

# **COORDINATION AND PUBLIC NOTICE**

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## **Goals**

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### **Coordination with Non-state Landowners.**

Coordinate the use of state land with that of private and other public land owners to provide for the optimal use, development, and protection of the resources of Prince William Sound.

**Public Participation.** Provide to local governments, state and federal agencies, adjacent landowners, and the general public, meaningful opportunities to participate in the process of making significant land use decisions.

## **Management Guidelines**

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**A. Upland Owner Participation.** An application for tideland facilities adjacent to private or federal land may be approved if the application meets the other guidelines of this plan, and the department receives no objection from the upland owner.

If the upland owner objects and suggests a feasible alternative site, the department should uphold the upland owner's objection. A feasible alternative site is one that the department, in consultation with the applicant, finds physically suitable; meets the guidelines of this plan and other permit requirements; and has the approval of the upland owner. If the objection is not accompanied by the suggestion of a feasible alternative site, the department will adjudicate the permit or lease application considering at least the following:

1. The feasibility of using site design and operating stipulations to minimize or eliminate the objection;
2. The presence or absence of feasible alternative sites where there would be no conflict

between upland management and tideland facilities; and

3. The magnitude of the impacts including, but not limited to: dollar cost, changes to present or expected land management, and the likelihood of trespass including that by guests or clients. Conviction for trespass or unauthorized use of adjacent land related to the authorized activity may be cause for revocation of the permit or lease.

**B. Permission of Upland Owner.** Permits and leases will not be approved for activities that use the uplands, including shoreties, until the applicant has applied for the owner's permission. Copies of their application must be submitted to DNR. Alternatively, the applicant may show how all necessary housing, warehousing, processing, and other uses will be accommodated on the tidelands.

If upland support is required and DNR is ready to authorize the activity before the upland owner's permission is obtained, the department should hold the lease or permit pending that permission. Where upland support is not essential to the project's success, the department may issue the lease or permit with the stipulation that activities requiring upland support will not begin until the upland owner's permission is obtained.

**C. Public Notice for Mariculture, Commercial Recreation Facilities, and Log Transfer Facilities.** Public notice of a proposed permit or lease for mariculture, commercial recreation facilities, or log transfer facilities will be given under AS 38.05.945 or its equivalent, including notification in a local newspaper. However, joint DNR notification with the DEC/DGC public notice is encouraged if practical. Copies of the public notice should be sent to adjacent upland land owners, such as U.S. Forest Ser-

vice and Native corporations, appropriate user groups, and communities (such as the postmaster) that may be affected by the proposed activity. This guideline will supplement, but not replace existing public notice procedures.

**D. Other Guidelines Affecting Coordination or Public Notice.** Several other guidelines may affect coordination or public notice. For details of these guidelines, see the following sections of this chapter:

- Fish and wildlife habitat and harvest areas
- Floating residential, and commercial facilities
- Instream flow
- Mariculture
- Public access
- Recreation, tourism, cultural, and scenic resources
- Transportation and utilities