

Floating Facilities

Background

There are few permitted floating facilities within the planning area. This is unlike areas of Southeast Alaska or Prince William Sound in Southcentral Alaska, that have a wide variety of residential, industrial (largely forestry), administrative, or commercial floating facilities (primarily commercial lodges). Floating facilities tend to occur near communities or at sites that support the fishing industry of Bristol Bay, and are intended to support the area's fishing industry. This type of use may grow during the planning period and thus the inclusion of standards for this type of use is prudent.

Goals

Economic Development Opportunities. Provide opportunities to increase personal income, diversify the state's economy, accommodate residential uses, in support of commercial and industrial developments, tourism, upland resource extraction, and provide services for community needs.

Public Access. Public access shall be maintained along the coastline in any authorization for floating facilities issued by the Department.

Definitions

Floating Facilities⁸. This is a general phrase used to encompass the types of "occupied" floating residential facilities further described below. These facility types do not include commercial fishing vessels engaged in commercial fishing activities. Residential floating facilities require an authorization if moored or anchored within a bay or cove in one location for a period of 14 days or more. Moving the floating facility at least two miles starts a new 14-day period. Commercial floating facilities require authorization before occupying state tidelands and submerged lands.

⁸ Not included in this definition are numerous other types of unoccupied facilities and structures authorized by DNR on state tidelands including but not limited to such things as floats, docks, floating docks, floating rafts used for gear storage, buoys, floating breakwaters, and barge ramps. Management guidelines for unoccupied floating structures are covered under Management Guideline L.

Facility Types	Definition
Floathomes	Floathouses, houseboats, barges and boats, powered or not, that are intended for non-commercial residential use. A floathome is generally for single family use and not associated with economic development activities.
Floatlodge	A floating residential facility providing overnight accommodations for commercial recreation services to the public.
Floating Camp, Floating Caretaker Facility	Single or multi-family floating residential facilities used as housing, or that are necessary to contain equipment or processing to support facilities for economic development activities such as commercial timber harvest, mineral exploration or aquatic farming operations, or associated with public activities.

Management Guidelines

A. Siting, Development, and Operational Standards: General. Floating facilities⁹ will be sited, designed and operated consistent with: 1) the requirements of the U.S. Corps of Engineers General Permit for floathomes (currently 89-4) and all successor general permits or with an individual Corps permit; 2) federal and state water quality standards; coastal zone standards under the ACMP regulations 6 AAC 80¹⁰; and 3) the management guidelines of this section. If necessary, DNR may impose additional stipulations to protect the environment or habitat; ensure use compatibility; or meet the objectives of this plan.

B. General Siting Criteria. Floathomes are not considered an appropriate use within the planning area unless authorized in an adopted local land use or coastal plan for specific locations. Other types of floating facilities may be authorized if it is determined that the permitting of a floating facility is in the best interest of the state, the use conforms to the management guidelines of this section, and the use is consistent with the standards of the Alaska Coastal Management Program⁹ and with local land use or coastal district management plans. Floating facilities should not be authorized where the use is considered inappropriate in the management intent statement for a particular management unit or tideland resource management zone.

C. Siting: Floating Facilities Inside Municipalities. Within the corporate boundaries of municipalities, DNR will regulate floating facility siting consistent with the Alaska Coastal Management Plan (ACMP)⁹, including the district coastal zone management plan, and local comprehensive plan or zoning.

⁹ This management guideline also applies to unoccupied floating facilities.

¹⁰ The Alaska Coastal Management Program was terminated on July 1, 2011, pursuant to AS 44.66.030.

D. Siting: Floathomes Adjacent to Residential Areas. Floating facilities should only be authorized adjacent to upland residential areas if these uses are allowed under a local land use or district coastal management plan¹¹. However, a short-term authorization, not to exceed two years, may be given on an individual basis to the upland owner if the floathome is to be occupied while the upland owner is constructing a residence on his/her upland management unit.

E. Siting: Floating Facilities⁵ within or near Sensitive Uses, Habitats, or Resources. To protect existing habitats, resources and uses, floating facilities should not be authorized in areas: 1) designated Habitat (Ha)¹², Harvest (Hv), Settlement (S), or Public Recreation and Tourism-Dispersed (Rd); 2) that adjoin an upland subdivision (except for those floathomes that are currently permitted, or as authorized under Guideline D, above); 3) would occur within important anchorages; 4) near an authorized aquatic farming operation (except for associated caretaker residences); or 5) near known cultural, historic sites or public use cabins. A floating facility may only be authorized in these areas if there is no other prudent and feasible alternative site, the facility will not impair the functions of the resources and uses identified above, and is determined in the permitting process to be in the overall best interest of the state.

F. Siting: Floating Facilities Adjacent to State Game Refuges, Sanctuaries, or Critical Habitat Areas, and National Wildlife Refuges, or Aniakchak National Monument and Preserve. Floating facilities are not considered appropriate adjacent to state game refuges or sanctuaries, state critical habitat areas, National Wildlife Refuges, or the Aniakchak National Monument and Preserve. Certain commercial, governmental or research facilities may be authorized if, at the discretion of DNR, the facility is determined to be of low impact, is compatible with the back-country or natural character of the adjoining uplands, other prudent and feasible alternative sites do not exist, and it is in the overall best interest of the state. Areas adjacent to a federal conservation unit are managed under a Tidelands Resource Management Zone (TRMZ) for tidelands and submerged lands. See the discussion of TRMZs under the Management Summary, Tidelands in Chapter 3 for a more complete description of management intent and allowed facilities and structures.

G. Area Occupied by Floating Facility. All floating facilities, including attached floats and anchors, shall occupy the smallest area of tideland or submerged land practicable, consistent with the requirements of the proposed use.

H. Form of Authorization of Floating Structures. Floating facilities may be authorized through the use of a permit. Permits are currently issued for a five-year duration and may be renewed. Renewal may be authorized by DNR for another like duration if the floating structure meets the requirements of the initial permit and any other stipulations that DNR

¹¹ The Alaska Coastal Management Program was terminated on July 1, 2011, pursuant to AS 44.66.030.

¹² Where it would be inconsistent with the resources that are to be managed for a particular parcel as given in the Resource Allocation Tables in Chapter 3.

may impose to conform the use to the current standards or regulations. Commercial structures may also be allowed by, or be converted to, a lease when the use is of a permanent nature in the opinion of the Department.

I. Authorization of Temporary Floating Camps. Floating camps and related facilities should be temporary, with full occupancy restricted to the time when resource development is occurring. To the extent practicable, camps and associated facilities should be consolidated to minimize impacts and limit their proliferation. Temporary floating camps shall not be sited in sensitive habitat, resource, or use areas described more specifically in Management Guidelines E and F, and may not be sited in other areas unless they are for a designated use or support a designated use in the plan. Authorizations for floating camps should terminate when the upland use, which created the need for the floating camp, has ended or when the need for the floating facility ends. Authorization for this type of use should be by permit.

J. Public Notice. The adjacent upland owner(s) shall be notified by DNR during permit review of a proposed floating facility. This shall be in addition to the general public notice requirements of the department.

K. Anchoring of Floating Facilities. In order to protect public access to and along public tidelands, shore ties that would conflict with public access should not be authorized if floating facilities can be safely moored through the use of anchors or rock bolts. In addition, shore ties above Mean High Water will not be used unless authorized by the upland owner.

L. Siting: Unoccupied Floating Structures. In order to protect certain uses and resources, unoccupied floating facilities, including but not limited to floats, docks, floating docks, rafts used for gear storage, floating breakwaters, buoys, and barge ramps, should not be authorized within anchorages, areas designated Public Recreation and Tourism-Public Use Site, or near public use cabins. Unoccupied floating facilities may be authorized in these areas by DNR if it is determined that the permitting of such facilities is in the best interest of the state, the use conforms to the applicable management guidelines of this section, and the use is found consistent with the Alaska Coastal Management Program¹³.

M. Other Guidelines Affecting Floating Facilities. Other guidelines will affect floating facilities. See other sections of this chapter.

¹³ The Alaska Coastal Management Program was terminated on July 1, 2011, pursuant to AS 44.66.030.