HOBART BAY
SITE SPECIFIC PLAN

C-SE-90-013

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prepared by:

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I. INTRODUCTION

This Site Specific Land Use Plan (SSP) contains an inventory and analysis of the resources and use patterns in Hobart Bay, proposes alternatives for land-use designations, and outlines management guidelines which will be applied to any future decision-making processes that affect this area. Under the authorities of AS 38.04.065 and AS 38.05.300, the SSP is the legal basis for classification of State-owned tide and submerged land beneath and adjacent to Hobart Bay as described in section **II., B. Legal Description**, and must be completed prior to divestitures of interest (ie. leases, sales, and disposals).

Reclassification may be considered when applications for leases, sales, and other divestitures of interest that conflict with the current classification are received by the Department of Natural Resources.

II. BACKGROUND INFORMATION

A. Location

Hobart Bay is located 59 miles south-southeast of Juneau and 35 miles north-northwest of Petersburg. The bay is approximately 5½ miles long (not including the Salt Chuck) and 1½ to 2 miles wide in most places. Notable landmarks include Stephen's Passage to the west, the Chuck River drainage to the east, Windham Bay and Tracy Arm-Ford's Terror Wilderness Area to the north, and Port Houghton to the south. (See attachment A-1)

B. Legal Description

The area subject to this plan is described as follows:

All State-owned tide and submerged land within:

T51S, R74E, CRM:	SE¼NE¼, Section 25
T51S, R75E, CRM:	Sections 13-15, 18-23, 26-34
T52S, R75E, CRM:	NW½NW¼, Section 6

consisting of approximately 4985 acres of tide and submerged land.

C. Title and Land Status

1. <u>Prior Classification:</u> (See **Appendix A** for Land Classifications and Definitions)

The 1980 Hobart Bay classification #C-SE-80-023 defined all State tide and submerged lands within the following areas as "Resource Management Lands" (see attachment A-2):

T51S, R74E, CRM:	E½NE¼, Section 25, 20 acres
T51S, R75E, CRM:	Sections 29-32, 1824 acres
T52S, R75E, CRM:	NW½NW¼, Section 6, 5 acres

2. Title Status:

All tide and submerged lands are owned by the State of Alaska by authority of the Submerged Lands Act of 1953.

3. Mineral Status:

Open to mineral entry.

4. State Leases/Permits:

Tideland lease ADL 102393, ATS 1242 & 1206, issued to Goldbelt Inc. on 3/5/84 and amended 6/23/88, 2.463 acres for an anchored float camp, including float homes on barges, a small boat float, an airplane float, fill, and a ramp.

Tideland lease ADL 101594, ATS 1168, issued 3/5/84 to Goldbelt Inc., 16.280 acres for a log raft storage area.

Tideland lease ADL 102391, ATS 1240, issued 3/5/84 to Goldbelt Inc., 8.2645 acres for log raft storage.

Tideland lease ADL 102392, ATS 1241, issued 3/5/84 to Goldbelt Inc., 4.2172 acres for a sorting yard and a seaplane float.

Tideland lease ADL 102394, ATS 1243 Tr. A, issued 3/5/84 to Goldbelt Inc., 10.0267 acres for a sort yard and a log transfer facility.

Tideland lease ADL 103831, ATS 1243 Tr. B, issued 3/5/84 to Goldbelt Inc., 22.6828 acres for log standing booms.

Tideland permit SEJ 89-156, issued to Goldbelt Inc., 100 feet by 190 feet for a floating A-frame yarder, expires April 30, 1991.

Water right permit LAS 9491, issued 9/23/87 to Goldbelt Inc., withdrawal of a maximum of 6000.0 gallons per day to service a logging camp.

Water right permit LAS 11982, issued 3/29/89 to Goldbelt Inc., withdrawal of a maximum of 1200.0 gallons per day to service a barge-mounted hunting and fishing lodge with attendant boat dock and stiffleg walkway.

5. Pending Leases/Permits:

Lease application ADL 105114 by Goldbelt Inc., 7.1 acres for a log transfer facility, pending applicant's submission of an acceptable lease diagram. The applicant built this facility a few years ago without a lease or permission of the State.

Lease application ADL 103859 by Goldbelt Inc., 8.26 acres for an additional log standing boom, pending survey.

Lease application ADL 105165 by Goldbelt Inc., 6.8 acres for a barge-mounted hunting and fishing lodge with attendant boat dock and stiffleg walkway.

D. Resource Inventory

1. Navigation:

Hobart Bay is both "public" and "navigable" waters, and is a frequently used anchorage for small craft. The channel northeast of Entrance Island, between the northern tip of the peninsula and the opposing shore, is about 100 yards wide and 5.5 fathoms deep with projecting points and rocks on both sides of the entrance. The narrow arm of water northwest of the entrance to the Inner Bay leads to a constricted anchorage about 10 fathoms deep. Temporary anchorages are northeast of Entrance Island (27 fathoms, soft bottom) and in the bight southeast of Entrance Island (17 fathoms, soft bottom, about 0.2 miles from a fine sand beach).

The Salt Chuck entrance is 300-foot wide and 1.7 fathoms deep, with a substrate of mud/sand and sand/gravel. The Pilot notes that heavy overfalls at the end of the narrow passage are dangerous for small craft, except during a short period of slack water. A number of rocky islets and points could be hazardous to navigation, especially in bad weather."[1] (See attachment A-3)

2. Climate:

Southeast Alaska is characterized by a maritime climate with moderate seasonal temperature variations and heavy, year-round precipitation.

The closest NOAA weather recording stations to Hobart Bay are at Petersburg, 34 miles to the south-southeast, and Kake, 28 miles to the south-southwest. The Petersburg station has recorded an average yearly temperature of 41.1°F, ranging from 27.6°F in January to 55.8°F in July. The record low is -19°F and the record high is 84°F. The Kake station has recorded an average yearly temperature of 42.7°F, ranging from 30.8°F in January to 55.7°F in August. The record low is -6°F and the record high is 88°F. Precipitation averages 105.77 inches annually in Petersburg, and 55.36 inches annually in Kake. (Weather data recorded from 1922-36 and 1972-84.)

The 1980 classification report on Hobart Bay indicates that USFS data (Stednick, 1979) give an annual precipitation of 80 to 130 inches per year, increasing landward.[2]

3. Topography/Geology:

Hobart Bay is surrounded by mountains up to 4600 feet in elevation, with most peaks exceeding 2000 feet. The topography adjacent to the north shoreline of the Bay and the Salt Chuck is relatively flat, with elevations barely exceeding 400 feet. All other terrain within the Hobart Bay ecosystem consists of the steep-walled cliffs and valleys that are characteristic of Southeast Alaska.

Hobart Bay is characterized by rock formations from the Mesozoic era, which spanned the period approximately 180 million to 80 million years before present (y.b.p.). It is likely that rocks from the Paleozoic era (510 million y.b.p.) occur in the inland portion of the area, especially in the vicinity of the Salt Chuck. This era produced igneous rock, which is often parent material for metal deposits.[3]

Hobart Bay contains extensive tidal flats, with the largest (approximately 3/4 square miles) located along either side of Laura's Creek. Other large tidal flats are located at the northeast end of the Bay (the entrance to the Salt Chuck), the east end of the Salt Chuck, the mouths of streams entering the bay, and along much of the shoreline.

4. Soils:

The upland soils are well-developed, approximately three to four feet deep with pockets of shallow bedrock material. Most of the area is moderately well-drained with some poorly-drained benches. The majority of the slopes have a gradient of 50-60%, and streams form narrow drainages.[4]

5. Surface Hydrology:

Nine streams and one river discharge into Hobart Bay. Eight unnamed streams are approximately one to two miles in length, and drain the steep-walled mountains surrounding Hobart Bay. The stream entering the Salt Chuck, Nancy Creek, has four tributaries and drains approximately nine square miles. The river, Laura's Creek, has nine tributaries and drains an area nine miles long by five miles wide (approximately 45 square miles).

6. Minerals:

Hobart Bay is located within a designated mineral province (identified by the Federal-State Land Use Planning Commission, or FSLUPC), which indicates a high mineral potential for gold and the presence of copper, lead, zinc, titanium, iron, chromium, silver, and platinum.[5]

Mining activity in the area has been moderate to low, with the Jerry, Boone, Explorer, Sunset, CB 1 & 2, and K & D mines located approximately three to four miles north of the bay, and the Kloss-Davis group located .75 miles east of the Salt Chuck. None of these claims had any assessment work performed during the 1989 annual labor year and many were declared null and void. This action was appealed to IBLA by the locators and the decision was not reversed for some of the K & D mines, and the rest are still under appeal. (Note: the location of a mining claim does not necessarily indicate the presence of metallic and nonmetallic resources.)[6]

7. Materials:

Hobart Bay may contain usable deposits of sand and gravel, but they have not been inventoried at this time. A material sale would be required in order to obtain material from State land.

8. Vegetation:

Prior to 1980, Hobart Bay was typified by Southeast Alaska rainforest vegetation, consisting primarily of western hemlock/Sitka spruce forest interspersed with muskegs.

In 1979 the Goldbelt Inc. Resource Inventory (pg. 54) documented that "approximately 90 percent of the Hobart Bay area consists of well-stocked (more than 20,000 board feet per acre) stands of commercial forest." Since that time, more than 90% of the commercial timber has been harvested, and the remaining timber is scheduled to be harvested by 1991. Due to the extensive logging in the last 10 years, the majority of the uplands are vegetated with species characteristic of early second-growth forest succession, such as red alder, blueberry, huckleberry, salmonberry, rusty menziesia, copperbush, skunk cabbage, salal, devilsclub, mosses, and young western hemlock and Sitka spruce. Some harvested areas are bare of vegetation.

Other common trees and shrubs species that may be present are mountain hemlock, Alaska-cedar, black cottonwood, Sitka alder, Pacific red elder, high bushcranberry, and varieties of currants and willows. Shorepine (lodgepole), sedges, grasses, and mosses are found in muskegs.[7] Beach rye grass, beach pea, lambs quarter, hemlock parsley, seaside plantain, and arrow grass are typical plants found along the beach fringes and in tidal marshes.

A variety of algae and kelp grow in abundance in rocky intertidal and subtidal zones. Rockweed (brown algae) is predominant in the mid-intertidal zone, and red algae attach at depths ranging from 60 to 120 feet. Floating beds of bull and giant kelp attach in the subtidal areas. Eelgrass is the predominant species in soft-bottom areas, especially in estuaries.[8]

9. Wildlife:

The major species of mammals that inhabit the Hobart Bay area include brown and black bear, mountain goat, wolf, wolverine, marten, porcupine, least weasel, marmot, squirrel, mink, land otter, beaver, moose, and Sitka black-tailed deer, and harbor seal. Most species are noted only as having a general distribution pattern. Exceptions are a known concentration of black bears in the spring, and a known concentration of harbor seals using the east end of the bay as haulout (from the river tidal flats, north along the shore, and into the Salt Chuck). Humpback, minke, and orca whales inhabit the inland waters of Southeast Alaska, and may occasionally enter the outer portion of the Bay.

Estuaries, tidal flats, and wetlands provide critical resting and feeding habitat for both migrating and indigenous species of birds. Migrating waterfowl and shorebirds pass through this area in the spring and fall, on their way to and from their summer breeding grounds to the north. Indigenous species of birds such as gulls, mergansers, mallards, scoters, Vancouver Canadian geese, loons, cormorants, and bald eagles use the entire bay for nesting,

molting, and wintering. Twenty-two bald eagle nests were found along the shorelines of the mainland and islands in Hobart Bay at the time of the Goldbelt study.[9] [10] (See attachment A-4)

10. Aquatic Species:

According to the *Goldbelt Inc. Resource Inventory*, at least six streams have been noted within the Goldbelt selection by ADF&G for their significance as anadromous fish streams. Nancy Creek (Alaska Department of Fish and Game Anadromous Stream Catalog #110-33-008) and Laura's Creek (#110-33-013) have significant runs of pink and chum salmon. Coho salmon probably spawn in all the streams, and the presence of juveniles has been observed in trapping and by visual observation (hard data have not been collected due to their habit of entering the streams during turbid high flow conditions and spawning quickly). Both resident and anadromous Steelhead trout, sea-run cutthroat and Dolly Varden are present in most area streams, with the most important populations occurring in Nancy and Laura's Creek. Both the Salt Chuck and the lake in the northern part of the Goldbelt selection support important resident cutthroat populations.[11] (See attachment A-4)

Pacific Herring spawn in great concentrations along the shores of sections 20 and 33, T51S R75E CRM. Pacific cod are harvested just outside the bay entrance, between Sunset Island to the north and the entrance of Port Houghton to the south.

Dungeness, red king, and tanner crab are harvested commercially along the shores of Hobart Bay (the entire shoreline is used for commercial harvest of one or more species of crab). Shrimp are harvested commercially in an area extending from the south entrance of the Bay down to the north entrance of Port Houghton.[12]

11. Recreation:

The residents of the logging camp use the Hobart Bay area for hunting and fishing. Goldbelt operated a fishing lodge for two years, 1988 and 1989.[13]

E. Land Use and Economic Conditions

1. Land Use Plan Coverage:

DNR Classification - a portion of Hobart Bay is presently classified "Resource Management Lands" under #C-SE-80-023 (see section **C. Title and Land Status**, 1. Prior Classification).

City/Borough Comprehensive Plans - Hobart Bay is not within any city or borough limits, and therefore is not covered by a local land management plan subject to Title 29 authority.

ACMP - the entire area surrounding Hobart Bay is subject to the Alaska Coastal Management Program.[14] (See attachment A-5)

TLMP - the area surrounding the Goldbelt conveyance is within the Tongass National Forest, designated as management area number C13. Most of the Goldbelt boundary is adjacent to an area in Land Use Designation (LUD) IV status, which provides "for intensive resource use and development, where emphasis is primarily on commodity or market resources". Two areas adjacent to the Goldbelt boundary (to the south and to the east) and one large area to the north (surrounding the eastern half of Windham Bay) are areas in LUD III status, in which "the emphasis is on managing for uses and activities in a compatible and complementary manner to provide the greatest combination of benefits".[15] (See attachment A-6)

Goldbelt management plan - with the exception of Entrance Island and the small island next to it, all land adjacent to State tideland was conveyed from the Bureau of Land Management to Goldbelt Inc. in 1979. At this time, Goldbelt Inc. intends to harvest the remainder of the exportable logs and pulp-grade timber. Other activities will include some reforestation and thinning. They have no current plans for any other resource use and/or development.[16]

2. Existing Improvements and facilities:

There are approximately 100 miles of roads in the Hobart Bay drainage.[17] The Forest Service retains road easement rights to 12 miles, and trail easement rights to 5-1/2 miles.[18] Road 8488 ends on the large peninsula 1/2 mile east of Entrance Island, at a Log Transfer Facility (LTF) which includes a sorting yard, a log transfer dock, and a log raft storage area with standing log booms. Leases for additional standing log booms are pending.

Other facilities located on the peninsula include a logging camp, a seaplane float, and a small boat ramp and dock. (See section **C. Title and Land Status**, 4. State Leases/Permits)

Utilities include electricity (diesel generation), telephone, television (satellite dish), water (RTS WTR LAS 9491 and LAS 11982), sewage, and garbage disposal.

A log transfer facility is located on the north side of the Bay (See section **C.**

Title and Land Status, 4. State Leases/Permits, ADL 105114).

There is an electronic site on Beezer Mountain, SE¼, Section 13, T49S R74E CRM. The one-acre site (USFS management) is used to house electronic communications systems, including receivers, transmitters, monitoring equipment, and navigational aids.[19]

A non-recreational cabin (under permit by USFS since 1978) is located on Entrance Island. Facilities include a 20' x 46' log and frame house, two utility buildings, a woodshed, upland dock facilities, four outbuildings (ranging in size from a 3' x 3' smokehouse to a 20' x 40' building which was floated to the site and installed on temporary timber pilings), two garden plots, and a 10' x 10' pond and waterline for domestic water use. These improvements are located immediately upland of a State dock maintained for public use.[20]

3. Access:

Hobart Bay can be accessed by boat and float plane, and moorage facilities are available. Regularly scheduled flights are available out of Juneau and Petersburg, and chartered flights are available out of Juneau and other communities.

4. Subsistence:

The 150 to 200 residents of Hobart Bay are the primary subsistence users.

Species hunted for subsistence in the Hobart Bay region include black bear, brown bear, moose, mountain goat, marten, land otter, wolverine, beaver, Sitka black-tailed deer, and various bird species.[21] Aquatic species used for subsistence include tanner, red king and dungeness crabs, shrimp, pacific cod, pacific herring, steelhead trout, Dolly Varden, cutthroat trout, and coho, pink, chum salmons.[22]

5. Cultural and Historic Use Patterns:

The State Department of Natural Resources, Division of Parks and Recreation, Office of History and Archaeology, has identified and catalogued a prehistoric site on Entrance Island. Information on cultural and historic sites is confidential in order to prevent vandalism. The Office of History and Archaeology must be consulted before development can proceed.

Timber harvesting has been the primary uplands use since 1981. Support facilities include an LTF, a logging camp, and a road system.

The Hobart Bay area has also been used for subsistence, commercial harvesting of aquatic resources, and recreation.

6. Adjacent Land Uses:

All uplands adjacent to Hobart Bay are owned by Goldbelt Inc. and used for timber harvesting (see attachment A-7). The Tongass National Forest surrounds the Goldbelt conveyance, managed under the land-use designations described in section **E. Land Use and Economic Conditions**, 1. Land Use Plan Coverage.

Several mining claims have been staked to the east and north of Hobart Bay, and are described in section **D. Resource Inventory**, 6. Minerals.

7. Local Economic Conditions:

Hobart Bay has a "company town" economy, and is almost entirely dependent on Goldbelt Inc.'s timber-harvesting activities. At present the economy is healthy, but when the timber supply runs out (unless the economy had diversified by that time) it is likely that most residents would leave Hobart Bay.

The sole source of income for Hobart Bay residents are the salaries they receive from their employers. In addition to employees of Goldbelt Inc., other residents are employees of mining exploration companies, the US Forest Service, and the Alaska Department of Fish and Game. The community supports one school, grades K-12.

A small grocery offers a very limited stock, but usually residents purchase needed supplies in either Juneau or Petersburg. Houses are owned and operated by either Goldbelt Inc. or Klukwan Forest Products, and household fuel is supplied with the residence. Boat gas may be purchased from Klukwan Forest Products.

8. Proposed and Anticipated Activities:

Goldbelt intends to proceed as planned by cutting the remainder of the commercial timber and bidding on National Forest timber sales on the adjoining land (if any are offered).

III. ISSUES

The issues identified in the Draft Site Specific Plan became moot after Congress passed the Tongass Reform act.

The response to the Draft Site Specific plan brought up issues regarding protection of wildlife habitat while still allowing for future development. Confusion regarding allowable uses in classification areas was eliminated through clarifications and discussions. The comments that were received and DNR's response is discussed in section **V. AGENCY AND PUBLIC COMMENT, B. Comments Received**, and the resulting changes are reflected in attachment A-10, the selected alternative.

IV. ALTERNATIVES AND IMPACTS

Based upon the uses, activities and topography described in this SSP, four distinct land use patterns need to be considered (see attachment A-8) in order to establish effective management classifications (see Appendix A):

Area 1: Recreational use and log storage are the primary activities that occur in section 31 and the S½NE¼ and S½ of section 30, T51S R75E CRM, and a small portion of tide and submerged land in section 6, T52S R75E CRM, adjacent to and south of Entrance Island. Existing anchorages provide access and shelter.

Area 2: Three locations contain extensive tidal flats, which are important wildlife habitat.

Area 3: This area comprises the remainder of tide and submerged lands subject to this SSP. Intensive use patterns have not developed in most areas. The nautical chart indicates deep water close to shore, which may be attractive to future enterprises.

A. Alternatives

The following management alternatives were formulated using the existing land-use patterns:

Alternative # 1 (see attachment A-9)

Maintain present management status: The sections surrounding the peninsula in T51S R75E CRM and small portions of sections in adjacent townships (see legal description for detail) were classified "Resource Management Land" in 1980. This classification is used for "(1) land that might have a number of important resources but for which a specific resources allocation decision is not possible because of a lack of adequate resource, economic, or other relevant information, or is not necessary because the land is presently inaccessible or remote and development is not likely to occur within the next 10 years; or (2) land that contains one or more resources values, none of which is of sufficiently high value to merit designation as a primary use." (11 AAC 55.200) Under this alternative (maintaining the existing classification in the previously classified area and no classification in the remainder of Hobart Bay) development requiring state leases could not be authorized and would not bring Goldbelt Inc.'s LTF on the north side of Hobart Bay into compliance.

Alternative # 2 (see attachment A-10)

Designate Area 1 as "Public Recreation/Waterfront Development": Both commercial and recreational activities occur in Area 1. Access to hunting, fishing and subsistence areas and safe anchorage is a major concern, while at the same time, Goldbelt Inc. should be allowed to continue in their current type and level of operations. Dual classification would allow both uses to occur and would not permit significant adverse impact of one activity upon the other.

Designate Area 2 as "Wildlife Habitat": Area 2 consists primarily of tidal flats with high habitat values, and this designation would protect and maintain important habitat functions.

Designate Area 3 as "Waterfront Development": The remaining areas may be considered suitable for development since they have deep water close to shore, and the most intensive existing use patterns would already be protected in Areas 1 and 2. Impacts of development on areas identified by ADFG with high habitat value would be considered on a project-by-project basis.

Alternative # 3 (see attachment A-11)

Designate the entire area proposed for classification and re-classification as "Public Recreation/Waterfront Development/Wildlife Habitat": This alternative would manage the entirety of Hobart Bay with equal emphasis placed on each designation. It would allow all three uses to occur and would not permit significant adverse impact of one activity upon the other.

B. Impacts of Alternatives on Natural Resources, the Economic and Social Environment, and Adjacent Land Uses

Alternative # 1 (see attachment A-9)

Maintain present management status: Areas previously classified would retain their present "Resource Management Land" classification, which is assigned to remote areas with undeveloped resources and no immediate plans for development. This classification status is no longer appropriate since development has occurred. Evaluation of the impacts of this classification on natural resources, the economy and social environment, and adjacent land uses is irrelevant.

Leaving presently unclassified land in status quo would not prevent use, but there would be no management direction regarding "best use" of any given location and no identification of the possible impacts to natural resources, the economy and social environment, and adjacent land uses. Tidal flats would not receive the protection necessary for their proper and best use as important wildlife habitat.

Alternative # 2 (see attachment A-10)

Designate Area 1 as "Public Recreation/Waterfront Development": This classification would allow present log transfer and recreational uses in the areas surrounding Entrance Island and the peninsula to the east of the island to co-exist. Protection of recreational values may make future use and development of Area 1 more attractive for commercial recreational facilities and result in increased use. Recreational activities may have some impact to natural resources, including site degradation and depletion of wild plants and animals through hunting, fishing, and gathering. Recreational facilities might have a positive effect on the economy of Hobart Bay, and may reduce conflicts by encouraging visitors to avoid the industrial areas. There is a public docking facility on the southern end of Entrance Island which is compatible with the "Public Recreation" designation.

The "Waterfront Development" designation would allow other types of industrial and/or recreational activities to develop, with possible positive effects on the local economy. Either of these uses might have some additional impact on the natural resources, including site degradation. Current timber transfer activities are expected to last no more than one to two years under current land status, however Goldbelt Inc. is pursuing a land exchange that could extend the timber supply for an additional time period. When the timber supply runs out, it is likely that the logging camp will shut down, and that future uses would not be timber-related. Since the proposed designation does not conflict with existing uses, impacts to the social environment or adjacent land uses would be negligible.

Designate Area 2 as "Wildlife Habitat": This designation would protect relatively undisturbed, important rearing and feeding habitat. Tidal flats are of little use to logging-related activities since log transfer facilities (LTF's) require deep water access, and log storage rafts are not allowed to ground at any tidal stage. This classification would become a valuable management tool in the future if uses and activities in the Bay were to increase. Some species have commercial value and could play an important role in supporting the area economy.

Designate Area 3 as "Waterfront Development":

Much of the area considered for this designation has distinct features that makes it suitable for development. Construction of access and support facilities for logging and mining are the most likely activities in the near future, and would have a positive effect on the local economy. Development on State tidelands might have an adverse impact on wildlife, but other resources would become more accessible. Impacts of development on areas identified by ADFG with high habitat value would be considered on a project-by-project basis.

Alternative # 3 (see attachment A-11)

Designate the entire area proposed for classification and re-classification as "Public Recreation/Waterfront Development/Wildlife Habitat": Under this alternative, all three designations would receive equal consideration. Obviously all three are important uses throughout the Bay, but this alternative would not provide a clear management direction on the "highest and best use" of specific areas. The result might be conflicting uses and conflicts between user groups. It might have a negative impact on natural resources and the economic and social environments while users and government agencies attempt to negotiate conflicts.

V. AGENCY AND PUBLIC COMMENT

A. Comment Process Used

Public notice/Interagency Review

B. Comments Received

ADCED: The draft proposed an almost total prohibition on floating structures in "Wildlife Habitat" designations. ADCED questioned the wisdom of this, and suggested that the intent be conveyed with some discretion allowed for management.

ADF&G: ADF&G pointed out additional areas that were important wildlife habitat that were not in the Fish & Game Atlas, and requested that those areas be classified as "Wildlife Habitat". They consider all of Hobart Bay an estuary, and feel they have already compromised enough on impacts to habitat values. They disagreed strongly with Goldbelt's PENTEC report, and said that PENTEC did not use the commonly accepted definition of "estuary" in reporting their findings.

ADEC: ADEC wanted to ensure we would not choose alternative 3, since they did not feel it was appropriate to classify areas already impacted by timber transfer facilities as "Wildlife Habitat".

Goldbelt Inc.: Originally Goldbelt Inc. did not understand why Hobart Bay was being classified and the process involved, though they had been consulted throughout the preparation of this SSP. DNR was contacted by their management consultant, Zaruba and Associates, who requested an extension of the comment period in order to hire a biological consultant (Pentec Environmental, Inc). Goldbelt Inc. was "concerned with the apparent lack of any in-depth scientific basis for [DNR's] determination for proposed wildlife habitat areas". They also stated that they would not be "in a position to state their waterfront utilization requirements on a site specific basis" until their land-use planning was complete. Goldbelt Inc. requested that we classify as "Wildlife Habitat" only the areas identified by PENTEC, and classify the remainder as "Resource Management", or alternatively, "Waterfront Development". They did not feel "Public Recreation" was appropriate since the uplands are privately held by Goldbelt. Inc.

DNR Response: The final SSP contains clarifications such as the process for future reclassifications and the definition of "lands", and is much more explicit regarding what will and won't be allowed in classification designations. For instance, it was not clear that the "Wildlife Habitat"

designation would not preclude development. The clarifications alleviated most of Goldbelt's concerns, with the exception of floating structures in "Wildlife Habitat" areas. Negotiations between Fish and Game and Goldbelt resulted in a guideline that would allow certain types of structures under certain conditions. As a result of the clarifications and negotiations DNR was able to accommodate Fish and Game's request for additional "Wildlife Habitat" areas and also Goldbelt's requests for certain floating structures. The "Public Recreation" designation includes the areas surrounding Entrance Islands, which are public lands (USFS).

VI. SELECTED ALTERNATIVE - PREFERRED PLAN

A. Preferred Alternative

Analysis of current human activities in Hobart Bay revealed distinct use patterns, which served as guide for the proposed alternative:

Alternative 2 (see attachment A-10)
Designate Area 1 as "Public Recreation/Waterfront Development"
Designate Area 2 as "Wildlife Habitat"
Designate Area 3 as "Waterfront Development"

Alternative 2 would plan future management strategies while allowing current uses to continue. It would have minimal adverse impact to the economic and social environments while providing for protection of important wildlife habitat and reserving safe anchorages for recreational use.

B. Proposed Classification and Legal Description

Reclassification (previously classified):

Re-classify the following tide and submerged lands totaling approximately 869.13 acres from **"Resource Management"** to **"Public Recreation/Waterfront Development"** (Area 1):

T51S, R75E, CRM: S½NE¼ and S½, Section 30	Approx. 305.92 acres
all, Section 31	Approx. 558.21 acres
T52S, R75E, CRM: NW½NW¼, Section 6	Approx. 5.00 acres

Re-classify the following tide and submerged lands totaling approximately 246.39 acres from **"Resource Management"** to **"Wildlife Habitat"** (Area 2):

T51S, R74E, CRM: E½NE¼, Section 25	Approx. 20.00 acres
T51S, R75E, CRM: N½NE¼ and NW¼, Section 30	Approx. 226.39 acres

Re-classify the following tide and submerged lands totaling approximately 733.48 acres from **"Resource Management"** to **"Waterfront Development"** (Area 3):

T51S, R75E, CRM: all, Section 29	Approx. 513.22 acres
all, Section 32	Approx. 220.26 acres

New Classification (unclassified):

The following tide and submerged lands totaling approximately 1787.81 acres as **"Wildlife Habitat"** (Area 2):

T51S, R75E, CRM:	all, Section 13	Approx. 33.24 acres
	all, Section 14	Approx. 217.24 acres
	all, Section 15	Approx. 177.86 acres
	all, Section 18	Approx. 107.25 acres
	all, Section 19	Approx. 281.40 acres
	all, Section 20	Approx. 255.96 acres
	all, Section 26	Approx. 1.37 acres
	all, Section 27	Approx. 432.63 acres
	all, Section 33	Approx. 251.79 acres
	all, Section 34	Approx. 29.07 acres

The following tide and submerged lands totaling approximately 1348.04 acres as **"Waterfront Development"** (Area 3):

T51S, R75E, CRM:	all, Section 21	Approx. 160.41 acres
	all, Section 22	Approx. 588.83 acres
	all, Section 23	Approx. 7.32 acres
	all, Section 28	Approx. 591.48 acres

C. Management Intent

The Division of Land and Water supports improved access and development of State tide and submerged lands while attempting to minimize adverse impacts to the natural resources, wildlife, and wildlife habitat that are of commercial, recreational, and/or subsistence value to residents and visitors.

Projects that require State or Federal permits are subject to agency reviews. Permit stipulations are intended to assure compliance with the management intent. Management Guidelines determine what uses will or will not be allowed in each classification area.

In addition to the following guidelines, existing statutes and regulations are in effect.

D. Management Guidelines

Guidelines Common to All Classification Areas:

1. The interests served by the public trust doctrine will be protected, specifically

the right of the public to use navigable waterways and the land beneath them for navigation, commerce, fishing, hunting, protection of areas for ecological study, and other purposes.

2. Pursuant to AS 38.05.127, public access to navigable or public waterways will not be precluded unless the commissioner finds that regulating or limiting access is necessary for other beneficial uses or public purposes. If a structure will block public access along the shoreline, alternate access to the tidelands will be provided.

3. Permits for floating structures will considered on a case-by-case basis. Floating structures will not ground at any tidal stage unless it is determined that there will be no significant impact to the habitat values, and the applicant demonstrates to the satisfaction of DNR that there is no feasible and prudent alternative and DNR determines it is in the State's best interest.

4. To the extent feasible and prudent, pilings will be used instead of fill for all shoreline development. Pilings will be dug or driven and not jetted, treated and adequately cured before use, and spaced to allow for free flow of tidal currents, longshore currents, and littoral drift.

5. In the event any site, structure, or object of historic or archaeological significance is discovered during the conduct of any operations on state land, the lessee or permittee will immediately report such findings to the Department of Natural Resources, Division of Land and Water Management, Southeast Regional Manager, and will make every reasonable effort to preserve and protect such site structure, or object from damage until the Manager, after consultation with the State Historic Preservation Officer, has given direction for its preservation.

6. Bulk fuel storage facilities shall not be located on state tidelands.

7. A complete development plan, approved by both the Department of Natural Resources and the Department of Fish and Game will be required before a lease or permit for aquatic farming facilities is approved. All land use activities will avoid or minimize adverse effects on fish, wildlife, or their habitats.

8. In addition to these guidelines, existing statutes and regulations are in effect.

<u>Guidelines for Areas Designated "Wildlife Habitat":</u>

1. All land use activities will be conducted with appropriate planning (ACMP, DNR Best Interest Finding, development plan) and implementation to avoid

or minimize significant adverse effects on fish, wildlife, or their habitats.

2. On a case-by-case basis, pilings will be considered for shoreline development. Development will not cause significant adverse impacts to "Wildlife Habitat". Pilings will be dug or driven and not jetted, treated and adequately cured before use, and spaced to allow for free flow of tidal currents, longshore currents, and littoral drift. Fill will not be allowed.

3. Log Transfer Facilities (LTF's) and log storage will not be allowed.

4. Fish and wildlife enhancement activities on state lands that are likely to attract significant public use, including sport fishing use, will be designed and sited in a manner that will minimize the impact of the additional public use on existing public uses.

5. Floating structures should be avoided, but will be considered on a case-by-case basis if the project is first found consistent through the ACMP review process. Structures that may be considered include public access docks, mooring buoys, temporary A-frames, and structures that would enhance the purpose of the classification (ie. research). Floating structures will not ground at any tidal stage. Floating structures will not exceed 7500 square feet (except for temporary A-frames), will not be occupied, and waste disposal and fuel storage will not be permitted. No floating structures of any kind will be allowed in the Salt Chuck.

<u>Guidelines for Areas Designated "Public Recreation":</u>

1. Public recreational facilities will be allowed in the following cases: 1) when overuse is damaging the environment; 2) to direct public use and activities away from inappropriate areas; 3) to accommodate conflicting uses; and 4) to encourage additional public use by expanding the area's recreational carrying capacity.

2. Recreational facilities will not adversely impact wildlife habitat.

<u>Guidelines for Areas Designated "Waterfront Development":</u>

1. Construction on tide and submerged land will not unduly obstruct navigation, water flow, sediment and nutrient transport, or fish and wildlife migration patterns.

2. Log storage sites will be sited over a minimum water depth of 40 feet, and logs will not ground at any tidal stage.

APPENDIX A - LAND CLASSIFICATIONS* AND DEFINITIONS**

11 AAC 55.040 Classification

Waterfront development Land. Land classified waterfront development is tideland, submerged land, or shoreland that is suitable to be used for commercial or industrial activities such as fish processing, aquatic farming, mineral and log transfer facilities, or commercial recreation.

Wildlife Habitat Land. Land Classified wildlife habitat is land which is primarily valuable for (1) fish and wildlife resource production, whether existing or through habitat manipulation, to supply sufficient numbers or a diversity of species to support commercial, recreational, or traditional uses on an optimum sustained yield basis; or (2) a unique or rare assemblage of a single or multiple species of regional, state, or national significance.

Public Recreation Land. Land classified public recreation is land that is suitable for recreation uses, waysides, parks, campsites, scenic overlooks, hunting, fishing or boating access sites, trail corridors, or greenbelts along bodies of water or roadways.

Settlement Land An upland area classified settlement land is, by reason of its physical qualities and location, suitable for year-round or seasonal residential or private recreational use or for commercial or industrial development. Tideland, submerged land or shoreland classified settlement is land that is suitable for floathomes, or land that is immediately adjacent to upland areas with existing or proposed settlement and that will be managed to support those existing or proposed upland settlement uses.

Resource Management Land classified resource management is either (1) land that might have a number of important resources but for which a specific resources allocation decision is not possible because of a lack of adequate resource, economic, or other relevant information, or is not necessary because the land is presently inaccessible or remote and development is not likely to occur within the next 10 years; or (2) land that contains one or more resources values, none of which is of sufficiently high value to merit designation as a primary use.

Per 11 AAC 55.280:

* "Classification" means the designation of land according to it's primary use, and in a manner that will provide maximum benefit to the people of Alaska. [Management Guidelines determine what uses will or will not be allowed in each classification area.]

** "Land" means all land, including shore, tide, and submerged land and water.

REFERENCES

[1] Kramer, Chin, & Mayo Inc., *Goldbelt Inc. Resource Inventory, 1979* (Juneau, AK: 1979), p. 79

[2] *Ibid*, p. 51, 84

[3] *Ibid*, p. 85

[4] Phone conversation between Valerie DeLaune, DNR Natural Resources Officer, and Randy West, USFS Chatham Area soil scientist, Sitka AK, his observations of aerial photographs.

[5] Kramer, Chin, & Mayo Inc., p. 51

[6] Kenneth Maas, USGS geologist Juneau, AK, February 6, 1990, personal correspondence

[7] Leslie A. Viereck and Elbert L. Little, Jr., *Alaska Trees and Shrubs* (Agriculture Handbook No. 410), 2nd ed., (Fairbanks, AK: University of Alaska Press, 1986), pp. 14-15

[8] Wayne Hall/Elizaveta Shadura, *Draft Site Specific Land Use Plan, Freshwater Bay/Chichagof Island, Classification No.: C-SE-90-003* (Juneau, Ak: Department of Natural Resources, Southeast Regional Office, 1990) p. 4-5

[9] Kramer, Chin, & Mayo Inc., p. 63,66,71

[10] *Alaska Habitat Management Guide, Reference Maps, SE Region, Vol. 1, Distribution of Mammals & Birds & Human Use of Mammals, 1986* (Juneau, AK: State of Alaska Department of Fish and Game, Division of Habitat, 1986), Sumdum B-4, B-5 maps

[11] Kramer, Chin, & Mayo Inc., p. 66

[12] *Alaska Habitat Management Guide, Reference Maps, SE Region, Volume II, Distribution and Human Use of Fish and Community Use of Fish and Wildlife* (Juneau, AK: State of Alaska Department of Fish and Game, Division of Habitat, 1986), Sumdum B-4, B-5 maps

[13] Phone conversation between Valerie DeLaune, DNR Natural Resources Officer, and Joe Wilson, Goldbelt Inc., Juneau, AK

[14] *Coastal Zone Boundaries of Alaska, Alaska Coastal Management Program* (Juneau, AK: Alaska Department of Fish and Game, Division of Habitat, 1988), p. Sumdum #109

[15] USDA Forest Service, *Tongass National Forest Land Management Plan Map* (Juneau AK: Forest Service, Alaska Region, map update, 1982)

[16] Phone conversation between Valerie DeLaune, DNR Natural Resources Officer, and Rich Dwyer, Goldbelt Inc., Juneau, AK, 3/27/90

[17] Phone conversation between Valerie DeLaune, DNR Natural Resources Officer, and Joe Wilson, Goldbelt Inc., Juneau, AK

[18] Kramer, Chin, & Mayo Inc., p. 30-31, estimated from USFS/Goldbelt land-conveyance maps

[19] USDA Forest Service, *Tongass National Forest Land Management Plan, Amended Winter 1985-86* (Juneau AK: Forest Service, Alaska Region, Admin. Doc. Number 147, March 1979), Appendix E, p. E-2

[20] Department of Natural Resources, Southeast Regional Office, State Land Selection File for Hobart Bay, letter from USFS

[21] *Alaska Habitat Management Guide, Reference Maps, SE Region, Vol. 1, Distribution of Mammals & Birds & Human Use of Mammals, 1986*, Sumdum B-4, B-5 maps

[22] *Anadromous Stream Catalog, An Atlas to the Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fishes, Southeast Region Resource Management, Region I* (Juneau, AK: State of Alaska Department of Fish and Game, Division of Habitat, As Revised April 14, 1989, Effective June 7, 1989) Sumdum B-4, B-5 maps and Kramer, Chin, & Mayo Inc., p. 65, 66, 71

[23] Phone conversation between Valerie DeLaune, DNR Natural Resources Officer, and Joe Wilson, Goldbelt Inc., Juneau, AK

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Alaska Habitat Management Guide, Reference Maps, SE Region, Vol. 1, Distribution of Mammals & Birds & Human Use of Mammals, 1986 (Juneau, AK: State of Alaska Department of Fish and Game, Division of Habitat, 1986)

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Kenneth Maas, USGS geologist Juneau, AK, February 6, 1990, personal correspondence

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Leslie A. Viereck and Elbert L. Little, Jr., *Alaska Trees and Shrubs* (Agriculture Handbook No. 410), 2nd ed., (Fairbanks, AK: University of Alaska Press, 1986)

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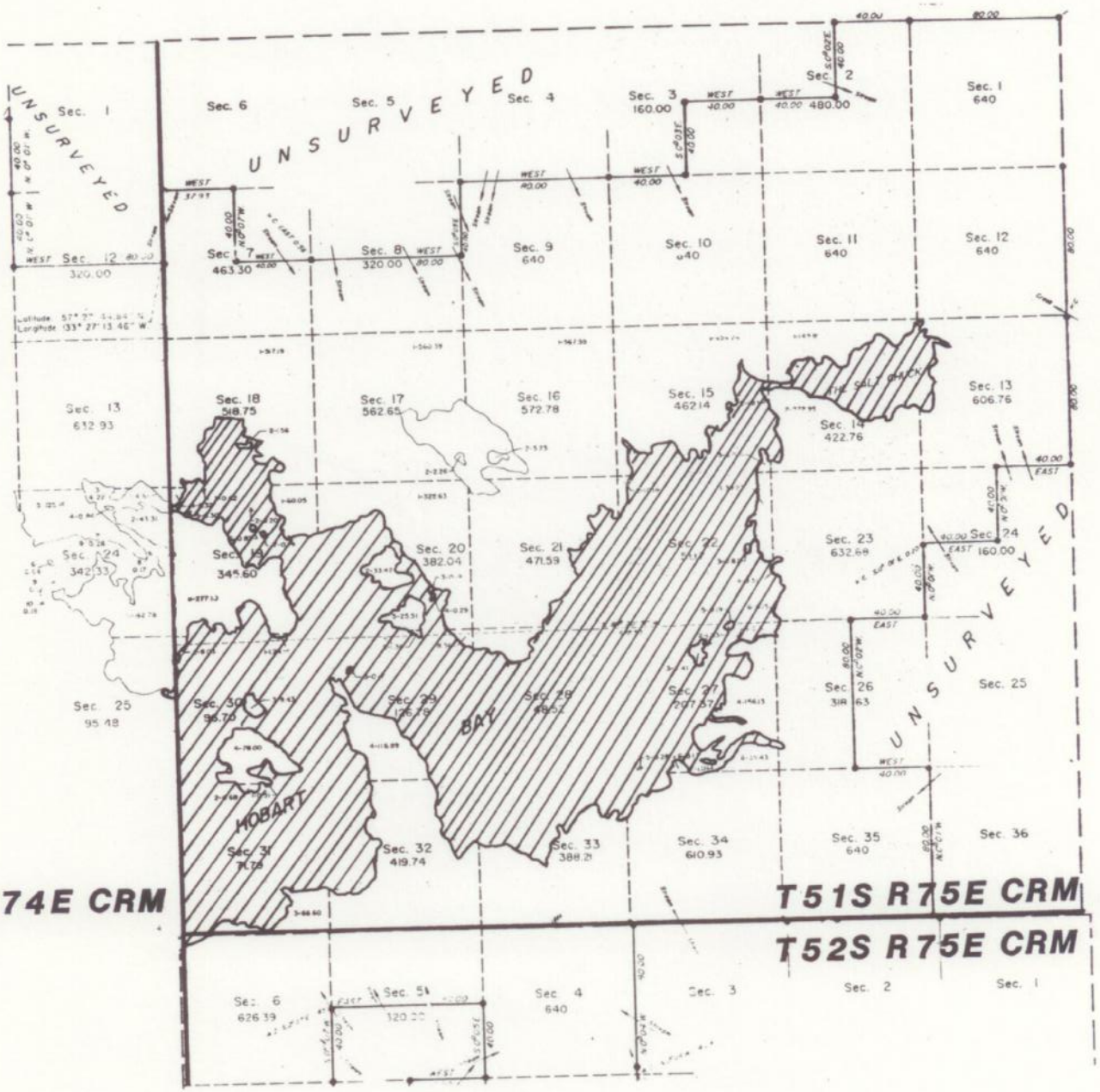
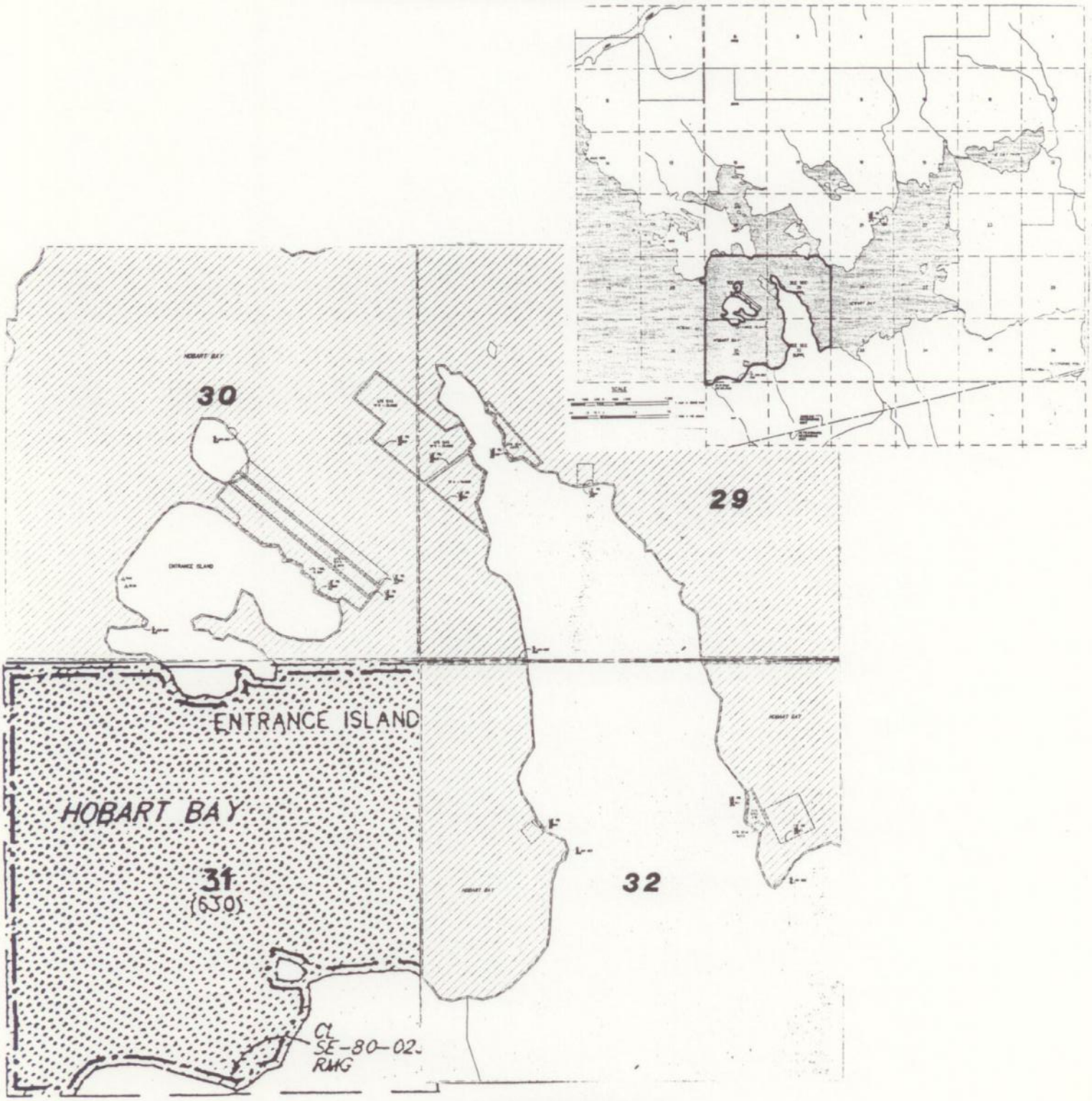
Wayne Hall/Elizaveta Shadura, *Draft Site Specific Land Use Plan, Freshwater Bay/Chichagof Island, Classification No.: C-SE-90-003* (Juneau, Ak: Department of Natural Resources, Southeast Regional Office, 1990)

Area Subject to Hobart Bay Site Specific Plan



ATTACHMENT A-1

1980 Classification #C-SE-80-023



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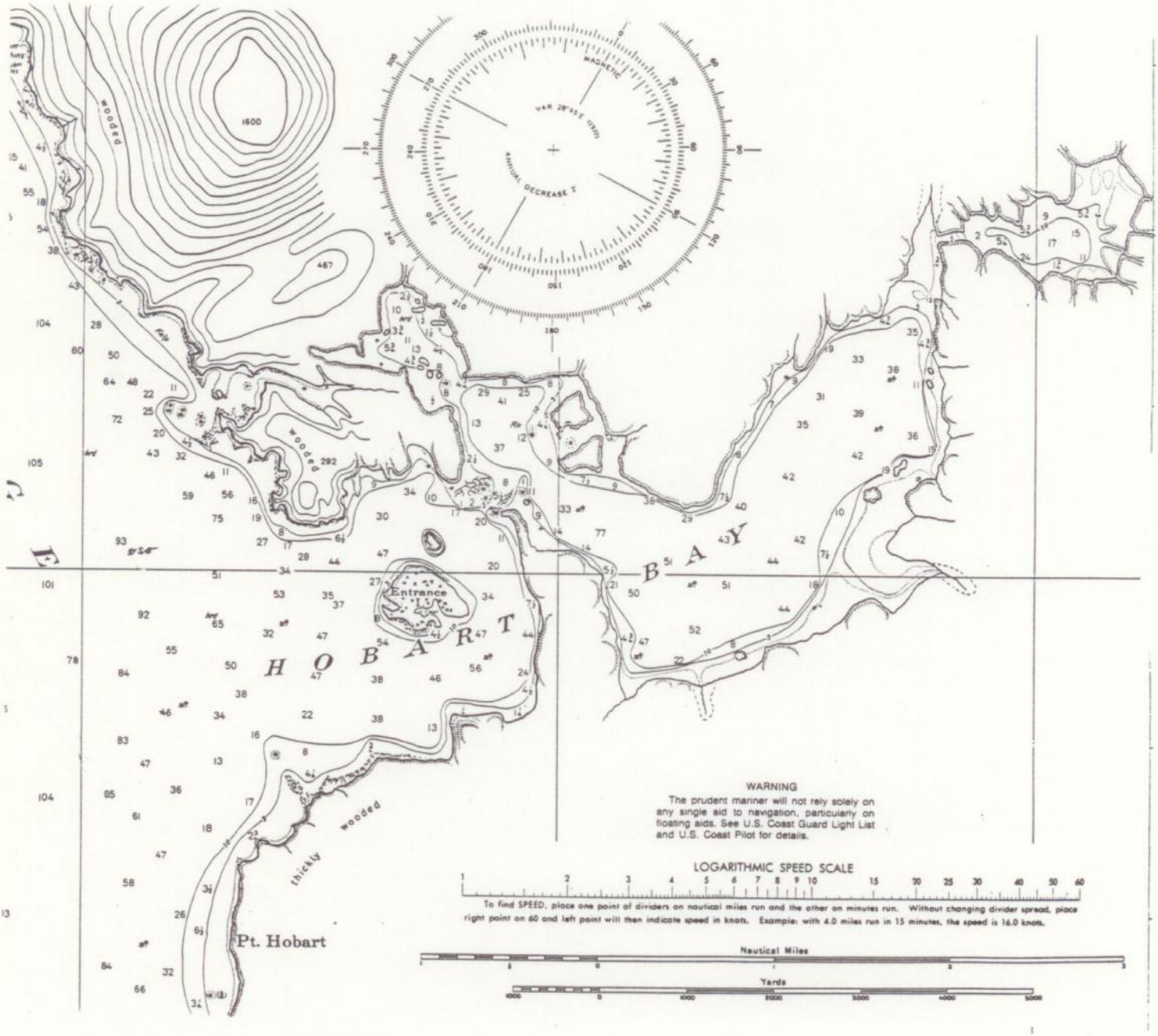
Nautical Chart #17363



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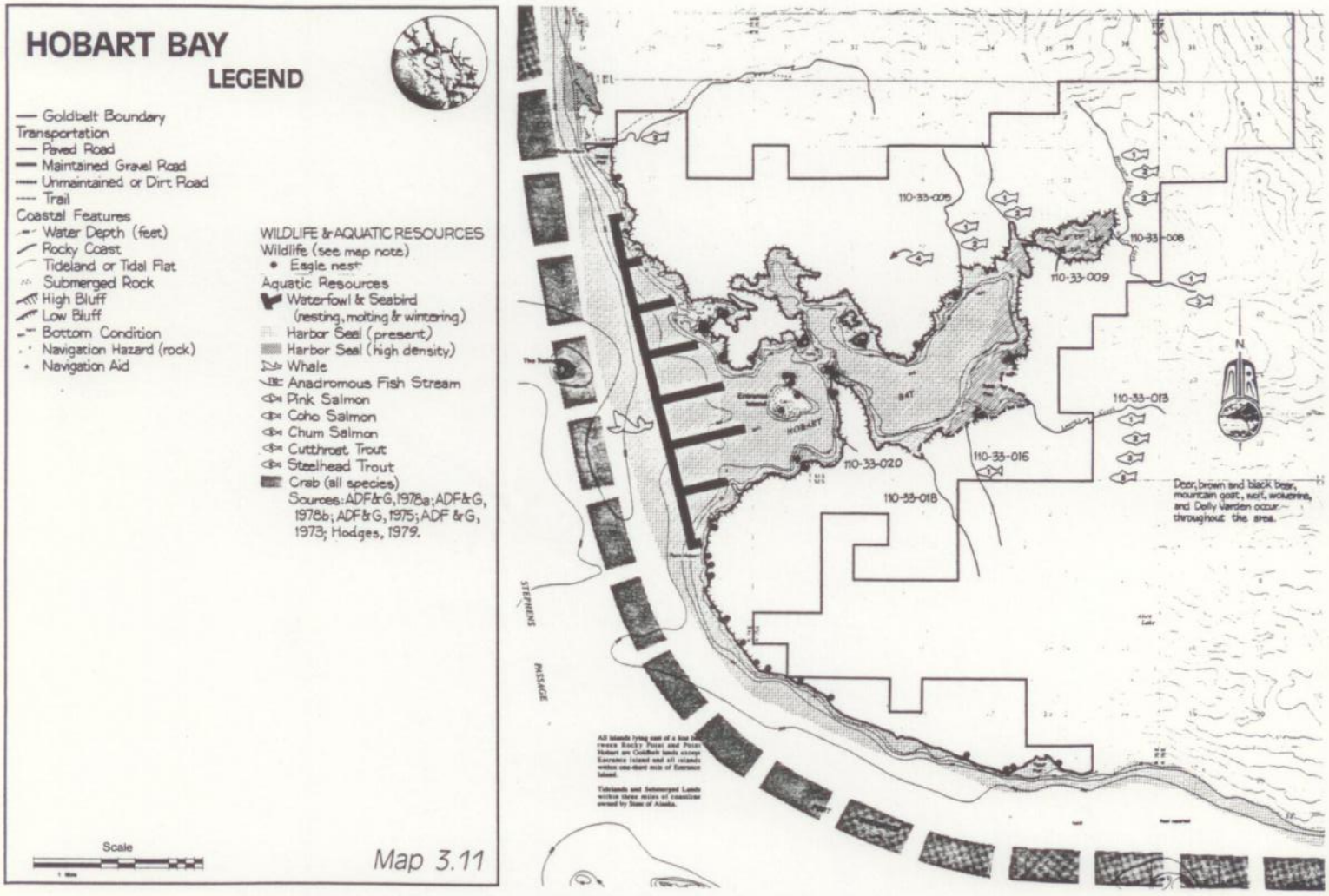
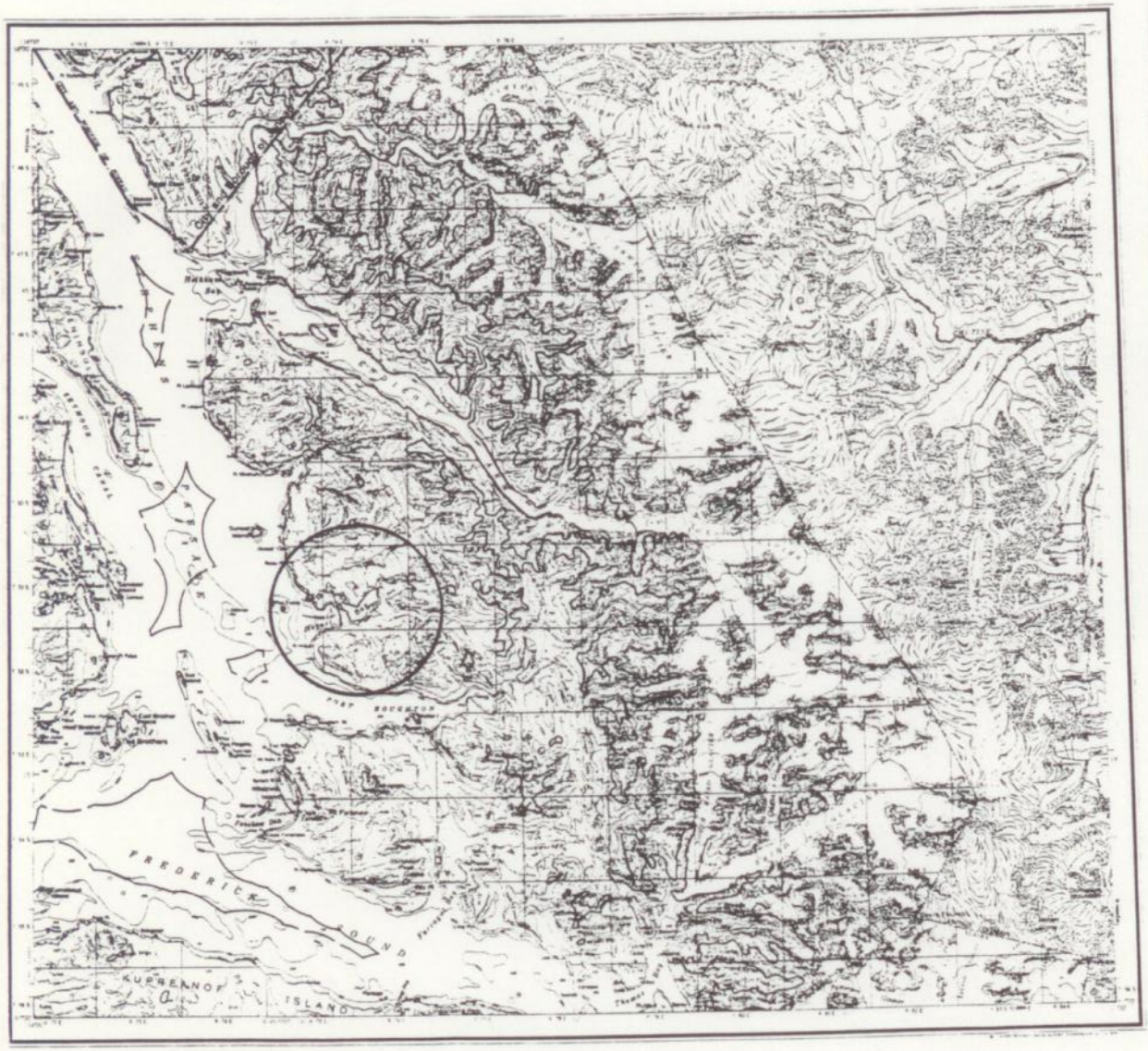
Bald Eagle Nest Sites



GOLDBELT, INCORPORATED/RESOURCE INVENTORY, 1979

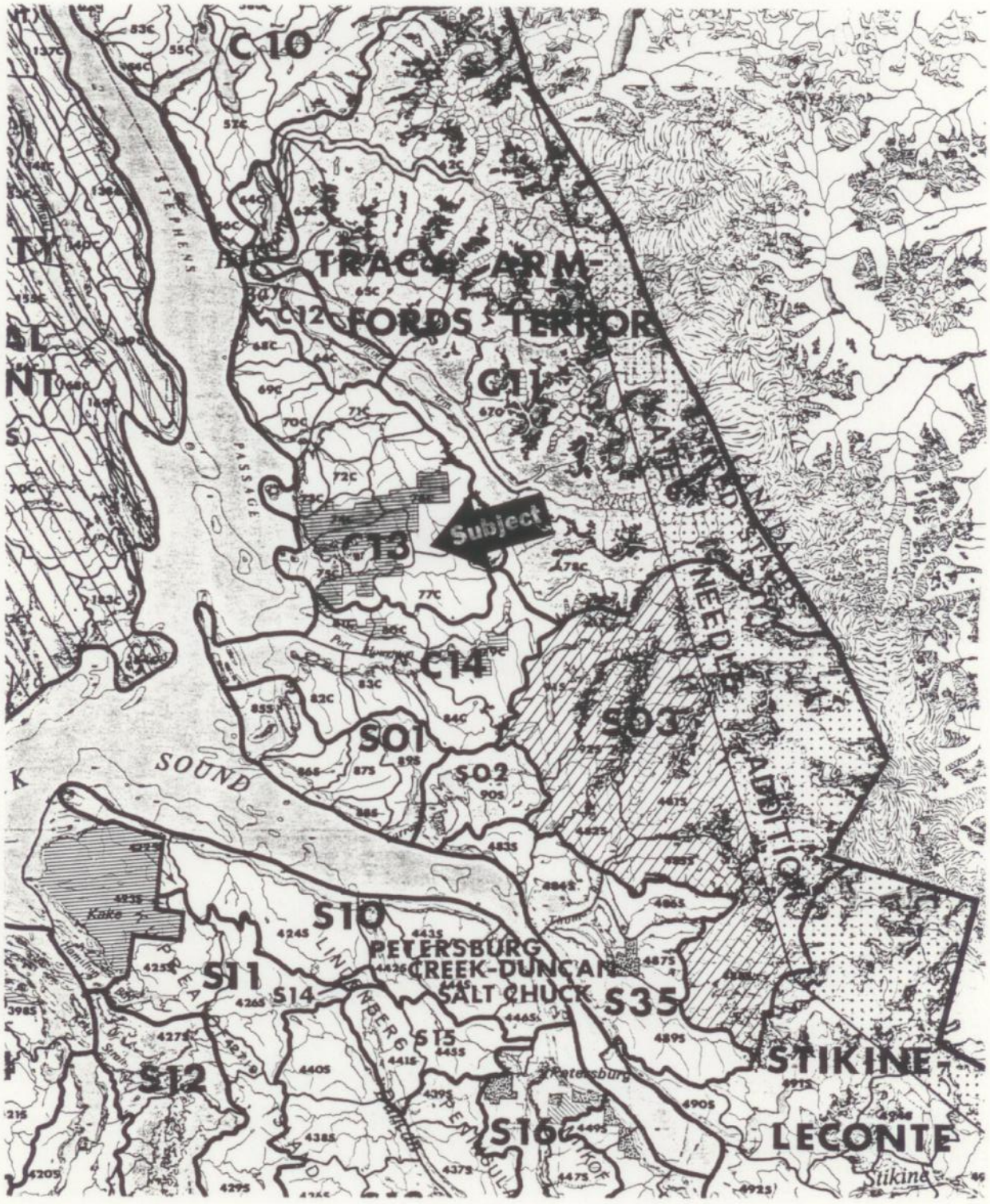
Areas Subject to Alaska Coastal Management Plan

COASTAL ZONE BOUNDARIES OF ALASKA



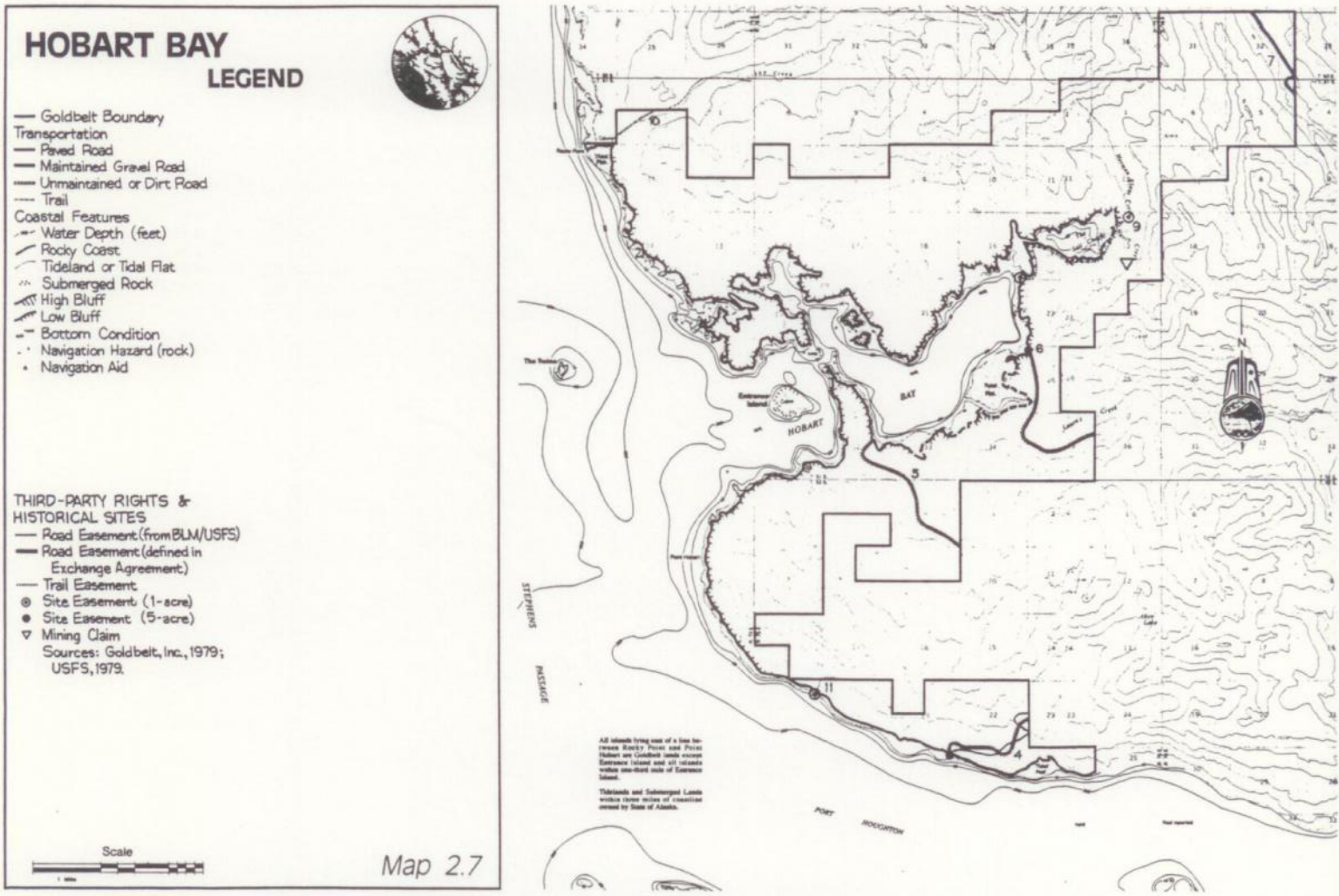
ATTACHMENT A-5

Tongass Land Management Plan - Area C13



ATTACHMENT A-6

Goldbelt Inc. Ownership



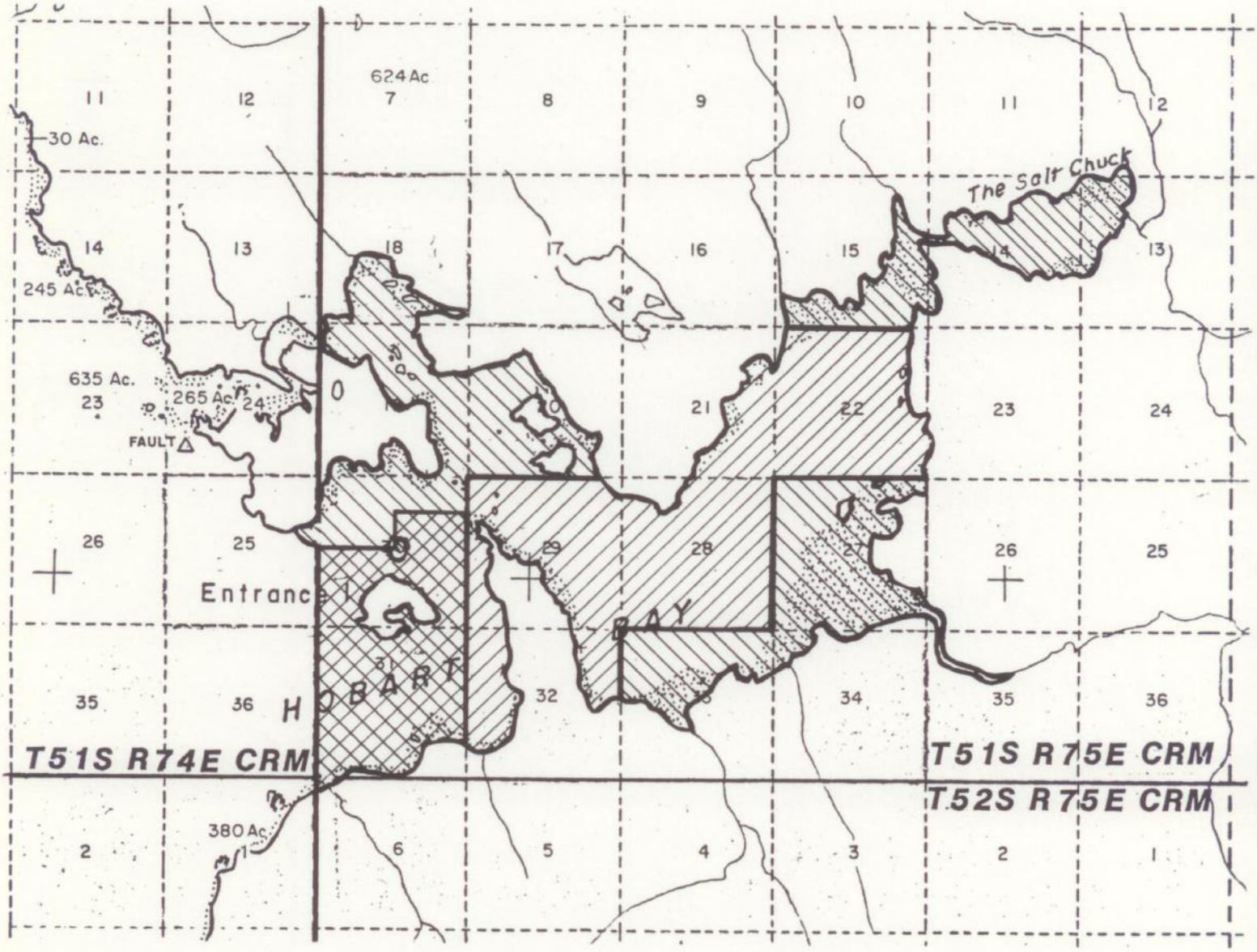
GOLDBELT, INCORPORATED/RESOURCE INVENTORY, 1979

ATTACHMENT A-7

Land-Use Patterns

Area 1 **Area 2**

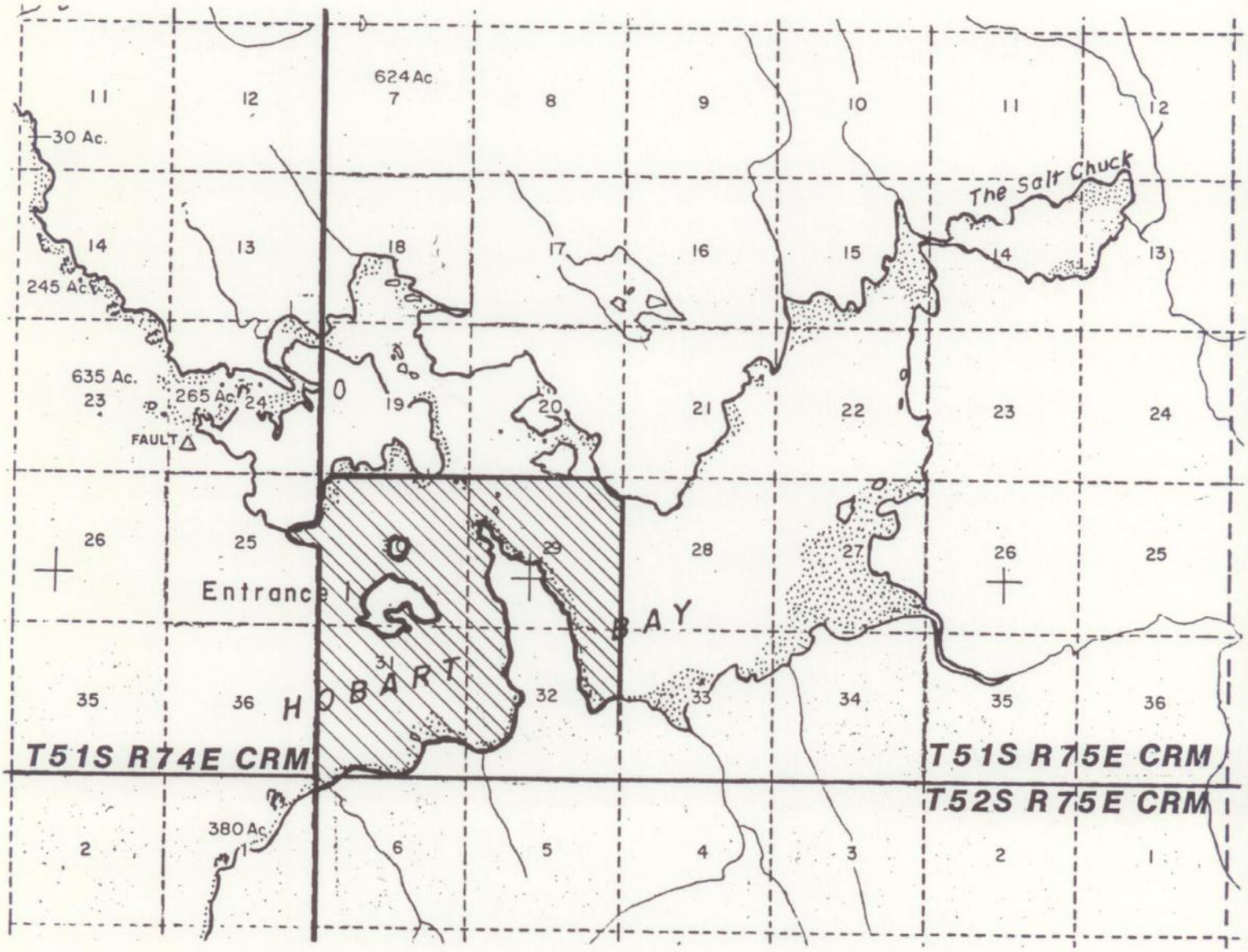
Area 3



ATTACHMENT A-8

Alternative # 1

Maintain Present Management Status ("Resource Management Land")



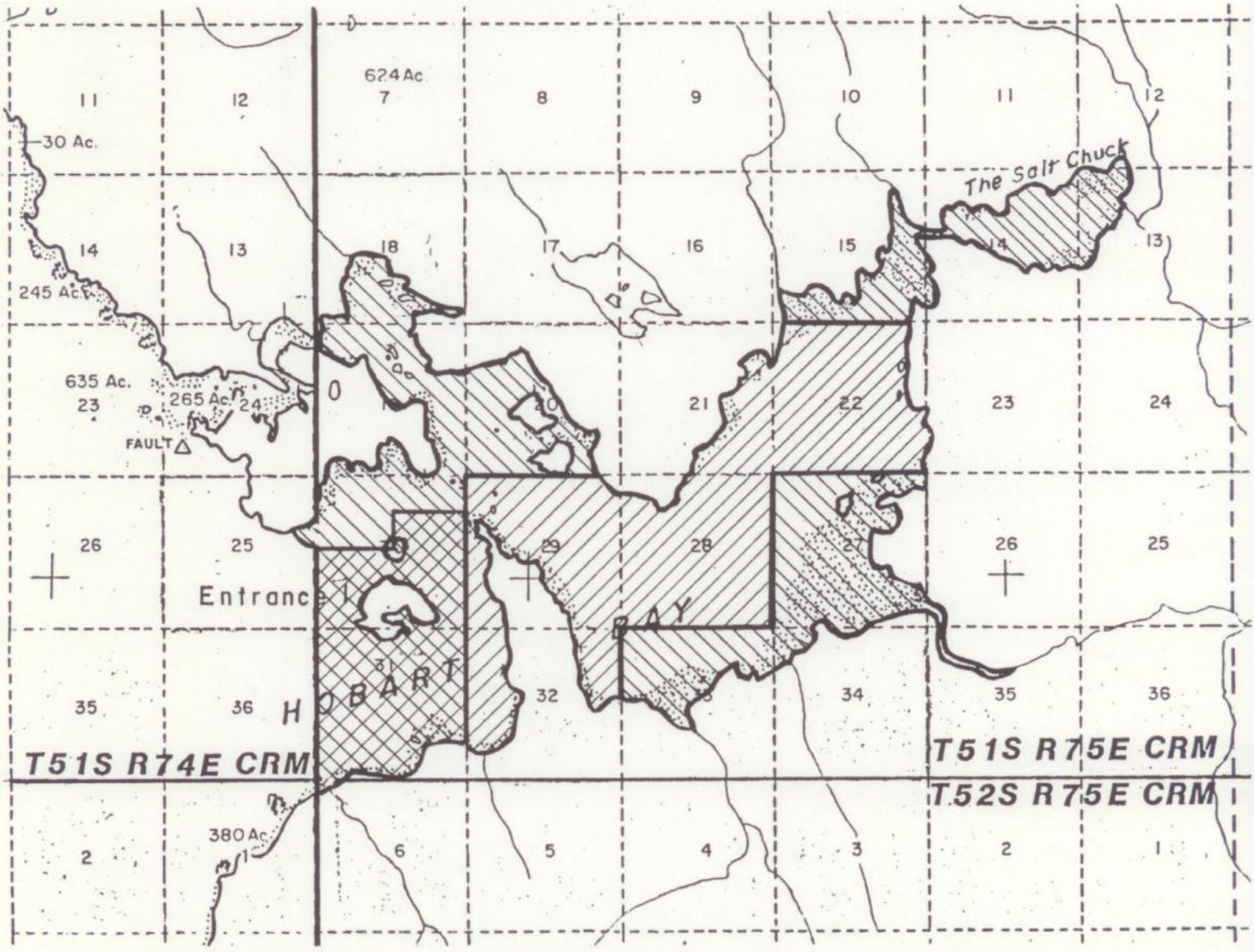
ATTACHMENT A-9

Alternative # 2

Designate Area 1 as "Public Recreation/ Waterfront Development"

Designate Area 2 as "Wildlife Habitat"

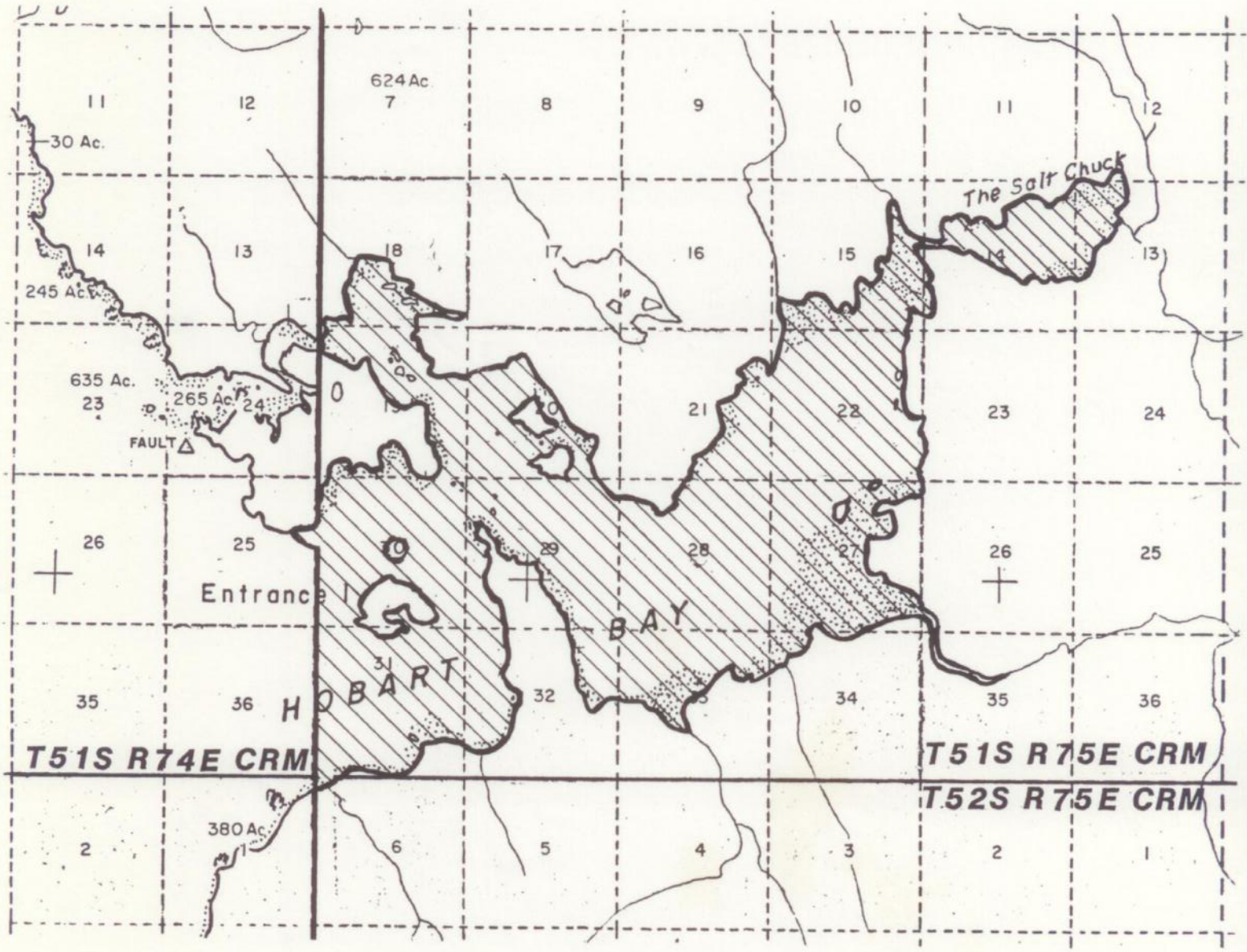
Designate Area 3 as "Waterfront Development"



ATTACHMENT A-10

Alternative # 3

Designate the Entire Proposed Area as "Public Recreation/Waterfront Development/Wildlife Habitat"



ATTACHMENT A-11