

APPROVED REVISIONS

TO THE PUBLIC REVIEW DRAFT

KODIAK AREA PLAN

Alaska Department of Natural Resources

December 2004

Following are the substantive changes to the Public Review Draft of the Kodiak Area Plan that were approved by the Commissioner of the Alaska Department of Natural Resources. These changes together with the Public Review Draft constitute the final Kodiak Area Plan.

Not included in this listing are changes of a factual nature or changes that correct errors and omissions.

CHAPTER 1 INTRODUCTION

Add new Section: Navigable Waters

“The navigability or nonnavigability of a water body often determines the ownership of lands beneath inland waters within national wildlife refuges in Alaska. If the water body is nonnavigable, the upland landowner(s) have title to the bed of the water. Ownership of lands of navigable waters is in dispute on “lands withdrawn or otherwise set apart as refuges or reservations for the protection of wildlife . . .” (Alaska Statehood Act Pub. L. 85-508) and on certain other Pre-Alaska statehood withdrawals. On all other lands, if the water body is navigable, the State of Alaska has title.

The ownership of most submerged lands within Alaska refuges is not settled. Federal administrative and judicial actions help determine navigability and what property interest the United States has in submerged lands. Issues of title ownership and removing clouds on titles of submerged lands beneath navigable waters are ultimately resolved through quiet-title actions in Federal court, or by recordable-disclaimer-of-interest-in-lands decisions by the Department of the Interior. Navigability determination criteria are based on long-established Federal case law. Where navigability and submerged landownership is disputed, the final authority rests with the Federal courts.

The state will work with USFWS on specific waterbodies to resolve issues concerning ownership and use of rivers, lakes and streams within the Kodiak Wildlife Refuge where management conflicts arise. Formal and informal management agreements between the State of Alaska, USFWS and other landowners may be developed when needed for specific waterways within the refuge.”

CHAPTER 2 AREAWIDE POLICIES

p. 2-17. New section: Management of EVOS Acquisitions and Conservation Easements

“State lands or conservation easements acquired through Exxon-Valdez Oil Spill (EVOS) funds have special attributes which will enhance, restore, replace and rehabilitate injured natural resources and habitat areas particularly for those species that sustained significant injury resulting from the Exxon-Valdez oil spill. Changing the topography, dumping trash, using biocides, removing or destroying plants except for subsistence or medicinal use, altering watercourses, using motorized vehicles with the exception of floatplanes, removing or harvesting timber, and introducing non-indigenous plants in these areas is prohibited. Management activities on EVOS-acquired units must further the restoration objectives of the EVOS Restoration Plan, facilitate appropriate public use of these units or convey information necessary for public safety or the protection of natural resources. Limited facilities such as public use cabins, weir sites, trails and campsites may be constructed for research or management purposes. Any facilities or other development on the units acquired through EVOS funds shall be of limited impact and in keeping with the goals of restoration. Warranty deeds and conservation easement documents need to be reviewed for specific unit restrictions prior to authorizing activities in these areas and areas directly adjacent to these lands. Although the Trustees acquired the surface estate of these units, in some cases they did not purchase the subsurface estate. For this reason, nothing in this guideline should be interpreted to diminish the rights of the owner of the subsurface estate.”

p. 2-17. Add new Management Guideline D: Management of Salmon Sanctuary Areas. This guideline will describe their significance and how ADF&G typically regulates these areas.

p. 2-13 Add language to D. Habitat Manipulation: Management of Invasive Plant Species is of concern in the Kodiak Archipelago. The state recognizes in the strategic management plan for noxious and invasive plant species that this is a statewide issue that is best handled at the local level. The Kodiak Soil and Water Conservation District has a program in place that currently concentrates on surveying areas of infection and providing landowners with treatment options and Best Management Practices in an effort to manage these species. Contact them for more information.

p. 2-11 Add new Goal related to the management of invasive plant species that identifies guarding against the introduction of invasive plants and recognizes the Kodiak Archipelago Bear Conservation and Management Plan's goals on this issue.

p. 2-30 Add the following paragraph to the Instream Flow section:

Federal actions and agreements affecting instream flow reservations and water rights. Within the planning area, many instream flow reservations and water rights have either been established or applied for by private parties, local governments and state agencies. Such rights and reservations can be affected by water right applications and acquisitions by the federal

government. Other actions can also affect water appropriation. Two such actions in this planning area include:

- a. Federal Reserved Water Rights. There are four national wildlife refuges within the planning area for which ANILCA established federal reserved water rights to ensure sufficient water quantity and water quality to maintain and protect fish and wildlife, and their aquatic habitat. Federal reserved water rights will be quantified and asserted when necessary to accomplish the purposes of the reservation or when the United States is properly joined in a general, basin-wide adjudication pursuant to the McCarran Amendment (43 USC 666).
- b. Cooperative Management Agreement for the Terror Lake Hydroelectric Project. Parameters for instream flow are included in Attachment II of this agreement. See Appendix B for further information.

p. 2-57 Anchorages

Revise plan text: "Activities within anchorages are allowed if they will not significantly degrade the public's continued ability to use the anchorage. This policy is to be interpreted conservatively, particularly if the anchorage has been historically used (or can be expected to be used) as a safe harbor for vessels from storms. Aquatic farms and floating facilities should not be sited in anchorages necessary to, or used for, the anchoring of vessels, and are not to be authorized if the anchorage has been historically used as a safe harbor. In the adjudication of authorizations within anchorages, consideration should be given to the effect of the potential use upon anchorage capacity."

p. 2-57 Cultural Resource Surveys Prior to Land Offerings:

Replace plan text with: "If determined by OHA during an agency review of a proposed land disposal that a cultural survey may be required, further coordination between OHA and DMLW prior to the land disposal is warranted. Cultural surveys should be considered where OHA reported sites exist or where there is a high potential for such sites to exist. The extent and type of the cultural survey within the area of the proposed land disposal shall be determined by OHA in consultation with DMLW. Because of the high density of cultural resources in the Kodiak Archipelago, it is likely that cultural resource surveys may be necessary for land disposals under consideration by DNR in this planning area."

p. 2-57 Cultural Resources in Timber Management Areas

Add the following: OHA will indicate areas of known concern within potential timber sale areas during the review of the DOF Five Year Sale Schedule.

p. 2-50 Add new Management Guideline I:

Application Requirements for Easements and Buffers Along Waterbodies and Related Environmental Features.

Table 2-2 (See Attachment B) specifies widths and other requirements for easements, buffers and public access in order to ensure consistency between authorizations along waterbodies and related environmental features. On a case-by-case basis, widths may be wider, in order to accommodate floodplain width, bank characteristics, size of the water body, extent of present or expected future public use, the need to protect important environmental features, or other relevant factors.

Widths can be narrower on a case-by-case basis if it is determined that the harm intended to be avoided by the requirement is not likely to occur because of site-specific circumstances. However, the strip of land must be of sufficient width to allow for public access as well as to screen the waterbody from development, where possible, with an undisturbed strip of vegetation.

CHAPTER 3 REGIONAL AND INDIVIDUAL UNIT MANAGEMENT

Revisions to the designations and management intent statements for individual units are contained in the two attached tables, Changes to Upland Management Units and Tideland Management Units.

p. 3-10 Include a definition and description of how Limited State Holdings (LSH) are handled on the plan maps and the text when the state does not hold the primary management right.

Description:

“Limited State Holdings that are not directly managed by the state but rather, where another entity holds the primary management right are shown on plan maps but not described in resource allocation tables as units. These usually are conservation easements that were acquired by the state and other entities with EVOS funds on lands within the Kodiak NWR. No management intent or other policies were developed for these lands in the Kodiak Area Plan because the state does manage these areas beyond what has already been established by the terms of the conservation easements. Details regarding the terms of the conservation easements can be obtained from case files. See the EVOS section in Chapter 2 to understand more about these areas.”

p. 3-16 Include the Kodiak Archipelago Bear Conservation and Management Plan in the section on “Local and Federal Plans”

p. 3-16 Include the Kodiak Island Comprehensive Trails Plan in the section on “Local and Federal Plans”

3-141, lines 26-27: Indicate that D.O. 125 (Navigable Waters) should be referred to for more information on navigability issues.

Footnote #9 on p. 3-141: Replace with: “The state and federal government do not agree on the ownership of some shorelands, tidelands, and submerged lands within and adjacent to the Kodiak National Wildlife Refuge. Because of these differing interpretations of ownership, the public is advised to consult with both DNR and the US Fish and Wildlife Service prior to undertaking projects or activities that might require a permit or lease from either agency. This is especially important for activities or projects adjacent to Afognak Island, Women's Bay on Kodiak Island, and areas that adjoin the Kodiak or Alaska Maritime National Wildlife Refuges.”

Plan Maps (Generally): Revise plan maps to 1) add the Tideland Resource Management Zone designation to all areas of the Kodiak National Wildlife Refuge and 2) depict ADF&G p.Salmon Sanctuary Areas.

CHAPTER 4 PLAN IMPLEMENTATION

P. 4-6. Revise Land Classification Order section to add following:

Land Classification Order SC-04-001 classifies all state land within the plan area. See Appendix B. This Land Classification Order supersedes and replaces all previous classifications and classification orders affecting the planning area of the Kodiak Area Plan. (Note: Special Use Designations predating the adoption of this revision are unaffected.) See also the section ‘Application of Plan Designations/Classifications to State Lands’, following. This section describes how lands inadvertently omitted in the Area Plan or acquired by the state subsequent to this revision are to be treated in terms of plan designation and classification.

p. 4-7. Under the ‘Land Selections’ section indicate the possibility of Lesnoi Inc. lands coming into public ownership.

p. 4-9, lines 32, 33. Proposed Additions to State Park System.

Delete: "Other Additions to the state marine park or state park system are not recommended."
Replace with the following: “Additions to the state marine or state park system, while not identified in the Area Plan, may be considered if and when public support and funding is secured for this purpose in the future.”

Add new section: Applicability of Plan Designations/Classifications

This section deals with those lands that are not designated in the KAP or classified in the Land Classification Order. Such lands include those state lands inadvertently omitted in the KAP and those lands that may be acquired by the state in the future but not designated or classified in the Area Plan. The state has acquired and will continue to acquire isolated units of land through foreclosure, escheat, and other methods. The purpose of this section is to give direction to the

designation of these lands by the Department when future issues of unit classification and management arise.

The following guidelines of plan designation/classification and potential disposal out of state ownership are to apply:

- * Units in or near Existing Communities. If the unit is in or is immediately adjacent to an existing community or past state land offering, the designation of Settlement and classification of Settlement Land apply. Such land can be considered for disposal use unless it is appropriate as a site(s) for schools, material sites, roads, parks, or other similar public use. Unsold lots identified for disposal in existing subdivisions and lots that return to state ownership will be available for lease, sale, or conveyance. Tracts identified for community purposes in existing subdivisions will not be sold but may be conveyed to municipalities or homeowner associations if they are not needed for state purposes.

- * Units near other State Land. If the unit adjoins or is surrounded by other state land, the designation of that area(s) applies. It is to be managed according to the management intent and guidelines applicable to the adjacent lands. Such lands can be considered appropriate for disposal if they are designated Settlement or Settlement/Commercial unless it is appropriate as a site(s) for schools, material sites, roads, parks, or other similar public use. They may also be conveyed to a municipality even if it is suitable for these public uses as long as the proposed uses are for comparable municipal (public) use.

- * Units not near Other State Land. Units not near other state land or that occur within areas designated General Use are to be designated General Use and classified as Resource Management Land. These lands are to be managed according to the management intent and guidelines applicable to the adjacent lands. Disposal of these lands to the adjacent land owner may be appropriate but will require reclassification to Settlement Land.

- * Newly Acquired State Lands. Lands that were acquired proactively through exchange, purchase, or other methods will be managed and classified consistent with the purposes for which they were acquired.

- * Other Lands. If the designation/classification of a unit of acquired or omitted state land cannot be adequately determined, the unit is to be designated General Use and classified Resource Management Land.

Add new section: Survivor Designations and Classifications

This revision of the KAP replaces and supercedes all previous plan designation and land classifications (termed 'survivor') that affect the KAP planning area. It does not replace or supercede Special Use Designations predating the approval of this revision.

Changes to Upland Management Units

Units	PRD Designation	Revised Designation	Management Intent	Comments
A-02	Pr	Pr, Ha	Manage for recreation and habitat.	Unit acquired under EVOS funds. Units acquired under this source must be managed for habitat values/resources.
A-05	Rd	Ha	Manage for habitat.	Unit acquired under EVOS funds. Units acquired under this source must be managed for habitat values/resources.
A-06	Gu	No chg	No change.	Note: the central area of this unit is to be reduced in size and added to unit A-07.
A-07	Se	Ha	Manage for habitat. See map, "Raspberry Island Unit Changes," for boundary changes.	There was extensive public comment on the need to change the designation of this unit in the PRD from Se to Ha. The area of this unit is to be expanded to include much of the central part of unit A-06, as now depicted in PRD. This is the core winter area of the Roosevelt elk herd. ADFG recommends strongly that this area be protected and that portions of A-06 (see above) be included in this unit.
A-08	Se	No chg	Revise management intent statement to require that public access be retained into the adjacent state lands.	
K-14	Se	No Desgn	Revise management intent statement to indicate that the state is required to convey this unit to the Mental Health Trust.	Mental Health Trust selection. Must be conveyed to Trust when conveyed to the state by BLM.

Units	PRD Designation	Revised Designation	Management Intent	Comments
K-15	Se	Rd	Change to: If unit is conveyed to the state, it should be retained in public ownership and maintained for recreational activities. This unit is not considered appropriate for settlement, general commercial or industrial uses. Some types of commercial recreation use/facilities may be appropriate, including those recreation uses allowed under AS 38.05.073. Public access is to be maintained to both upland and marine areas.	Extensive public comment on the need to change the designation from Settlement to Public Recreation – Dispersed was received. Area is important for recreation and as a departure/access point into the adjacent waters of Anton Larsen Bay. Nearby upland areas are used for hunting. Unit is to be expanded to east to include an area affected by an ANILCA top-filing. The same management intent language applies to this area.
K-22	Sc, Gu	Gu	Manage for multiple uses. Indicate that the area east of road is considered inappropriate for development.	That portion of the unit east of the road is considered too steep for development. City recommends it be designated General Use. This area is currently designated Settlement/Commercial.
K-29	Se	No chg	Revise management intent statement to indicate that the state will convey this unit to the Borough.	This unit, along with two others on Woody Island, is approved for conveyance to the Borough once the state receives title from BLM.
K-30	Se	No chg	Revise management intent statement to indicate that the state will convey this unit to the Borough.	This unit, along with two others on Woody Island, is approved for conveyance to the Borough once the state receives title from BLM.
K-31	Se	Rd	Revise management intent statement to indicate that the state will convey this unit to the Borough.	This unit, along with two others on Woody Island, is approved for conveyance to the Borough once the state receives title from BLM. Borough requested that DNR designate this unit Public Recreation - Dispersed (Rd).

Units	PRD Designation	Revised Designation	Management Intent	Comments
K-39	Se,	Se, Rd	Manage area west of road for settlement; manage area east of road for recreation	Area east of road is used for public recreation. This area is fairly small in size. Consistent comments were received from public to make area recreation.
K-40	Se	Rd	Manage lands for public recreation. Retain in public ownership.	Small unit next to boat launch. Used for recreational purposes. Consistent comments were received from public on need to make unit Rd.
K-41	Se	Se, Rd, Hr	Manage area north of road for public recreation and protection of WW II structures. Area south of road appropriate for settlement, land disposals.	Area north of road designated Hr, Rd. Area south of road retains the Se designation. Extensive public comment was received on need to protect historic structures.
K-42	Ma	No chg	Change management intent to clearly indicate that at the cessation of gravel extraction operations, land is to be restored/ rehabilitated and its management is to revert back to the federal government.	Unit must be returned to federal government when extraction ceases.
K-43	Ma	No chg	Change management intent to clearly indicate that at the cessation of gravel extraction operations, land is to be restored/ rehabilitated and its management is to revert to back to the federal government.	Unit must be returned to federal government when extraction ceases.
K-44A	Gu	Gr, Rd	Manage for grazing and public recreation. Add that DNR grazing management plans must take into consideration protection of lagoons and beach meadow strips.	Original unit (K-44) was divided between the portion with the active grazing lease (K-44A) and the portion outside of the grazing lease (K-44B). Unit K-44A includes the Burton Ranch, an area that has been used for grazing and recreation on a long term basis.

Units	PRD Designation	Revised Designation	Management Intent	Comments
K-44B	Gu	No chg	Manage for a variety of uses.	Original unit (K-44) was divided between the active grazing lease area (K-44A) and the area outside of the lease (K-44B).
K-45	Gu, Rd	No chg	Indicate that long-term grazing appropriate if consistent with Launch Complex. Add language that precludes structures emitting high levels of RF. Unit is to be retained in state ownership.	The Kodiak Launch facility occupies portions of this unit and portions of unit are also used for grazing.
K-47	Gu	Gr, Rd	Manage for grazing and dispersed recreation.	Unit is now used for grazing and is considered too steep for development. For consistency in the Pasagshak area, units have been co-designated Grazing and Public Recreation - Dispersed.
K-50A	Gu	Gr, Rd	Manage for grazing and public recreation values. State will retain land, land disposals will be precluded, and commercial, industrial, and residential uses will not be authorized except for those related to the protection of habitat, public safety or communications, or commercial recreation operations not involving structures on permanent foundations.	Original unit (K-50) was divided between areas with active grazing leases (K-50A) and areas outside of these leases (K50B). This unit is to be managed in a similar manner to that of the Saltery Cove and Lake Miam areas.
K-50B	Gu	No chg	Manage for a variety of uses.	Original unit (K-50) divided into areas with active grazing leases (K-50A) and areas outside of these leases (K50B).

Units	PRD Designation	Revised Designation	Management Intent	Comments
K-51A	Gu	Gr, Rd	Manage for grazing and public recreation values. State will retain land in this area, land disposals would be precluded, and commercial, settlement, and industrial uses would not be authorized except for those related to the protection of habitat, public safety or communications, or commercial recreation activities not requiring structures with permanent foundations. See Attachment A for plan text.	Original unit K-51 was split into two units: K-51A and K-51B to reflect differing management objectives. Unit was created to encompass Grazing and dispersed recreation activities and is to be managed similar to the Saltery and Lake Miam areas.
K-51B	Gu	No chg	No change.	Original unit K-51 was split into two units: K-51A and K-51B to reflect differing management objectives. The General Use designation is appropriate in this area.
K-53	Ha	No chg	Indicate that grazing is not appropriate.	
K-54	Gu	Ha	Manage for habitat. Indicate that grazing is not appropriate.	Exchange agreement requires unit to be managed for habitat.
K-55	Ha	No chg	Grazing not appropriate.	
K-56	Gu	Ha	Manage for habitat. Grazing not appropriate.	Exchange agreement requires unit to be managed for habitat.
K-57	Gu, Se	Gu, Se	Manage for multiple uses (Gu) and areas of remote settlement (Se).	Note: Areas appropriate for settlement need to be revised since they are incorrect as stated in the PRD.
K-58	Ha	No chg	Indicate that grazing is not appropriate.	
K-62	Gu	Gu	No change.	Expand area of unit to include the eastern half of Aiatalik Island in order to include the area of ANILCA topfiling.

Units	PRD Designation	Revised Designation	Management Intent	Comments
K-68	Se	No chg	Include provisions for facilitating mixed use development, and the leasing for industrial uses. Require that cultural resources be protected.	
K-69	Rd	Hr, Rd	Manage unit for public recreation values and to protect WW II military structures.	DPOR comments recommend that the WW II military structures be protected. Also recommended use of the Heritage Resources designation.
K-73	Gu	Mix of Gr, Ha, Rd, and Ma	Manage for grazing and public recreation values. State will retain land, land disposals would be precluded, as would commercial, settlement, and industrial uses unless related to the Kodiak Launch facility, material sites or to the protection of habitat, public safety, communications, or commercial recreation activities not requiring structures with permanent foundations. A protection area of 150' around Lake Rose Tead & outlet stream added. Meadow area south of Lake Rose Tead acceptable for grazing operations except during summer. A protection area of 100' adjacent to Zenter Creek added. GAU uses, including ATVs, and long term grazing recognized.	Pasagshak area. Unit designated Gu in PRD as placeholder until public review occurred. Received consistent public comments to manage for grazing and recreation. See plan text in Attachment A for full explanation. See map, "Pasagshak Bay Unit Changes," for designations.

Units	PRD Designation	Revised Designation	Management Intent	Comments
K-74	Gu	Gr, Rd	Manage for grazing and public recreation values. State will retain land, land disposals would be precluded, and commercial, settlement, and industrial uses would not be authorized except for those related to the protection of habitat, public safety, communications, or commercial recreation activities not requiring structures with permanent foundations. 200' protection area around Lake Miam and outlet stream added.	Lake Miam area. Unit designated Gu in PRD as placeholder until public review occurred. Received consistent public comments to manage for grazing and recreation. See plan text in Attachment A for full explanation.
K-75	Gu	Gr, Rd	Manage for grazing and public recreation values. State will retain land, land disposals would be precluded, and commercial, settlement, and industrial uses would not be authorized except for those related to the protection of habitat, public safety, communications, or commercial recreation activities not requiring structures with permanent foundations. 200' protection area around Saltery Lake and outlet stream added.	Saltery Lake/Creek area. Unit designated Gu in PRD as placeholder until public review occurred. Received consistent public comments to manage for grazing and recreation. See plan text in Attachment A for full explanation.
K-76	Rd	Rd, Gr	Manage land for public recreation purposes and grazing. Retain in public ownership.	Strong support locally for the Rd and Gr designations. Grazing leases require Grazing designation.
K-77		Gu	Re-evaluate designation when federal property is conveyed to state.	New unit of ANILCA top-filed area that now includes Loran Station.
T-04	Se	No chg	Change management intent to indicate that 80 acre tract be sold as a single unit and that the airstrip is to remain open to the public.	Div of Ag. suggested that the 80 acre tract be sold as single unit and that the airstrip be available for use by the public.

Changes to Tideland Management Units

Unit	PRD Designation	Revised Designation	Management Intent	Comment
KT-08	Ha, Hv	No Chg	Revise to indicate need to evaluate potential problems of tidal flushing with certain authorizations	
KT-09	Rd, Ha	No Chg	No change.	Extend northern boundary to include Termination Point
KT-10	Ha, Hv	Ha, Hv, Rd	Add that public recreation values and activities are to be maintained.	Add Rd designation to reflect current recreational uses.
KT-11	Rd	Rd, Hv	Add that unit is to also be managed for harvest.	
KT-15	Ha, Hv	Ha, Hv, Rd	Manage to maintain current harvest and recreation uses. Protect habitat resources.	Add Rd designation to reflect current recreational uses.
KT-24	Ha, Hv	Ha, Hv, Rd	Manage to maintain current harvest and recreation uses. Protect habitat resources.	Combine KT-24 and KT-26 to make one tideland unit (KT-24). Add Rd designation to reflect recreation use.
KT-30	Ha, Hv	Rd, Hv, Ha	Manage to maintain current harvest and recreation uses. Protect habitat.	Add Rd designation to reflect on-going recreation activities.
KT-32, KT-33	Ha, Hv	no change	Manage to maintain current harvest and recreation uses. Protect habitat.	Expand and combine these into one unit. (see map)
KT-37, KT-38	Ha, Hv	no change	Manage to maintain current harvest and recreation uses. Protect habitat.	Expand to encompass areas of high value habitat. (see map)

Unit	PRD Designation	Revised Designation	Management Intent	Comment
KT-52	Wd	Rd	Manage to maintain recreation uses. Protect bird rookery.	City indicated that this area is inappropriate for waterfront development. It has significant recreational and habitat values. Drop Wd designation and add Rd designation to reflect on-going recreation activities.
KT-53		Hr	Manage to protect the historical values associated with shipwreck.	Create new tideland unit to encompass an Icon Bay, which includes a historically important shipwreck.
KT-54		Rd, Hv	Manage to maintain current harvest and recreation uses.	Create new tideland unit extending from the head of Kalsin Bay to Frank Creek.
KT-55		Rd, Hv	Manage to maintain current harvest and recreation uses.	Create new tideland unit extending from Roslyn Creek to Cape Greville on the Chiniak Peninsula.
KT-56		Rd, Hv	Manage to maintain current harvest and recreation uses.	Create new tideland unit at the mouth of Womens Bay.

ATTACHMENT A

PLAN TEXT

UNITS K-73, K-74, K-75, K-50, AND K-51A

K-73. Pasagshak Bay Area

Designation: The Pasagshak area contains a wider variety of uses and resources values than the areas of Saltery Cove and Lake Miam and therefore requires more specificity in its management. This is reflected in specific requirements for habitat protection and in varying designations. Refer to the Plan Map for the areas affected by plan designations and to the descriptions that follow.

Management Intent: The area of unit K-73 is to be managed in a similar manner with other state land in the Saltery Lake/Creek and Lake Miam/Creek drainages. Although there are some differences in the specifics of management for each of these areas, reflecting conditions unique to a particular area, the overall management theme is to protect the important areas of habitat, maintain opportunities for public recreation, and provide for the continued grazing uses within these three areas. See also units K-50, K-51A, K-74, and K-75.

This area is to be managed for the primary uses of dispersed public recreation and grazing. Both grazing operations and recreational uses are to be conducted to avoid conflict between recreational users and livestock operations, and to avoid impacts to wildlife and habitat. If management techniques designed to control the movement and location of cattle are ineffective in avoiding significant conflict in the future, consideration will be given to reductions in the number of animals or use area prohibitions in the management of state grazing leases. Increased direct management of recreational activities may be required in the future if these activities are damaging state land or resources.

This unit is to be retained by the state. Land disposals of all types (residential, commercial, and industrial) are prohibited, and authorizations for residential, general commercial, and industrial uses are inappropriate with certain exceptions. These exceptions include commercial recreation uses not involving the construction or use of permanent facilities or structures, the continued use of the two material sites, and the development of industrial uses related to the Kodiak Launch Complex and that cannot be accommodated within the KLC site in unit K-45. Navigation, public safety, some forms of communication facilities, and materials extraction necessary for public facilities, road construction or upgrade, or for improving ATV trails are also to be permitted.

The areas of wetlands northwest and northeast of Lake Rose Tead are to be protected and designated Habitat. Lake Rose Tead, an area of 150 feet adjacent to the shore of this Lake, and the outlet stream and an area of 150 feet adjacent to this stream contain significant habitat and public recreation values, which are to be protected in authorizations issued by DNR, including

Grazing Leases. These areas are designated Habitat and Public Recreation – Dispersed. Zenter Creek and an area of 100 feet adjacent to this stream require protection, and are co-designated Habitat/Grazing. Management practices will need to address the habitat values on this creek. The remainder of the unit is either designated Grazing in its areas of principal operation or co-designated Grazing and Public Recreation – Dispersed in the remainder of the unit where a mixture of grazing and recreation use occurs. The meadow area south of Lake Rose Tead, containing Arctic Tern nesting habitat, is designated Grazing, but grazing operations are to be not allowed in this area during the active nesting period, which generally occurs between May and September. DNR authorizations shall be consistent with the management intent for each of the previously described areas.

The use of ATVs is recognized as a traditional means of access to and within this unit and their future use is considered appropriate if consistent with state regulations and statutes. DNR will coordinate with the Kodiak Island Borough in the development of a comprehensive trails plan and should implement those recommendations pertinent to routing, signing, and design, to the extent consistent with statute and state administrative code. All other Generally Allowed Uses of state land are authorized.

Grazing is recognized as a long-term use within areas designated Grazing and also in areas co-designated Grazing and Public Recreation – Dispersed or Habitat. In those areas where grazing operations could affect residential uses or recreational uses, its future viability is contingent upon the lessee's continued operation within the limits established in their grazing leases and conservation/development plans. Compatibility with recreational and residential uses is possible when properly managed. If residential or recreational uses change or increase, cooperative planning and management between those uses and the grazing leases will be encouraged. The state recognizes that further limitations to the grazing leases and/or the growing recreational uses may be necessary at some point in the future. State Grazing Management Plans, permits for recreational uses, or other authorizations for activities in these areas are to be written to address potential conflict between residential /recreational users and grazing operations. These plans and authorizations shall include best management practices that are designed to preclude such conflict or mitigate impacts to levels that permit the existing and reasonable levels of new recreational uses to continue. Grazing Leases shall be issued contingent upon the inclusion of management techniques that effectively deal with current uses and issues while effecting methods for adjusting management plans to deal with anticipated future recreational conflicts. The public should have the opportunity to review upcoming Grazing Leases and all other state authorizations in these areas prior to their issuance by DNR.

K-74. Lake Miam Area

Designation: Co-designation of Grazing and Public Recreation - Dispersed

Management Intent: The area of unit K-74 is to be managed in a similar manner with other state land in the Saltery Lake/Creek drainage and the Pasagshak Bay area. Although there are some differences in the specifics of management for each of these areas, reflecting conditions unique

to a particular area, the overall management theme is to protect the important areas of habitat, maintain opportunities for public recreation, and provide for the continued grazing uses within these three areas. See also units K-50, K-73, K-75, and K-51A.

This area is to be managed for the primary uses of dispersed public recreation and grazing. Both grazing operations and recreational uses are to be conducted so as to avoid conflict between recreational users and livestock operations, and to avoid impacts to wildlife and habitat. If management techniques designed to control the movement and location of cattle are ineffective in avoiding significant conflict in the future, consideration will be given to reductions in the number of animals or use area prohibitions in the management of state grazing leases. If local voluntary management and self monitoring of the recreational uses is ineffective in avoiding damage to state land or resources some direct state management may also be required in the future.

This unit is to be retained by the state. Land disposals of all types (residential, commercial, and industrial) are prohibited, and authorizations involving residential, general commercial, and industrial uses are considered inappropriate except for commercial recreation uses not involving the construction or use of permanent facilities or structures. Navigation, public safety, some forms of communication facilities, and materials extraction for the purpose of improving ATV trails are permitted. Limited facilities (hardened campsites, latrines, emergency shelters, and the like) related to public recreation may be appropriate, based upon amount of use and condition of the natural environment. Areas within 200 feet of Lake Miam, its outlet and the creek are to be protected for their recreation and habitat values, and are to remain undisturbed except for required stream crossings in adopted Grazing Management Plans. The use of ATVs is recognized as a traditional means of access to and within this unit and their future use is considered appropriate if consistent with state regulations and statutes. DNR will coordinate with the Kodiak Island Borough in the development of a comprehensive trails plan and should implement those recommendations pertinent to routing, signing, and design, to the extent consistent with statute and state administrative code. All other Generally Allowed Uses of state land are authorized.

Grazing is recognized as a long-term use within areas co-designated Grazing and Public Recreation - Dispersed. In those areas where grazing operations could affect recreational uses, its future viability is contingent upon the lessee's continued operation within the limits established in their grazing leases and conservation/development plans. Compatibility with recreational uses is possible when properly managed. If recreational uses change or increase, cooperative planning and management between those uses and the grazing leases will be encouraged. The state recognizes that further limitations to the grazing leases and/or the growing recreational uses may be necessary at some point in the future. State Grazing Management Plans, permits for recreational uses, or other authorizations for activities in these areas will address potential conflict between recreational users and grazing operations. These plans and authorizations shall include best management practices that are designed to preclude such conflict or mitigate impacts to levels that permit the existing and reasonable levels of new recreational uses to continue. The issuance of Grazing Leases shall be contingent upon the inclusion of management techniques that effectively deal with current uses and issues while

effecting methods for adjusting management plans to deal with anticipated future recreational conflicts. The public should have the opportunity to review upcoming Grazing Leases and all other state authorizations in these areas prior to their issuance by DNR.

K-75. Saltery Cove Area

Designation: Co-designation Grazing and Public Recreation – Dispersed

Management Intent: The area of unit K-75 is to be managed in a similar manner with other state land in the Lake Miam/Creek drainage and the Pasagshak Bay area. Although there are some differences in the specifics of management for each of these areas, reflecting conditions unique to a particular area, the overall management theme is to protect the important areas of habitat, maintain opportunities for public recreation, and provide for the continued grazing uses within these three areas. See also units K-50, K-51A, K-74, and K-75.

This area is to be managed for the primary uses of dispersed public recreation and grazing. Both grazing operations and recreational uses are to be conducted so as to avoid conflict between recreational users and livestock operations, and to avoid impacts to wildlife and habitat. If management techniques designed to control the movement and location of cattle are ineffective in avoiding significant conflict in the future, consideration will be given to reductions in the number of animals or use area prohibitions in the management of state grazing leases. If local voluntary management and self monitoring of the recreational uses is ineffective in avoiding damage to state land or resources some direct state management may also be required in the future.

This unit is to be retained by the state. Land disposals of all types (residential, commercial, and industrial) are prohibited, and authorizations involving residential, general commercial, and industrial uses are considered inappropriate except for commercial recreation uses not involving the construction or use of permanent facilities or structures. Limited facilities (hardened campsites, latrines, emergency shelters, and the like) related to public recreation may be appropriate, based upon amount of use and condition of the natural environment. Navigation, public safety, some forms of communication facilities, and materials extraction for the purpose of improving ATV trails are permitted. Areas within 200 feet of Saltery Lake and Saltery Creek are to be protected and are to remain undisturbed except for required stream crossings in adopted Grazing Management Plans. The use of ATVs is recognized as a traditional means of access to and within this unit and their future use is considered appropriate if consistent with state regulations and statutes. DNR will coordinate with the Kodiak Island Borough in the development of a comprehensive trails plan and should implement those recommendations pertinent to routing, signing, and design, to the extent consistent with statute and state administrative code. All other Generally Allowed Uses of state land are authorized.

Grazing is recognized as a long-term use in areas co-designated Grazing and Public Recreation - Dispersed. In those areas where grazing operations could affect recreational uses, its future viability is contingent upon the lessee's continued operation within the limits established in their grazing leases and conservation/development plans. Compatibility with recreational uses is

possible when properly managed. If recreational uses change or increase, cooperative planning and management between those uses and the grazing leases will be encouraged. The state recognizes that further limitations to the grazing leases and/or the growing recreational uses may be necessary at some point in the future. State Grazing Management Plans, permits for recreational uses, or other authorizations for activities in these areas are to be written to deal with potential conflict between recreational users and grazing operations. These plans and authorizations shall include best management practices that are designed to preclude such conflict or mitigate impacts to levels that permit the existing and reasonable levels of new recreational uses to continue. Grazing Leases shall be issued contingent upon the inclusion of management techniques that effectively deal with current uses and issues while effecting methods for adjusting management plans to deal with anticipated future recreational conflicts. The public should have the opportunity to review upcoming Grazing Leases and all other state authorizations in these areas prior to their issuance by DNR

K-50A. Lake Miam/Portage Bay Uplands

Designation: Co-designation of Grazing and Public Recreation - Dispersed

Management Intent: The area of unit K-50 is to be managed in a similar manner with other state land in the Saltery Lake/Creek and Lake Miam/Creek drainages, and the Pasagshak Bay area. Although there are some differences in the specifics of management for each of these areas, reflecting conditions unique to a particular area, the overall management theme is to protect the important areas of habitat, maintain opportunities for public recreation, and provide for the continued grazing uses within these three areas. See also units K-51A, K-73, K-74, and K-75.

This area is to be managed for the primary uses of dispersed public recreation and grazing. Both grazing operations and recreational uses are to be conducted to avoid conflict between recreational users and livestock operations, and impacts to wildlife and habitat. If management techniques designed to control the movement and location of cattle are ineffective in avoiding significant conflict in the future, consideration will be given to reductions in the number of animals or use area prohibitions in the management of state grazing leases. If local voluntary management and self monitoring of the recreational uses is ineffective in avoiding damage to state land or resources some direct state management may also be required in the future.

This unit is to be retained by the state. Land disposals of all types (residential, commercial, and industrial) are prohibited, and authorizations involving residential, general commercial, and industrial uses are considered inappropriate except for commercial recreation uses not involving the construction or use of permanent facilities or structures. Limited facilities (hardened campsites, latrines, emergency shelters, and the like) related to public recreation may be appropriate, based upon amount of use and condition of the natural environment. Navigation, public safety, some forms of communication facilities, and materials extraction for the purpose of improving ATV trails are permitted. The use of ATVs is recognized as a traditional means of access to and within this unit and their future use is considered appropriate if consistent with state regulations and statutes pertaining to their operation. DNR will coordinate with the Kodiak Island Borough in the development of a comprehensive trails plan and should implement those

recommendations pertinent to routing, signing, and design, to the extent consistent with statute and state administrative code. All other Generally Allowed Uses of state land are authorized.

Grazing is recognized as a long-term use in areas co-designated Grazing and Public Recreation - Dispersed. In those areas where grazing operations could affect recreational uses, its future viability is contingent upon the lessee's continued operation within the limits established in their grazing leases and conservation/development plans. Compatibility with recreational uses is possible when properly managed. If recreational uses change or increase, cooperative planning and management between those uses and the grazing leases will be encouraged. The state recognizes that further limitations to the grazing leases and/or the growing recreational uses may be necessary at some point in the future. State Grazing Management Plans, permits for recreational uses, or other authorizations for activities in these areas are to be written to address potential conflict between recreational users and grazing operations. These plans and authorizations shall include best management practices that are designed to preclude such conflict or mitigate impacts to levels that permit the existing and reasonable levels of new recreational uses to continue. Grazing Leases shall be issued contingent upon the inclusion of management techniques that effectively deal with current uses and issues while effecting methods for adjusting management plans to deal with anticipated future recreational conflicts. The public should have the opportunity to review upcoming Grazing Leases and all other state authorizations in these areas prior to their issuance by DNR.

K-51A. Crown Mountain Area

Designation: Co-designation of Grazing and Public Recreation – Dispersed

Management Intent. The area of unit K-51A is to be managed in a similar manner with other state land in the Saltery Lake/Creek and Lake Miam/Creek drainages. Although there are some differences in the specifics of management for each of these areas, reflecting conditions unique to a particular area, the overall management theme is to protect the important areas of habitat, maintain opportunities for public recreation, and provide for the continued grazing uses within these three areas. See also units K-50, K-73, K-74, and K-75.

This area is to be managed for the primary uses of dispersed public recreation and grazing. Both grazing operations and recreational uses are to be conducted so as to avoid conflict between recreational users and livestock operations, and impacts to wildlife and habitat. If management techniques designed to control the movement and location of cattle are ineffective in avoiding significant conflict in the future, consideration will be given to reductions in the number of animals or use area prohibitions in the management of state grazing leases. If local voluntary management and self monitoring of the recreational uses is ineffective in avoiding damage to state land or resources some direct state management may also be required in the future.

This unit is to be retained by the state. Land disposals of all types (residential, commercial, and industrial) are prohibited, and authorizations involving residential, general commercial, and industrial uses are considered inappropriate except for commercial recreation uses not involving

the construction or use of permanent facilities or structures. Limited facilities (hardened campsites, latrines, emergency shelters, and the like) related to public recreation may be appropriate, based upon amount of use and degradation of the natural environment. Navigation, public safety, some forms of communication facilities, and materials extraction for the purpose of improving ATV trails are permitted. The use of ATVs is recognized as a traditional means of access to and within this unit and their future use is considered appropriate if consistent with state regulations and statutes pertaining to their operation. DNR will coordinate with the Kodiak Island Borough in the development of a comprehensive trails plan and should implement those recommendations pertinent to routing, signing, and design, to the extent consistent with statute and state administrative code. All other Generally Allowed Uses of state land are authorized.

Grazing is recognized as a long-term use in areas co-designated Grazing and Public Recreation - Dispersed. In those areas where grazing operations could affect recreational uses, its future viability is contingent upon the lessee's continued operation within the limits established in their grazing leases and conservation/development plans. Compatibility with recreational uses is possible when properly managed. If recreational uses change or increase, cooperative planning and management between those uses and the grazing leases will be encouraged. The state recognizes that further limitations to the grazing leases and/or the growing recreational uses may be necessary at some point in the future. State Grazing Management Plans, permits for recreational uses, or other authorizations for activities in these areas are to be written to deal with potential conflict between recreational users and grazing operations. These plans and authorizations shall include best management practices that are designed to preclude such conflict or mitigate impacts to levels that permit the existing and reasonable levels of new recreational uses to continue. The issuance of Grazing Leases shall be contingent upon the inclusion of management techniques that effectively deal with current uses and issues while effecting methods for adjusting management plans to deal with anticipated future recreational conflicts. The public should have the opportunity to review upcoming Grazing Leases and all other state authorizations in these areas prior to their issuance by DNR.

ATTACHMENT B

Table 2.2: Application Requirements for Easements and Buffers Along Waterbodies and Related Environmental Features

Guideline/ Description	Minimum Width/Measured from	Where it Applies	Primary Purpose	Guidelines
1. Public Access (To and Along Easement) Adjacent to all navigable waters ¹	50 feet * Landward from ordinary high water line ** Landward and seaward from mean high water line	Along: * Lakes * Streams ** Tidelands	Provide public access along navigable and other waterbodies.	<ul style="list-style-type: none"> • Prohibited: Residential structures, fences, and other non-water-dependent structures that will obstruct passage. • ‘Along’ portion of ‘To and Along’ easement is to be continuous unless topography or land status prevents a continuous easement. • The ‘To’ portion of the ‘To and Along’ easement has a minimum width of 50 feet but may be increased to 60 feet if DNR determines that the need for increased public access to navigable and public waters may justify construction of a road along an easement. • A section line easement under AS 19.10.010 can function as a ‘To’ easement to the extent that the section line easement runs on state land and if the section line easement provides a practical route to the shore or river.
2. Riparian Buffers	100 feet * Landward from ordinary high water line ** Landward and seaward from mean high water line	Along: * Retained public land * Public use easements * Municipal Entitlements * Anadromous and high value resident fish streams and lakes.	Protect riparian areas adjacent to anadromous and high value resident fish streams and lakes.	<ul style="list-style-type: none"> • Prohibited: Residential structures, fences, and other non-water-dependent structures that will obstruct passage. • Widths up to 300 feet may be authorized if, after consultation with ADF&G, it is determined that larger widths are necessary to protect fisheries, wildlife, or habitat. See also ‘Riparian Protection Standard’. • The ‘Riparian Protection Standard’ applies in instances where necessary to control the types of uses and structures adjacent to anadromous and high value resident fish streams in order to achieve the objectives of protecting, maintaining, or enhancing anadromous fish streams or lakes. Consult with ADF&G prior to imposing the requirements of the ‘Riparian Protection Standard’.
3. Freshwater Water bodies	50 feet * Landward from ordinary high water line along streams and lakes that are not covered in item #2 or from the edge of the waterbodies, including wetlands, that are to be protected.	Freshwater waterbodies.	Protect areas adjacent to freshwater waterbodies that are not important riparian areas but that may be important for other public purposes.	<ul style="list-style-type: none"> • Prohibited: Residential structures, fences and other non-water dependent structures. • Imposed as a public easement with the previous prohibitions. Can be imposed in instances where the To and Along Easement is not applicable.

¹ See 11 AAC 51.035 for determination of Navigable and Public Water. See also 11 AAC 51.045 for easements ‘To and Along Navigable and Public Water’. Other waters may be considered on a case-by-case basis.

Guideline/ Description	Minimum Width/Measured from	Where it Applies	Primary Purpose	Guidelines
4. Sensitive Environmental Features	50 feet *** Measured from edge of sensitive environmental feature.	Areas of important environmental features	Protect sensitive environmental features not otherwise protected under Public Access, Riparian Buffers, or Freshwater Water Bodies.	<ul style="list-style-type: none"> Sensitive environmental features may include wetlands, important upland habitat, prominent scenic features, and the like. Prohibited: Residential (or other) structures and associated out buildings but not including utilities or minor accessory structures. Imposed as a public easement with the previous prohibitions. Where this easement is imposed as part of a municipal entitlement action, this width is also 50 feet.
5. Building setback Adjacent to all waters <u>except</u> anadromous and high-value resident fish waters (see guideline 6 below)	50 feet * Landward from ordinary high water ** Landward from mean high water	Non-anadromous and non-high-value resident fish: * Lakes * Streams ** Tidelands	Protect public values, including access, recreation, and water quality along all waterbodies.	<ul style="list-style-type: none"> Where feasible and prudent, and necessary to protect public values along the stream. Does not apply to exceptions listed at bottom of table.
6. Building setback Adjacent to anadromous and high-value resident fish waters	100 feet * Landward from ordinary high water ** Landward from mean high water	Anadromous and high-value resident fish: * Lakes * Streams ** Tidelands	Protect fish habitat, water quality, and recreation values along anadromous and high-value resident fish waters.	<ul style="list-style-type: none"> Where feasible and prudent. Applies only to non-water-dependent uses. Does not apply to exceptions listed at bottom of table. The setback shall be vegetated or revegetated to maximize shade on the stream. <p>Incorporate measures to prevent adverse changes including erosion, turbidity, sedimentation, and temperature differences within the waterbody or adjacent wetlands.</p>
7. Coastal Use/Maintenance Area	500 feet ** Landward from mean high water.	Areas of state land to be retained during the planning period.	Maintain the existing conditions of retained state lands for the purpose of providing public access, recreation, scenic resources, and the conservation of fisheries and wildlife habitat.	<ul style="list-style-type: none"> This standard only applies to areas of retained state land during the planning period of the KAP. This standard, in addition, only applies to uplands and only those uplands designated General Use, Habitat, or Public Recreation – Dispersed. Certain types of uses may be authorized within the 500-foot area. See ‘Standards for Coastal Use/Maintenance Area’ in the ‘Shorelines, Stream Corridors, and Coastal Areas’ section of Chapter 2 for a listing of these uses.

Where widths apply: * Freshwater areas ** Tidally-influenced areas *** Sensitive Environmental Features

For the definition of *anadromous waters* and *high-value resident fish waters* (derived from AS 41.17.950) see the *Glossary* in Appendix A. Exceptions that apply to items 5 and 6 above: a) Structures such as docks, bridges, and culverts whose purpose is access to or across the stream or lake; b) Uses that must be in or adjacent to the waterbody in order to function, such as placer mining activities, fish culturing, water supply intakes, and similar uses.