taken into consideration during mine plan review.</p> <p>Unit R06-24 has been reconfigured and previous portions that had been designated Minerals are now included in Unit R06-30 and are now designated Habitat and Public Recreation and Tourism-Dispersed Use.</p>
33.	R06-25	2005 BBAP: Ha, Rd CA: Ha, Rd, Su, Wr Final: Ha, Rd	Management intent changed to focus on each designation. Extent of unit changed to reflect anadromous stream definition (not navigability).	The corridor of this unit includes significant adjacent upland that function as riverine areas; limiting this unit to anadromous areas only would remove most of the riverine areas. Further, it is not DNR practice to designate major rivers as Water Resources when they are designated Ha and Rd already. There is no subsistence classification.	No change from PRD.

Table 2

Item	Management Unit (Affected)	Plan Designations Current / Citizen Alternative/ Final Designation	Citizens' Alternative: Proposed Management Intent and Designations	DNR Response	Recommendation
				However, it was appropriate to extend the area of this unit to the north, to include moose wintering and rutting areas, and to co-designate this area as Ha and Rd, as reflected in the PRD.	
34.	R06-26	2005 BBAP: Ha, Rd CA: Ha, Rd, Su, Wr Final: Ha, Rd	Management intent changed to focus on each designation. Extent of unit changed to reflect anadromous stream definition (not navigability).	The corridor of this unit includes significant adjacent upland that function as riverine areas; limiting this unit to anadromous areas only would remove most of the riverine areas. Further, it not DNR practice to designate major rivers as Water Resources when they are designated Ha and Rd already. There is no subsistence classification.	No change from PRD.
35.	R06-30	2005 BBAP: Ha, Rd CA: Ha, Rd, Su, Wr Final: Ha, Rd	Management intent changed to focus on each designation.	It is not DNR's practice to designate major rivers as Water Resources when they are designated Ha and Rd already. There is no subsistence classification. Note: A portion of R06-24 has been absorbed into this unit.	Reconfigure unit. See Map 3A for a depiction of the reconfiguration.
36.	R06-35 (Kokwok River)	2005 BBAP: Ha, Rd CA: Ha, Rd, Su, Wr Final: 06-35: Ha, Rd 06-35A: Rd, Ha, Wr	Management intent changed to focus on each designation.	DNR has already expanded the size of this unit (noted as R06-35A) to include moose wintering, moose and caribou calving areas, and areas of wetlands. It should be further expanded to include extensive areas of adjacent wetlands that border the river on both sides. These areas are to be co-designated Rd, Wr and Ha. The expanded area of this unit is identified as R06-35A on the Plan Map. There is no subsistence classification.	Reconfigure unit and create a new unit R06-35A, to be designated for Public Recreation and Tourism-Dispersed Use, Habitat, and Water Resources. Revise the Resources and Uses section and Management Intent to recognize moose and caribou habitat and wetlands and the need to manage the unit for these values. See Map 3A for depiction of the reconfigurations.
37.	R06-36 (Kemuk)	2005 BBAP: Mi CA: Ha, Rd, Su, Wr Final: Ha, Mi	Management intent significantly changed to focus on added uses. Can be co-classified Mi if development permitted by DNR.	DNR has reevaluated the shape and spatial extent of this unit and has concluded that the shape of the unit does not correspond with available geophysical information (more	Reconfigure Unit R06-36 to coincide with the newly available geophysical data. See Map 3A for a depiction of the reconfiguration.

Table 2

Item	Management Unit (Affected)	Plan Designations Current / Citizen Alternative/ Final Designation	Citizens' Alternative: Proposed Management Intent and Designations	DNR Response	Recommendation
			Requires plan amendment. Mineral exploration allowed.	<p>recent data than existed in 2005) and that the unit size should be reduced to correspond with the area of the mineral deposit and a one mile buffer area. This unit should also be re-designated to a co-designation of Habitat and Mineral. Caribou calving areas as well as a moose wintering area occur within portions of this unit, warranting a co-designation of Habitat. Also, add management intent that will require the adjudication of the mineral development authorization to consider impacts upon the aforementioned areas and to avoid, mitigate, or reduce such impacts, should they be expected to occur.</p> <p>Concentrated wetland complexes do not exist in this unit and a Wr designation is not warranted. There is no subsistence land classification.</p> <p>Note: A portion of Unit R06-013 has been absorbed into this unit.</p>	<p>Add the Habitat designation so that the unit is co-designated Habitat and Minerals. Revise Management Intent statement with the following: "Any mineral development must consider effects upon caribou calving and moose wintering areas and shall follow the requirements of Management Guidelines A and B in the Fish and Wildlife section of Chapter 2."</p> <p>Based on reconfiguration, portions of R06-36 will be included in Unit R06-42 and co-designated Habitat and Public Recreation and Tourism-Dispersed Use.</p> <p>See Map 3A for a depiction of the reconfigurations.</p>
38.	R06-42 (Stuyahok Hills)	2005 BBAP: Gu CA: Ha, Rd, Su and Wr Final: R06-42: Ha, Rd R06-42A: Gu	Management increased to include the four proposed designations. Deletes mineral development as a listed use but keeps mineral exploration.	<p>This is a significant caribou calving area and portions are important as a moose wintering area. A co-designation of Habitat and Public Recreation is appropriate and is recommended. Management intent text will be added that identifies this habitat and that this unit will be managed for its habitat and dispersed recreation values. Management text will also be included to indicate that mineral development, including mining support facilities, may be appropriate within this unit.</p> <p>Note: The spatial area of this unit has been extensively revised, to incorporate portions of R06-12, R06-13 and R06-36. See Plan Map. The new area is identified as R06-42 and is designated Ha and Rd. The few remaining parts of the original R06-42 are designated</p>	<p>Reconfigure unit and designate Habitat and Public Recreation and Tourism-Dispersed Use. Revise Resources and Uses section and Management Intent text to recognize the presence of caribou and moose habitat and that this unit will be managed for its habitat and dispersed recreation values. Revise Management Intent text to indicate that mineral development, including mining support facilities, may be appropriate within this unit. Create unit R06-42A for remaining portion that retains General Use designation.</p> <p>See Map 3A for depiction of their</p>

Table 2

Item	Management Unit (Affected)	Plan Designations Current / Citizen Alternative/ Final Designation	Citizens' Alternative: Proposed Management Intent and Designations	DNR Response	Recommendation
				R06-42A on the plan map. The area of extensive wetland that had been in this unit previously, is now included in an expanded R06-35A. Accordingly, a Wr designation is not warranted. There is no subsistence classification.	reconfiguration.
39.	R06-48 (Iowithla River)	2005 BBAP: Ha CA: Ha, Rd, Wr, Su Final: Ha	Management intent changed to include added uses. Drops statement on state selection priority.	It is not appropriate to add the Wr and subsistence classification as previously explained in item 33 above.	No change from PRD.
40.	R06-49 (Corridor of Iowithla River)	2005 BBAP: Ha, Rd CA: Ha, Rd, Wr, Su Final: Ha, Rd	Management intent changed to include added uses.	It is not appropriate to add the Wr and subsistence classification as previously explained in item 33 above.	No change from PRD.
REGION 7					
41.	R07-02	2005 BBAP: Gu CA: Ha, Rd, Su, Wr Final: R07-02A: Wr R07-02: Gu	Management changed to include four proposed designations, Gu dropped from language.	Extensive wetland complexes exist in portions of this unit that Mulchatna and Chilikadrotna Rivers; these warrant a Wr designation. See Plan Map for affected areas, which are identified as R07-02A. Management intent is to manage for hydraulic and wetland values. Designate Water Resources. For remainder of unit, the use of the General Use designation remains appropriate. There is no evidence of widespread wetlands or sensitive wildlife presence or habitats in these areas. Dispersed recreation is present but is currently noted in the Management Intent for this unit. A subsistence classification does not exist.	Create Unit R07-02A and designate Water Resources. Revise Management Intent to manage the unit for hydraulic and wetland values. See Map 3A for a depiction of the unit.
42.	R07-06	2005 BBAP: Rd CA: Ha, Rd, Su, Wr Final: Rd, Ha	Management changed to include four proposed designations.	It is not appropriate to add the Wr and subsistence classification as previously explained in item 33 above however the unit has been reconfigured to include moose habitat.	Reconfigure unit. See Map 3A for depiction.

Table 2

Item	Management Unit (Affected)	Plan Designations Current / Citizen Alternative/ Final Designation	Citizens' Alternative: Proposed Management Intent and Designations	DNR Response	Recommendation
43.	R07-16	2005 BBAP: Gu CA: Ha, Rd, Su, Wr Final: Gu	Management changed to include four proposed designations, Gu dropped from language.	There is no evidence of widespread wetlands or sensitive wildlife presence or habitats. Dispersed recreation is present but is currently noted in the Management Intent for this unit. A subsistence classification does not exist. General use remains as the appropriate designation for this unit. It provides for the protection of fish and wildlife resources and dispersed habitat, to the degree that they may exist in this unit.	No change from PRD.
44.	R07-19	2005 BBAP: Gu CA: Ha, Rd, Su, Wr Final: R07-19A: Wr R07-19B: Ha, Rd R07-19: Gu	Management changed to include four proposed designations, Gu dropped from language. The following language was removed: Intensive development is not intended within this unit during the planning period except occasionally and at specific locations. Municipal selections are considered appropriate for disposal, subject to a separate and subsequent Best Interest Finding.	That the part of the unit generally east of R35E and along T1N and T2N, and generally along the Chulitna River drainage, but also including the S ½ of T1S34W, merits co-designations of Wr, Rd and Ha and is depicted on the 2005 BBAP Plan Map as R07-19. However this is inappropriate since except for a small part in T1S34W, this unit <i>is not</i> state land. That portion of the unit that is state land is identified as R07-19A on the Plan Map, and should be designated Water Resources. This area is rich in wetlands, contains extensive riverine areas adjoining the Chulitna River, and functions as the watershed for this river, which is considered to be especially important for subsistence purposes, and should be designated Water Resources. Management Intent for this unit is recommended to focus on the protection of fish and wildlife, habitat, wetlands, dispersed recreation, and maintenance of the Chulitna River watershed. It is also appropriate that several areas adjacent to streams and particularly important habitat areas in the upper portion of the Koksetna River drainage, focusing on moose winter habitat, should be designated Habitat. Change designation and identify in	Create two new units, R07-19A and R07-19B, from the original unit R07-19. Unit R07-19A is designation as Water Resources. Unit R07-19B is designated at Habitat and Public Recreation and Tourism-Dispersed Use. See Map 3A for their depiction.

Table 2

Item	Management Unit (Affected)	Plan Designations Current / Citizen Alternative/ Final Designation	Citizens' Alternative: Proposed Management Intent and Designations	DNR Response	Recommendation
				<p>management intent that the focus of land management is on the protection of fish and wildlife and the recreation resource. These areas are identified on the Plan Map as R07-19B. Designate Habitat and Public Recreation-Dispersed.</p> <p>For the remainder of this unit, the use of the Gu designation is appropriate. There is no evidence of widespread wetlands or sensitive wildlife presence or habitats. Dispersed recreation is present but is currently noted in the Management Intent for this unit. Scattered wetlands exist but there are no significant wetland complexes that would warrant a Wr designation. A subsistence classification does not exist.</p>	
45.	R07-20	2005 BBAP: Se CA: Ha, Rd, Su, Wr Final: Se	Management significantly changed to drop Se, and add the four designations, also changed so that the unit is not considered appropriate for disposal due to essential moose habitat.	This unit is appropriate for settlement. It should be noted that the unit is affected by municipal selections, which are scattered throughout the unit and remain in selection status, which means that they have not yet been adjudicated by the state. Use of the Habitat designation precludes conveyance of state land to a municipality (AS 29.65) and therefore the Habitat classification is inappropriate for application to this unit.	No change from PRD.
46.	R07-21	2005 BBAP: Se CA: Ha, Rd, Su, Wr Final: Se	Management significantly changed to drop Se, and add the four designations, also changed so that the unit is not considered appropriate for disposal due to essential moose habitat.	This unit is appropriate for settlement. It should be noted that this parcel is affected by municipal selections of the LPB, which are extensive and are scattered throughout this unit. Most of the unit has been approved for conveyance and the borough has equitable title to this land (and therefore the state cannot take an action that would jeopardize the conveyance of state land to the borough). Only a small portion of this unit remains in selection status. Use of the Habitat	No change from PRD.

Table 2

Item	Management Unit (Affected)	Plan Designations Current / Citizen Alternative/ Final Designation	Citizens' Alternative: Proposed Management Intent and Designations	DNR Response	Recommendation
				designation precludes conveyance of state land to a municipality (AS 29.65) and therefore the Habitat classification is inappropriate for application to this unit.	
47.	R07-22	2005 BBAP: Se CA: Ha, Rd, Su, Wr Final: Se	Management significantly changed to drop Se, and add the four designations, also changed so that the unit is not considered appropriate for settlement and will be designated Habitat if conveyed by federal government.	This unit is appropriate for settlement. The terrain is moderate with tall shrub woodlands, and is situated south of the Chulitna River. Wetlands are only present in the far western portion of the unit, and these are scattered. Moose wintering, caribou and moose calving areas are not present in the unit.	No change from PRD.
REGION 8					
48.	LC-01	2005 BBAP: Gu CA: Ha Final: Ha, Rd	Management significantly changed to include Ha as the primary designation, and to be managed for the protection of fish and wildlife habitat and cooperative land use planning with the NPS. Additional language inserted about NPS consultation prior to any issuance of authorizations.	This unit is situated within the boundaries of the Lake Clark National Park and Preserve. It is appropriate that it be managed consistent with the uses and resources that surround it and are part of the National Park. Designations of Ha and Rd are appropriate. Include concept of cooperative land use planning with the National Park. NPS to be consulted prior to issuance of authorizations.	Change designation to Habitat and Public Recreation and Tourism-Dispersed Use. Revise Management Intent to recognize that the unit it is to be managed consistent with the uses and resources that surround it and are part of the National Park. Include concept of cooperative land use planning with the National Park. NPS to be consulted prior to issuance of authorizations.
49.	LC-02	2005 BBAP: Rd CA: Ha, Rd, Su Final: Ha, Rd	Management changed to include three proposed designations, and to be managed consistent with the surrounding recreation uses and fish and wildlife habitat values.	Unit is recommended to be managed for its habitat and recreation values, which warrant a Ha and Rd designation. Unit is to be managed consistent with surrounding recreation uses and fish and wildlife habitat values. There is no subsistence land classification.	Change designation to Habitat and Public Recreation and Tourism-Dispersed Use. Revise Management Intent to recognize that the unit is to be managed consistent with surrounding recreation uses and fish and wildlife habitat values.
50.	R08-01	2005 BBAP: Gu CA: Ha, Rd, Su, Wr Final: Gu	Management changed to include four proposed designations, Gu dropped from language. All reference to development and	Unit occupies uplands to the west of the Newhalen River. Current management text provides for the protection of fish and wildlife and their associated habitats, and for dispersed	No change from PRD.

Table 2

Item	Management Unit (Affected)	Plan Designations Current / Citizen Alternative/ Final Designation	Citizens' Alternative: Proposed Management Intent and Designations	DNR Response	Recommendation
			<i>mineral resources</i> has been removed.	recreation. Since some mineral potential exists, it is also appropriate to continue with the reference to mineral exploration and development. There is no subsistence classification.	
51.	R08-06	2005 BBAP: Gu CA: Ha, Rd, Su Final: Gu	Management changed to include three proposed designations, Gu dropped from language. Language added that if conveyed this unit will be managed to for the protection of fish and wildlife habitat, dispersed recreation, and mineral exploration. Any reference to mineral development has been removed.	Unit occupies uplands associated with Groundhog Mountain, which is mineralized. Current management text provides for the protection of fish and wildlife and their associated habitats, and for dispersed recreation. Since some mineral potential exists, it is also appropriate to continue with the reference to mineral exploration and development. There is no subsistence classification.	No change from PRD.
REGION 9					
52.	R09-01 (Knutson Creek – Three Sisters Mountain)	2005 BBAP: Gu CA: Ha, Rd, Su and Wr Final: R09-01A: Ha, Rd R09-01: Gu	Management changed to the four proposed designations. Deletes mineral development as a listed use but keeps mineral exploration.	Portions of the unit, following river valleys, are important for moose wintering and calving. These are specific locations and warrant a co-designation of Habitat and Public Recreation-Dispersed. Create a subunit for these areas; a co-designation of Ha and Rd will apply. See Plan Map; unit is identified as R09-01. The remainder of the unit warrants a Gu designation. Fish and wildlife and their associated habitats are protected and dispersed recreation is recognized. There is no warrant for a Wr designation and a subsistence classification does not exist.	Create new units, R09-01A, R07-19A, and R07-19B, from the original units R09-01 and R07-19. See Map 3A for their depiction.
53.	R09-02 (Upper Chekok Creek)	2005 BBAP: Se CA: Ha, Rd, Wr, Su Final: Se	Drops Settlement designation and replaces it with the four designations that are identified. Unit is to be managed for the uses that are identified.	Settlement continues to be an appropriate activity within this unit. Much of the unit, including the more attractive areas around lakes, has been conveyed to the LPB or the borough has received equitable title to state land.	No change from PRD.

Table 2

Item	Management Unit (Affected)	Plan Designations Current / Citizen Alternative/ Final Designation	Citizens' Alternative: Proposed Management Intent and Designations	DNR Response	Recommendation
54.	R09-03 (Pile River)	2005 BBAP: Se CA: Ha, Rd, Wr, Su Final: R09-03A: Ha, Rd R09-03: Se	Drops Settlement designation and replaces it with the four designations that are identified. Unit is to be managed for the uses that are identified.	<p>Areas of moose wintering and calving range along certain of the drainages not affected by Municipal Entitlement selections are appropriate for designation as Ha, Rd. These areas are noted as R09-03A on the Plan Map and are to be managed for their habitat and recreation values.</p> <p>Settlement continues to be an appropriate activity within this unit. Much of the unit has been selected by the LPB and has not yet been adjudicated by DNR. The borough selections cannot be adjudicated with a Ha or Wr designation, and the state has an obligation to attempt to fulfill the entitlement of the LPB.</p>	Reconfigure unit (and create unit R09-03A to be designated Habitat and Public Recreation and Tourism-Dispersed Use. Revise the Resources and Uses section and Management Intent to recognize the presence of moose wintering and calving habitat and the intent to manage for the habitat and recreation values. See Map 3A for depiction of the reconfiguration.
55.	R09-07 (Tommy Creek/ Chigmit)	2005 BBAP: Gu CA: Ha, Rd, Su and Wr Final: R09-07A: Ha R09-07: Gu	Management changed to the four proposed designations. Municipal selections are retained for possible conveyance.	<p>A significant moose concentration area exists in the far western part of this unit (moose wintering, rutting, and calving) and warrants a Ha designation. This area corresponds to the area encompassed by unit R09-07A. Management intent is to focus on the protection this sensitive habitat.</p> <p>The remainder of the unit, which is by far the larger of two units, warrants a Gu designation. Fish and wildlife and their associated habitats are protected and dispersed recreation is recognized. There are no significant concentrations of wetlands and therefore no warrant for a Wr designation. There is no subsistence classification.</p> <p>Additionally, there are a number of municipal entitlement selections within this unit that have not yet been adjudicated by the state. Imposition of a Ha designation would preclude the potential conveyance of these lands to the LPB.</p>	<p>Reconfigure this unit into two units, R09-07A and designate it for Habitat. The remainder of UnitR09-07 will retain the General Use designation. See Map 3A for a depiction of this change.</p> <p>For R09-07A, include the following in the Management Intent statement: "Avoid significant winter disturbances to moose calving and wintering habitats or to activities that would significantly reduce the utility of unit as moose habitat."</p>

Table 2

Item	Management Unit (Affected)	Plan Designations Current / Citizen Alternative/ Final Designation	Citizens' Alternative: Proposed Management Intent and Designations	DNR Response	Recommendation
56.	R09-08 (Kokhanok Lake)	2005 BBAP: Se CA: Se, Rd Final: Se, Rd	Modifies management intent to ensure protection of recreational uses. Some areas may be appropriate for disposal during the planning period. Development should conform to the requirements for remote settlement in Chapter 2. Municipal selections are retained for possible conveyance.	Kokhanok Lake constitutes a recreation attraction and is used for that purpose by local and seasonal residents, and an Rd designation is warranted since the lakes are a prominent feature throughout the unit (there are several large lakes in this unit in addition to Kokhanok Lake). Amend management intent to indicate that impacts to dispersed recreation are to be evaluated in the Preliminary Decision (for a land disposal) and particularly heavily used areas that are related to access are to be avoided or reduced to the maximum practical extent. Add Rd as a co-designation. The designation of Settlement remains appropriate.	Revise Management Intent for this unit to include the following: "Avoid significant disturbances to moose calving and wintering habitats or to activities that would significantly reduce the utility of unit as moose habitat." Co-designate the unit for Settlement and Public Recreation and Tourism-Dispersed Use.
57.	R09-09 (Copper River)	2005 BBAP: Ha CA: Ha, Wr Final: Ha, Wr	Modifies management intent to include protection of watershed.	Agree. This is a very significant fishery area and warrants a co-designation of Habitat and Water Resources.	Change to a co-designation of Habitat and Water Resources.
58.	R09-10 (Fog Lake)	2005 BBAP: Mi CA: Ha Final: Removed	Management intent changed to focus on Habitat. Deletes reference to mineral exploration and development.	This is not state land. At the time of the preparation of the 2005 BBAP it was state selected land but has since been conveyed to a native corporation.	Delete unit from plan.
59.	R09-13 (Dennis)	2005 BBAP: Rd CA: Rd, Ha, Su, Wr Final: Ha, Rd	Management focus changed to include subsistence and water resources.	This small unit is affected by the same important moose concentration area that exists in R9-07A. Change to a co-designation of Rd and Ha. Current management intent includes the protection of sensitive wildlife and habitat areas.	Change to a co-designation of Public Recreation and Tourism-Dispersed Use and Habitat.
60.	R-09-14	2005 BBAP: Gu CA: Ha Final: Ha, Wr	Management intent changed to Habitat. Adds requirement for authorizations to consider management policies of the Katmai National Park/Preserve and McNeil River Game Sanctuary.	This unit contains the headwaters of Dream Creek and the Lake Fork of the Pain River. It is situated between Katmai National Park and the McNeil River State Game Refuge. Management intent should be amended to focus on habitat and water resource management and on compatibility with the SGR. Development authorizations may be appropriate but consultation with the NPS and ADF&G should occur prior to any	Change to a co-designation of Habitat and Water Resources. Revise Management Intent to focus on habitat and water resource management and on compatibility with the State Game Refuge. Development authorizations may be appropriate but consultation with the NPS and ADF&G should occur prior to any authorization that may

Table 2

Item	Management Unit (Affected)	Plan Designations Current / Citizen Alternative/ Final Designation	Citizens' Alternative: Proposed Management Intent and Designations	DNR Response	Recommendation
REGION 10					
61.	R10-01 (Upper Talarik Creek)	2005 BBAP: Gu CA: Rd, Ha, Su, Wr Final: Gu	Management intent changed to focus on revised designations. Mineral exploration and development dropped. Management should emphasize fisheries production, subsistence, and public recreation.	Unit occupies uplands east and southeast of Groundhog Mountain, which is mineralized. Current management text provides for the protection of fish and wildlife and their associated habitats, and for dispersed recreation. Since some mineral potential exists, it is also appropriate to continue with the reference to mineral exploration and development. There is no subsistence classification. However, it is appropriate to amend Management Intent to include the protection of Upper Talarik Creek and its riverine area and to recognize the need to maintain this stream for both its water resource and habitat values, but also for its recreation values. A moose wintering area is present in much of this unit, and it is appropriate to revise management intent to note the need to evaluate the effect of any form of proposed development in terms of its possible impact on the moose population. Any development authorization that may be issued by the Department should include a 150' vegetative buffer from OHW.	Revise the Resources and Uses section to recognize the unit occupies uplands east and southeast of Groundhog Mountain, which is mineralized. Revise Management Intent to include the protection of Upper Talarik Creek and its riverine area and to recognize the need to maintain this stream for both its water resource and habitat values, but also for its recreation values. Revise Management intent to recognize the need to evaluate the effect of any form of proposed development in terms of its possible impact on the moose population. Any development authorization that may be issued by the Department should include a 150' vegetative buffer from OHW. R10-01 has been reconfigured to absorb a portion of R10-02 and has been re-designated as General Use. See Map 3A for depiction.
62.	R10-02 (Pebble2)	2005 BBAP: Mi CA: Ha, Wr Final: Mi, Ha	Management intent changed to focus on revised designations. Management should emphasize fisheries production, subsistence, and public recreation. Mineral exploration and development dropped.	This unit has a known mineral deposit that is under active exploration. The use of a mineral designation is therefore warranted. The application of a co-designation of Habitat is also warranted since significant portions of the eastern part of this unit are occupied by a moose wintering area. It is also appropriate to amend the management intent text to that which is recommended for unit R06-23. Note	Reconfigure Unit R10-02 to coincide with the new geophysical data, and re-designate unit to a co-designation of Minerals and Habitat. Revise the Resources and Uses section to recognize the presence of moose wintering habitat and delete

Table 2

Item	Management Unit (Affected)	Plan Designations Current / Citizen Alternative/ Final Designation	Citizens' Alternative: Proposed Management Intent and Designations	DNR Response	Recommendation
				<p>also that the anadromous streams in this unit have been co-designated Ha and Rd in the Plan Amendment as part of the Department's proposed extension of the Habitat designation of all steams affected by MCO 393, which include these streams. A moose wintering habitat occurs throughout the northeastern part of this unit, but a caribou calving area is not present, as indicated in the 2005 BBAP. It is appropriate to further revise the Resource section of the unit description to note these changes and to revise the management intent section to require the consideration of the moose wintering area in the mine permitting process, if this occurs.</p> <p>DNR reevaluated the spatial extent of the mineral deposit in this unit and has determined that the current configuration is too large and should be reduced to the area of the deposit plus a buffer of one mile.</p> <p>Notes: Unit R10-01 is reconfigured to absorb portions of R10-02 that were designated Minerals. Unit R10-01 is designated General Use.</p> <p>Unit R10-03 is reconfigured to absorb portions of R10-02 that were designated Minerals. Unit R10-3 is designated Water Resources, Habitat, and Public Recreation and Tourism-Dispersed Use.</p>	<p>reference to caribou calving. Revise the Management Intent section to require the consideration of the moose wintering area in any mine permitting process. Revise Management Intent to replace the word "accommodate" in first paragraph to "consider".</p> <p>See Map 3A for a depiction of the reconfigurations.</p>
63.	R10-03 (Iliamna Lake NW)	2005 BBAP: Rd CA: Ha, Rd, Wr, Su Final: Wr, Ha, Rd	Management intent changed to focus on revised designations. Management should emphasize the protection of anadromous streams and essential moose, caribou, and brown bear habitat. Should also emphasize recreation, subsistence, and fisheries	This large area functions as an important recreation area, as a watershed for Iliamna Lake, and is important for fisheries production. There are extensive areas of lakes and wetlands adjacent to the Lake. These uses warrant a co-designation of Wr, Ha, and Rd. Management intent should be revised to reflect these values and to recognize the importance	Change designation to Water Resources, Habitat, and Public Recreation and Tourism-Dispersed Use. Revise Resource and Uses section to recognize that this large area functions as an important recreation area, as a watershed for Iliamna Lake, and is important for

Table 2

Item	Management Unit (Affected)	Plan Designations Current / Citizen Alternative/ Final Designation	Citizens' Alternative: Proposed Management Intent and Designations	DNR Response	Recommendation
			production. Potential exploration and development is dropped.	of Lower Talarik Creek. However, it is inappropriate to drop the current management text that recognizes the potential of mineral exploration and development. It is also appropriate to recognize the presence of Lake and Peninsula Borough municipal selections and that, if the adjudication decision on the entitlement parcels recommends conveyance, these areas will convert to the classification of Settlement at the time of the Final Finding and Decision. There is no subsistence classification.	fisheries production. There are extensive areas of lakes and wetlands adjacent to the Lake. Revise Management Intent to recognize the water resource, habitat, and recreation values and acknowledge the importance of Lower Talarik Creek. Add Management Intent text that it is appropriate to recognize the presence of Lake and Peninsula Borough municipal selections and that, if the adjudication decision on the entitlement parcels recommends conveyance, these areas will convert to the classification of Settlement at the time of the Final Finding and Decision. R10-03 has been reconfigured to absorb a portion of R10-02 and has been re-designated as Water Resources, Habitat and Public Recreation and Tourism-Dispersed Use. See Map 3A for depiction
64.	R10-05 (Lower Talarik Creek SUA)	2005 BBAP: Rp CA: Ha, Rd Final: Ha, Rp	Management intent changed to include habitat.	Co-designate R10-04 and R10-05 as Habitat and Public Recreation. Unit R10-05 occupies the site of a former native allotment which was acquired for inclusion in the SUA.	Change designation to Habitat and Public Recreation and Tourism-Public Use Site.
65.	R10-06	2005 BBAP: Gu CA: Ha, Rd, Su, Wr Final: 10-06: Gu 10-06A: Ha	Management intent changed to focus on revised designations. Drops reference to management for mineral exploration and development, oil and gas development, and transportation corridor (but retains mention of this corridor).	An area that consists of extensive wetlands in the far northern part of this unit adjacent to R10-03 should be managed in a similar manner to that unit and this area is now included in R10-03. Also acknowledge the presence of wetlands in the remainder of this unit and include this in the listing of components requiring management.	Reconfigure unit and create unit R10-06A to be designated Habitat. For this new unit, revise the Resources and Uses section and Management Intent to recognize the presence of moose wintering and rutting habitat and the intent to manage for the habitat value. For

Table 2

Item	Management Unit (Affected)	Plan Designations Current / Citizen Alternative/ Final Designation	Citizens' Alternative: Proposed Management Intent and Designations	DNR Response	Recommendation
				<p>The Southwestern part of the unit is within a moose wintering and rutting area and is more appropriately designated Habitat. This area is noted as R10-06A on the Plan Map and incorporates a portion of unit 5-24.</p> <p>The remainder of this unit is appropriately designated Gu. The current management intent, except as modified above, provides adequate protection for the uses and resources on this area.</p>	<p>Unit 10-06, revise the Resources and Uses section and Management Intent to recognize the presence of wetlands and the need to manage for this value.</p> <p>See Map 3A for depiction of the reconfiguration.</p>
66.	R10-07 (Kvichak/Alagnak Rivers)	2005 BBAP: Rd CA: Ha, Rd, Su, Wr Final: R10-07: Wr, Ha, Rd R10-07A: Wr, Ha	Management intent changed to include water resources, subsistence, and habitat management. Retains municipal selection text.	<p>This unit is important for its habitat and recreation values and since it functions as the watershed for much of the Kvichak River. It is appropriate to re-designate this unit to co-designation of Ha, Wr, and Rd, with management intent recommended to be changed to reflect the importance of the unit for its habitat and hydraulic values. The entirety of the unit would be affected by this change.</p> <p>Note: A portion of R10-12 has been absorbed into this unit and is co-designated of Wr and Ha but should be distinguished from this unit as a separate unit, R10-7A.</p> <p>There is no subsistence classification.</p>	<p>Reconfigure unit with a designation of Water Resources, Habitat, and Public Recreation and Tourism-Dispersed Use. Create unit R10-07A to be designated Water Resources and Habitat. For this new unit, include in the Resources and Uses section, the presence of wetlands, moose calving, rutting and wintering areas, and waterfowl molting areas. Revise the Management Intent to recognize the need to manage the unit for the wetland and habitat values.</p> <p>For Unit R10-07, revise the Resources and Uses section and Management Intent to recognize the presence of wetlands and waterfowl and moose habitat and the need to manage for these values.</p> <p>See Map 3A for depiction of the reconfiguration.</p>
67.	R10-08 (Big Mountain)	2005 BBAP: Gu CA: Ha, Rd, Su, Wr Final: Ha, Rd	Management intent changed to focus on revised designations. Drops reference to management for mineral exploration and	This unit should be primarily managed for its habitat values. A significant moose calving, wintering and rutting area occurs throughout the unit, warranting a Ha designation. Revise	Change designation to Habitat and Public Recreation and Tourism-Dispersed Use. Revise Resource and Uses section to recognize that a

Table 2

Item	Management Unit (Affected)	Plan Designations Current / Citizen Alternative/ Final Designation	Citizens' Alternative: Proposed Management Intent and Designations	DNR Response	Recommendation
			development, oil and gas development.	<p>recommended designations to Ha and Rd, and revise management intent to emphasize management of unit for its habitat and recreation values.</p> <p>Several municipal selections occur within this unit that have not yet been adjudicated. If adjudication determines that these selections are appropriate for conveyance to the LPB, the classification of these (and only these) parts of the unit change to Settlement at the time of approval of the Final Finding and Decision. Until adjudication occurs (and is affirmative), these selections are co-designated Ha and Rd.</p> <p>However, there is insufficient reason for use of the Wr designation (lack of wetlands and absence of significant watershed function) and there is no subsistence classification.</p>	significant moose calving, wintering and rutting area occurs throughout the unit. Revise Management Intent to recognize the habitat and recreation values. Add Management Intent text to recognize the presence of Lake and Peninsula Borough municipal selections and that, if the adjudication decision on the entitlement parcels recommends conveyance, these areas will convert to the classification of Settlement at the time of the Final Finding and Decision.
68.	R10-09 (Eagle Bluff)	2005 BBAP: Rd CA: Ha, Rd, Su, Wr Final: Ha, Rd	Management intent changed to include new designations.	<p>This unit is occupied by the same significant moose wintering, calving, and rutting concentration as unit R10-08 and a similar co-designation (and management intent) is warranted.</p> <p>There is insufficient reason for use of the Wr designation (lack of wetlands and absence of significant watershed function) and there is no subsistence classification.</p>	Change designation to Habitat and Public Recreation and Tourism-Dispersed Use. Revise Resource and Uses section to note that a significant moose calving, wintering and rutting area occurs throughout the unit. Revise Management Intent to recognize the habitat and recreation values.
69.	R10-12 (Alagnak River)	2005 BBAP: Gu CA: Ha, Rd, Su, Wr Final: R10-12: Gu	Management intent changed to focus on revised designations. Drops reference to management for mineral exploration and development, oil and gas development.	<p>That part of this unit situated north of the Kvichak River in T10S42W is occupied by extensive wetlands and is used by caribou as wintering habitat. It is similar in many respects to the adjacent unit, R10-07 but warrants a co-designation of Wr and Ha and should be distinguished from this unit as a separate unit, reconfigured as part of R10-7A.</p> <p>The remainder of this unit is appropriately designated Gu. A variety of uses and</p>	Reconfigure unit. See Map 3A for unit depiction.

Table 2

Item	Management Unit (Affected)	Plan Designations Current / Citizen Alternative/ <i>Final Designation</i>	Citizens' Alternative: Proposed Management Intent and Designations	DNR Response	Recommendation
				resources are currently recognized in the management intent of this unit and no further clarification or re-designation is warranted.	