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1 **Chapter I**

2 *Introduction*

3  
4 **Introduction and Background**

5  
6 **Summary of Purpose of the Plan**

7 The role of state land use plans has been established by state statute (AS 38.04.005). It is the  
8 policy of the State of Alaska "...to establish a balanced combination of land available for both  
9 public and private purposes. The choice of land best suited for public and private use shall be  
10 determined through the inventory, planning, and classification processes...."

11  
12 The plan determines management intent, land-use designations, and management guidelines that  
13 apply to all state lands in the planning area.

14  
15 **Description of the Planning Area**

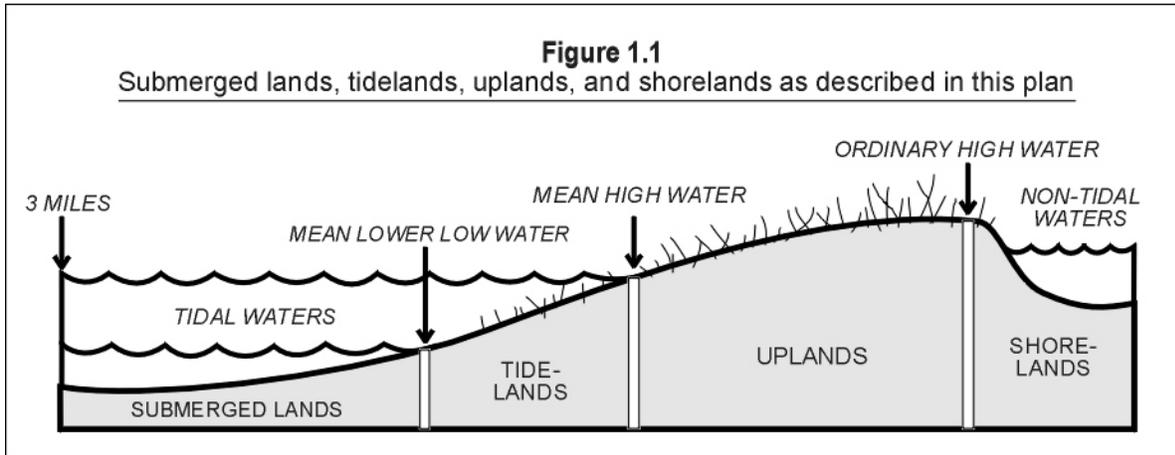
16 The Bristol Bay Area Plan (BBAP) directs how the Alaska Department of Natural Resources  
17 (DNR) will manage state uplands, shorelands, tidelands, and submerged lands within the planning  
18 boundary. The following is a summary of the acreage to which the plan will apply:

19  
20

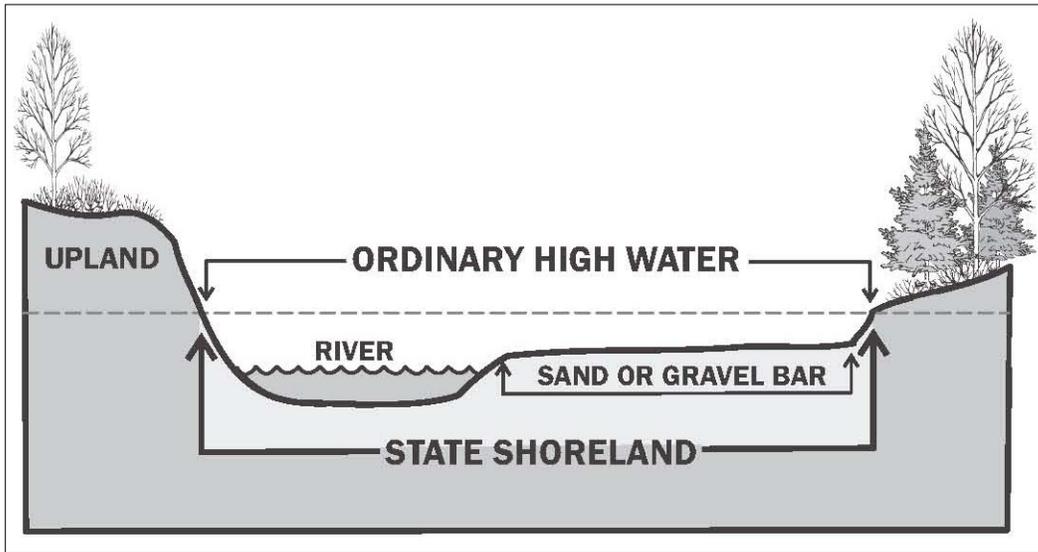
<b>Land Category</b>	<b>Acres</b>
State-owned uplands	10,330,454
State-selected uplands	1,585,459
State-owned tidelands	7,002,724
<b>Total Acreage</b>	<b>18,918,637</b>

21  
22  
23 **Submerged Lands, Tidelands, Uplands and Shorelands as Described in This**  
24 **Plan**

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



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**Planning Area**

The planning boundary of the Bristol Bay Area Plan includes all state-owned and state-selected uplands, and all tidelands, submerged lands and shorelands within the area depicted in Figure 1.2. This very large planning area (48.8 million acres) extends from the Yukon Delta National Wildlife Refuge (NWR) in the northwest, east to Lake Clark National Park, and south to Akutan Island on the Aleutian Island chain. All of the Alaska Peninsula is included in the planning area except for areas within Katmai National Park and Preserve and the Alaska Peninsula and Becharof NWRs that are part of the Kodiak Area Plan. Within this large area are three boroughs (Bristol Bay, Aleutians East, Lake and Peninsula), eleven cities, as well as numerous communities. The largest concentrations of state-owned and state-selected land occupy large portions of the Nushagak and Mulchatna River drainages, the area of Wood-Tikchik State Park, areas near Lake Iliamna, as well as most of the north side of the Alaska Peninsula. Numerous federal conservation system units occur within the planning area, including five National Wildlife Refuges, two National Parks, and

1 one National Monument and Preserve<sup>1</sup>. Two State wildlife refuges (Cape Newenham and  
2 Izembek) and five state critical habitat areas (Egegik, Pilot Point, Cinder River, Port Heiden, and  
3 Port Moller) also occur there. Tide and submerged-lands owned by the state adjoin these federal  
4 conservation system units. State shorelands occur within federal conservation units as well as  
5 private lands.  
6

## 7 **How The Plan Is Organized**

8 The plan has four chapters:  
9

10 **Chapter 1** includes a summary of the purpose of the plan, description of the planning area, how  
11 and why the plan was developed, what the plan covers and does not cover, and a summary of plan  
12 actions.  
13

14 **Chapter 2** includes goals of the plan and guidelines that apply throughout the planning area.  
15 Guidelines are listed in fourteen resource and land-use categories. Guidelines are specific  
16 directives that will be applied to land and water management decisions as resource use and  
17 development occur.  
18

19 **Chapter 3** includes a description of the land use designations used in the plan, the general  
20 management intent for state land, the duration and flexibility of the plan, and an explanation of  
21 plan organization and structure. In addition, each planning region is described in terms of a  
22 regional summary that presents information on land ownership, acreage, physical features, access,  
23 resources and uses. This section also provides a summary of management constraints and  
24 considerations based on existing plans, legislative designations, and other management constraints  
25 that significantly affect resource management, and a description of a tideland resource  
26 management zone.  
27

28 The bulk of this Chapter, however, consists of descriptions of background information on land  
29 status, natural resources, and the uses of state land for each of the twenty regions. A management  
30 summary is also included that provides an overview of the management direction within each  
31 region; this is augmented by a description of specific management considerations that apply to  
32 development authorizations. The land use designation and management directions for individual  
33 units of state land, called ‘management units’, are also presented<sup>2</sup>. A Resource Allocation Table  
34 exists for each region, which lists all of the upland and tideland management units and identifies  
35 the land use designation and management intent for each management unit. The last section of  
36 this chapter addresses navigable waters.

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<sup>1</sup> National Wildlife Refuges: Togiak, Becharof, Alaska Peninsula, Izembek, and Alaska Maritime. National Parks: Katmai National Park and Preserve, Lake Clark National Park and Wilderness. National Monument: Aniakchak National Monument and Preserve.

<sup>2</sup> State land in this area plan is divided into spatial units called ‘management units’. These may either be tidelands or uplands and may consist both of small areas of state land, like a lot or tract within a state subdivision, as well as very large areas that have common locational, access, use, or resource characteristics. There are 222 upland management units and 46 tideland management units. Each management unit has a unique identification number that is used in the plan maps and resource allocation tables.

1 **Chapter 4** discusses specific actions necessary to implement the plan. These include a description  
2 of how land use designations convert into classifications, proposed additions to the state park  
3 system, procedures for withdrawn public land orders and top-filed federal lands determined to be  
4 conveyable, and a land classification order. Procedures for changing the plan are also discussed.

5  
6 **Appendices** include a glossary and a land classification order.

7  
8 **Why This Plan Was Developed and Why the Plan was Revised**

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

13  
14 This plan establishes the land use designation for state lands and describes their intended uses.  
15 The plan directs which state lands will be retained by the state and which should be sold to private  
16 citizens, used for public recreation, or used for other purposes. It also identifies general  
17 management guidelines for major resources and land uses within the planning area as well as more  
18 specific guidelines for the development and use of resources for specific management units.

19  
20 Once an area plan has been adopted, state permit review processes become more efficient for the  
21 government and the public. The area plan guides DNR decisions for leases, sales, and permits that  
22 authorize use of state lands. Preparation of land use plans for state lands (except for State Park  
23 System lands) is required under Title 38 of Alaska Statutes. DNR's actions will be based on the  
24 area plan.

25  
26 The original Bristol Bay Area Plan, developed during the early 1980's, focused on the issues and  
27 reflected the values and attitudes of the people of the planning area at that time. The decision to  
28 revise the initial plan resulted from a number of different factors. These included the fact that the  
29 original plan is more than 20 years old (and the Department tries to revise its plans every 15 to 20  
30 years), and the need to address the outstanding municipal entitlements of the three boroughs within  
31 the planning area (Bristol Bay, Lake and Peninsula, and Aleutians East). It was also necessary to  
32 revise the Bristol Bay tideland designations and create new tideland designations on the southeast  
33 side of the Alaska Peninsula, and address regional economic changes and changing land use  
34 patterns.

35  
36 **The Mandate**

37 The state is responsible for the management of those lands it owns and the Department of Natural  
38 Resources (DNR) is that agency specifically responsible for this management. There are over 10.5  
39 million acres of state-owned uplands within the planning boundary and approximately 7.0 million  
40 acres of tidelands and submerged lands. Alaska Statute (AS) 38.04.065 requires that the  
41 Commissioner of the Department of Natural Resources “adopt, maintain, and, when appropriate,  
42 revise regional land use plans that provide for the use and management of state-owned land.” To  
43 ensure that these lands are properly managed, the Department of Natural Resources has developed  
44 this plan for all state lands – uplands, shorelands, tide and submerged lands – in the planning area.

1 The planning process provides a means of openly reviewing resource information and public  
2 concerns before making long-term decisions about public land management. The planning  
3 process resolves conflicting ideas on land use and informs the public about what choices were  
4 made and why. Decisions are made on a comprehensive basis, rather than case-by-case, providing  
5 consistency and consideration of the wide diversity of resources and uses within the planning area.  
6 This process provides for more efficient use and protection of the area's resources.  
7

### 8 **What the Plan Will Do**

9 The plan will help ensure that state resource management takes into account the sustained yield of  
10 renewable resources, that development is balanced with environmental concerns, and that public  
11 access to state land is provided. The plan encourages cooperation with other landowners to better  
12 address conflicts caused by checkerboard land ownership patterns. Finally, the plan documents  
13 the state's intent for land management so that both public and private interests know how the state  
14 plans to manage lands over the long term.  
15

### 16 **How This Plan is Used**

17 This plan is intended to manage state lands and resources within the planning area, and is the  
18 expression of how DNR will pursue this management. Most activities governed by the plan are  
19 implemented by the Division of Mining, Land, and Water when it adjudicates authorizations or  
20 makes other decisions affected by the plan. Adjudicators use this plan when reviewing and  
21 making decisions on authorizations for use of state land, including permits, leases, sales,  
22 conveyances, and rights-of-way. The DNR Division of Forestry and Division of Parks and  
23 Outdoor Recreation also use this plan in the administration of certain aspects of their programs and  
24 activities.  
25

### 26 **Public Participation as Related to Planning Process**

27 The revision of the Bristol Bay Area Plan is the product of a one and one-half year planning  
28 process conducted by the Division of Mining, Land, and Water (DMLW) of the Department of  
29 Natural Resources; other divisions within DNR; state and federal agencies (primarily the Alaska  
30 Department of Fish & Game (ADF&G)); Native corporations and tribal groups; local government  
31 (cities and boroughs); interest groups; and the public. Public meetings were held in the larger  
32 communities within the planning area. The first round of public meetings dealt with explaining  
33 the state planning process and identifying local and regional concerns, which included both land  
34 use and resource management issues. A second round will focus on the review of the Public  
35 Review Draft, which, in addition to the presentation of agency recommendations, will include  
36 public hearings where local testimony is taken. In addition, a variety of meetings took place with  
37 local governments; Native corporations; state and federal agencies (primarily ADF&G and the  
38 Alaska Department of Transportation & Public Facilities (ADOT/PF)); and economic interests.  
39 The results of these discussions and meetings were incorporated into the Public Review Draft.  
40

### 41 **Process of Plan Preparation**

42 This revision of the Bristol Bay Area Plan builds upon much of the information and many of the  
43 recommendations used in the initial preparation of this Area Plan, which was first adopted in 1984.

1 This revision, however, uses new information, applies Geographic Information System  
2 technology, and responds to a different set of economic and technological conditions that existed  
3 at the time of initial plan preparation. Changes in public attitudes towards development and  
4 economic growth were also considered. Much of this type of information was derived from recent  
5 discussions with agencies, municipalities, and the public.

6  
7 DNR develops both entirely new area plans and revises existing area plans using a typical  
8 planning process. The components of that process used in the revision of the area plan are listed  
9 below.

10  
11 The following process was used to develop this area plan:

- 12
- 13 • Identify issues in the planning area;
- 14 • map and analyze resources and uses;
- 15 • conduct public meetings to identify issues and reactions to preliminary designations;
- 16 • prepare an Agency Review Draft based upon the results of public discussions and  
17 meetings, information on resources provided by agencies, and is consistent with changes in  
18 state statute affecting the planning process since initial plan preparation.
- 19 • prepare the Public Review Draft (PRD) based in part on comments previously received  
20 from the public and from agencies;
- 21 • the public reviews the PRD<sup>3</sup>;
- 22 • prepare an Issue/Response summary of all public comments on the PRD;
- 23 • based on the results of the Issue/Response Summary, prepare an Intent to Adopt (ITA)  
24 version of the plan and circulate for public review;
- 25 • prepare the final plan incorporating comments on the ITA; and
- 26 • the Commissioner signs the plan and adopts it as DNR's management intent for state lands  
27 in the planning area.
- 28

### 29 **Who Developed the Plan?**

30 The DNR planning staff directed the planning process, including land status research, resource  
31 collection and analysis, draft plan preparation, response to public and agency comments, and final  
32 plan preparation. A number of local, state, and federal agencies reviewed the preliminary draft of  
33 the PRD and provided land use and resource recommendations that were valuable in refining  
34 initial plan recommendations. The Commissioner of the Department of Natural Resources must  
35 formally adopt the Bristol Bay Area Plan, which is scheduled to occur following the review of  
36 public and agency comments on the PRD.

### 37 **Uses and Resources Within the Planning Area**

38 **Uses of State Land.** The plan outlines management objectives for state land. This includes  
39 describing what resources and valid existing uses should be protected, and what uses are most  
40 suitable for development or protection on state land during the planning horizon.  
41

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<sup>3</sup> This is the current phase of plan preparation.

1 **State-selected Land.** Some lands have been selected but not conveyed to the state. In some cases  
2 these lands may not be conveyed, but in most instances it is likely that they will owned by the state  
3 in the future. In order to forestall the need to expend substantial time and resources to revise the  
4 plan at a later time when these conveyances occur, the plan makes decisions for these lands now.  
5 Another advantage to this approach is to be able to comprehensively plan for all state lands, both  
6 those owned currently and those that are likely to be acquired by the state in the future.

7  
8 **Navigable Waters.** The state of Alaska obtained title to all navigable waters, which include  
9 shorelands, tidelands, and submerged lands out to a distance of three miles from the coast at the  
10 time of statehood under the Equal Footing Doctrine. Certain types of uses necessarily must utilize  
11 these waterbodies as part of their operation or function. The plan provides management direction  
12 as to what uses are appropriate on these waterbodies; it also identifies certain particularly sensitive  
13 areas that will require a high level of protection.

14  
15 **Land Sales.** The state has offered land for sale to Alaskan citizens. The planning process  
16 reviewed the state land holdings to determine which undeveloped lands are suitable for settlement  
17 uses in the future.

18  
19 **Land Conveyance.** The Lake and Peninsula, Aleutians East, and Bristol Bay boroughs all have  
20 remaining entitlements under the Municipal Entitlement Program. Areas designated Public  
21 Recreation–Dispersed (Rd), Settlement (S), or General Use (Gu) may be considered for  
22 conveyance to municipalities under AS 29.65.010(10). In many instances, the Area Plan has made  
23 specific recommendations as to whether selections should be conveyed to a municipality. The  
24 actual decision as to whether land will be conveyed is the subject of a separate and subsequent  
25 DNR process, however.

26  
27 **Roads, Trails, and Access.** The plan considers access across state lands, including existing and  
28 proposed roads, trails, easements, and rights-of-way.

29  
30 **Additions to State Park System.** The recently revised Wood-Tikchik State Park Management  
31 Plan (2002) recommended the addition of state land to the state park. This includes large areas  
32 along the northwestern boundary of the park as well as a small area of state land west of the  
33 Agulowak River adjoining the park’s southwestern boundary. These additions are included in the  
34 area plan. No other additions to the state park or marine park systems are recommended.

35  
36 **Waterfront Development.** There are a number of areas that have been considered in the past for  
37 development on state tidelands or that encompass current residential, commercial and industrial  
38 uses. There are also pending applications for development on tidelands. The planning process  
39 reviewed these areas to see whether waterfront developments will be compatible with existing  
40 resources and uses, and designated certain areas within the various communities throughout the  
41 planning area appropriate for the various types of waterfront use. The designation of Waterfront  
42 Development (Wd) was used for tidelands adjacent to uplands with current or expected  
43 commercial or industrial development.

1 **Minerals.** The state generally owns the surface and subsurface (mineral) estate of its lands. In  
2 places where the state has disposed of (sold) the surface it commonly retains ownership of the  
3 subsurface estate. The plan reviews the mineral potential within the planning area, designates  
4 certain lands as Mineral Lands, and describes the statutory authorities that affect mining use.  
5 Mineral Closing Orders (MCO) and Leasehold Location Orders (LLO) established during the  
6 initial Bristol Bay Area Plan (1984) are not affected by this revision<sup>4</sup>. These MCOs closed a large  
7 number of anadromous streams distributed throughout the planning area as well as areas of actual  
8 or potential settlement. The LLO affects the process of mineral development in large parts of the  
9 eastern and northeastern parts of the planning area (Regions 7, 8, and 9). This revision does not  
10 recommend additional MCOs or LLOs. Except for areas affected by the existing MCOs, all state-  
11 owned lands are open to mineral entry.

12  
13 **Oil and Gas Exploration and Development.** The existing Bristol Bay Area Plan (1984) includes  
14 Oil and Gas as a primary land use co-designation on the vast majority of state-owned land on the  
15 Alaska Peninsula – Regions 12 through 21<sup>5</sup>. Although this land is still considered to have high oil  
16 and gas development potential, the plan revision does not provide management recommendations  
17 or land use designations for oil and gas exploration and development. AS 38.04.065 was amended  
18 in 1987 to require that oil and gas lease sales undergo a separate planning process. Likewise, oil  
19 and gas exploration licensing, instituted in 1994, has a separate public process as outlined in  
20 AS 38.05.133.

21  
22 **Recreation.** Recreation is a popular use of state land. The plan proposes designations to manage  
23 lands for recreation. Both uplands and tidelands are affected by recreation designations. In the  
24 case of uplands, this designation is used for popular public use sites and the upland corridors of the  
25 Nushagak and Mulchatna Rivers affected by the Nushagak and Mulchatna Rivers Recreation  
26 Management Plan (1990). Applied to tidelands, it is used as a co-designation with Habitat in the  
27 Tideland Resource Management Zone adjoining federal conservation units in the planning area.

28  
29 **Fish and Wildlife Habitat and Harvest.** The plan documents fish and wildlife habitat and  
30 harvest areas and provides management intent and guidelines for these resources and uses.

31  
32 **Water Resources.** The Division of Mining, Land and Water in DNR is responsible for allocating  
33 water resources on all lands within the State of Alaska. The plan designates areas to be managed  
34 for watershed values that include current and future community drinking water sources and  
35 describes management guidelines for instream flow reservations.

### 36 37 **What the Plan Won't Do**

38 The Bristol Bay Area Plan is not the only way in which land management goals are implemented.  
39 The area plan is coordinated with a variety of other programs and projects implemented by the

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<sup>4</sup> A number of Mineral Closing Orders were also adopted within the planning area subsequent to the adoption of the original BBAP. These MCOs are also retained and unaffected by this plan revision.

<sup>5</sup> Most of the land was designated “Fish and Wildlife/Recreation/Oil and Gas” while tracts in Regions 19 and 21 were designated “Fish and Wildlife/Minerals/Oil and Gas/Transportation” and “Fish and Wildlife/Oil and Gas”, respectively.

1 Department of Natural Resources and other state agencies. There are some important issues that  
2 are not addressed in this plan:

3  
4 **Non-DNR Lands.** This plan does not apply to federal, municipal, private, University of Alaska,  
5 Alaska Department of Transportation and Public Facilities, or Mental Health Trust lands.

6  
7 **Fish and Wildlife.** Allocation of fish and game stocks and regulating methods and means of  
8 harvest are the responsibility of the state boards of Fisheries and Game.

9  
10 **Generally Allowed Uses.** The area plan does not regulate activities that do not require a written  
11 authorization on state land, such as hiking, camping, boating, hunting, and fishing. Generally  
12 allowed uses and applicable conditions are identified in 11 AAC 96. A summary fact sheet can be  
13 found on the web at:

14 [http://www.dnr.state.ak.us/mlw/factsht/gen\\_allow\\_use.pdf](http://www.dnr.state.ak.us/mlw/factsht/gen_allow_use.pdf)

15  
16 **Legislatively Designated Areas.** The plan does not apply to units of the state park system that are  
17 legislatively designated. It does apply to state game refuges, game sanctuaries, and critical habitat  
18 areas.<sup>6</sup>

19  
20 **Decisions on Specific Applications.** While this plan provides general management intent for  
21 state lands, the plan does not make decisions about specific land use authorizations. These  
22 decisions are made through the application review process. Land use authorizations must,  
23 however, be consistent with the plan, and existing laws and regulations.

24  
25 **Actions by Agencies Other Than DNR.** The plan does not provide management intent  
26 prescribing actions and policies for agencies and governments other than DNR.

27  
28 **Planning Period**

29 This plan reflects land management decisions and allocations based on the best available  
30 information on the demand for use of state land and resources projected over the next 20 years. It  
31 is also based on a specific set of social, environmental, economic, and technological assumptions.  
32 This plan guides land uses for the next twenty years or until the plan is revised by DNR.

33  

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<sup>6</sup> The original Bristol Bay Area Plan applied classifications to state game refuges, game sanctuaries, and critical habitat areas. This revision continues this practice; all such areas are designated Habitat.

1 **Summary of Plan Actions**

2  
3 **Management Intent**

4 The planning area consists of the twenty unique regions, each representing major subparts within  
5 the planning area. In turn, each region is divided into upland and tideland management units. The  
6 plan presents management intent that explains the department's overall resource management  
7 objectives for each region and management unit, and provides resource and use information for  
8 land managers. This information is presented in Chapter 3.

9  
10 **Land Use Designations**

11 Each unit identifies one or more designations representing the uses and resources for which the  
12 area will be managed. Plan designations are identified and described in the first part of Chapter 3.  
13 The Resource Allocation Table in the same Chapter contains the designations specific to  
14 individual management units and tideland resource management zones.

15  
16 **Management Guidelines**

17 According to the Alaska Constitution, state lands are to be managed for multiple use. When  
18 potentially conflicting uses are designated in a management unit, the plan provides guidelines to  
19 allow various uses to occur without unacceptable consequences. Management guidelines for  
20 specific management units are given in Chapter 3. Guidelines that apply to the entire planning  
21 area are identified in Chapter 2.

22  
23 **Classifications**

24 All state lands in the planning area will be classified consistent with the land use designations in  
25 this plan. Classifications made by the plan will be noted to the state's land status plats. A table  
26 that shows how designations convert to classifications is located in Chapter 4. The Land  
27 Classification Order (LCO) that is to be adopted with this plan is included as Appendix B. The  
28 LCO actually enacts and imposes the classifications that are identified as designations in the area  
29 plan.

30  
31 **Summary of Plan Implementation and Modification**

32 The plan is implemented through administrative actions such as leases, permits, land conveyances,  
33 classification orders, and mineral orders. The plan serves as the final finding for land  
34 classifications. Chapter 4 presents the details of plan implementation recommendations and  
35 procedures.

36  
37 Economic and social conditions in Alaska and the planning area are sure to change and the plan  
38 must be flexible enough to change with them. The plan will be reviewed regularly to monitor  
39 progress in implementing the plan and to identify problems that may require amendment or  
40 modification.

1 Specific modifications may be made whenever conditions warrant them, though a request for these  
2 changes must follow certain procedures. The DNR Commissioner, following the review of public  
3 comments and consultation with appropriate agencies, may amend the plan after approval. Special  
4 exceptions and minor changes must follow certain procedures. See Chapter 4 for a more detailed  
5 description of procedures for plan modifications, amendments, special exceptions, and minor  
6 changes.  
7  
8

