

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER

DRAFT KODIAK AREA PLAN AMENDMENT
SC-04-001A02

Unit K-55 – Shearwater Peninsula

related to a

Noncompetitive Preference Right Land Sale – ADL 223574

The Commissioner of the State of Alaska, Department of Natural Resources (DNR) finds that the following amendment to the Kodiak Area Plan, described more fully in the Attachment, meets the requirements of *AS 38.04.065 Land Use Planning and Classification* and *11 AAC 55.010-030 Land Planning and Classification* for land use plans and hereby adopts the amendment. The Department of Natural Resources will manage state lands within the area of the revision consistent with this designation and management intent.

- **Designation**: Change the designation from Habitat to Settlement a parcel of land approximately 5.02 acres in size described as Tract A, ASLS 99-13, Plat 99-19, Kodiak Recording District. This parcel is located in Section 17, Township 33 South, Range 24 West, Seward Meridian. The subject parcel is considered within management unit K-55 on the Shearwater Peninsula and was previously classified under SC-98-002 and SC-04-001 as Wildlife Habitat Land. The new management unit for this parcel will be K-57C.
- **Management Intent**: The management intent for the ±5.02 acres of the area described above, within unit K-55 and classified under SC-04-001, will be replaced with, “This unit is designated Settlement (Se). Development or disposal during the planning period is appropriate.”

Concurrence by: Martin W. Parsons
Director
Division of Mining, Land and Water
Department of Natural Resources
State of Alaska

Date

Approved by: Corri A. Feige
Commissioner
Department of Natural Resources
State of Alaska

Date

ATTACHMENT

to the DRAFT KODIAK AREA PLAN AMENDMENT SC-04-001A02

Management Unit K-55 – Shearwater Peninsula

related to a Noncompetitive Preference Right Land Sale – ADL 223574

Location and legal description: Located on Kodiak Island on the northeast side of Kiliuda Bay, approximately nine miles northeast of Old Harbor and 40 miles southwest of Kodiak, Alaska, more specifically described as:

Alaska State Land Survey No. 99-13, Tract A, Kiliuda Bay, according to the plat recorded in the Kodiak Recording District on July 27, 1999, as Plat No. 99-19, containing 5.02 acre, more or less.

Authority: The authority to revise plans derives from *AS 38.04.065(b) Land Use Planning and Classification. 11 AAC 55.030(f) Land Use Plan* defines when a revision constitutes a plan amendment.

Current Plan: Lands along the coast and extending inland from Kiliuda Bay within and surrounding the subject parcel are designated Habitat (Ha).

Proposed Plan Amendment: The proposed plan amendment will remove the ±5.02 acres from management unit K-55 and create a new management unit, K-57C, to be designated Settlement and classified Settlement Land. Management intent for the new management unit K-57C will state, “This unit is designated Settlement (Se). Development or disposal during the planning period is appropriate. See also unit K-55 for more information on the fish and wildlife habitat in this area.”

Explanation: In 1998, the state used Land Classification Order No. SC-98-002 to classify the subject parcel Wildlife Habitat Land. The State issued a 25-year lease for the subject parcel on August 13, 1999. The Kodiak Area Plan and corresponding Land Classification Order No. SC-04-001 was adopted on December 20, 2004. This LCO replaced and superseded all existing classification orders, including SC-98-002. The parcel includes a lodge building from the 1960s and subsequent improvements constructed by local businesses under the leasehold. The parcel is appropriate for noncompetitive sale as provided in the Preliminary Decision dated December 29, 2020.

Assessment: The following alternatives were considered:

1. (Preferred) Amend the Kodiak Area Plan as described above to reclassify Tract A, Alaska State Land Survey 99-13, plat 99-19, Kodiak Recording District containing approximately 5.02 acres from Wildlife Habitat Land to Settlement Land. Amending the plan allows the State to address a preference right claim, supports small business on Kodiak Island, and does not interfere with uses of surrounding lands.
2. (Status Quo) Do not amend the Kodiak Area Plan. This alternative is not preferred as it fails to address a preference right claim and current leasehold.

Attachment to the Kodiak Plan Amendment

Unit K-55 – Shearwater Peninsula

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Requirements of AS 38.04.065 (b) Land Use Planning and Classification: The factors identified in this section of statute have been considered in the Preliminary Decision for the proposed noncompetitive sale of state land – ADL 223574 issued on December 29, 2020 and the proposed action is consistent with that portion of the statute.