

STATE OF ALASKA  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF LAND

SPECIAL USE AREA DESIGNATION ADL 106378

I. Name: C-SE-96-005, BARANOF ISLAND SITE SPECIFIC PLAN; "Baranof Lake Trail Corridor."

II. The special use area designation in Part III is based on written justification contained in the following plan:

Site Specific Plan: C-SE-96-005; See sections II.E.9., IV.A., VI.A.3. and VI.B.1.c of the SSP.

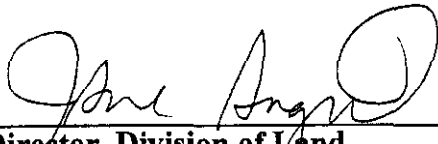
Adopted (X) 6/22/97

III Legal Description: "All state uplands within 30 feet each side of the centerline of the existing Baranof Lake Trail, said lands lying within Section 24, T 55 S, R 66 E, CRM."

Acreeage: Approximately 2 acres.

IV. This order is issued under the authority granted by AS 38.04.065 and 11 AAC 96.010 to the Commissioner of the Department of Natural Resources. The above described lands are hereby designated a Special Use Area as indicated.

Approved:

  
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Director, Division of Land  
Department of Natural Resources

6/26/97

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Date

# **BARANOF ISLAND**

## **SITE SPECIFIC PLAN: C-SE-96-005**

April, 1997

prepared by: Andrew Pekovich

**ALASKA DEPARTMENT OF NATURAL RESOURCES**  
Division of Land  
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BARANOF ISLAND SITE SPECIFIC PLAN (SSP) AND CLASSIFICATION  
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**I. Introduction**

This Site Specific Land use Plan (SSP) contains an inventory and analysis of resources and uses for State land at Warm Springs Bay, located on Baranof Island, as identified below. The SSP determines the State's management intent and provides land use designations and management guidelines which form the basis for classification of approximately 580 acres of State uplands, and 951 acres of State tide and submerged, and shore land (see Attachments A, A-1, and A-2 for general location map and plat of area to be classified). The need for the classification is generated by a variety of existing applications, and anticipation of additional applications for use of the State land, many of the uses being authorized, some with Department concurrence, by the Forest Service prior to conveyance of the land to the State. Most of the authorizations terminated with the conveyance of the land to the State. The uses, which can be expected to increase with time, include, but are not limited to right-of-ways and water use permits for water (both hot and cold) lines, permits for commercial use of trails, and permits and/or leases for moorage facilities (docks and floats). The classification, which is not required to process the City and Borough of Sitka's Title 29 municipal land entitlement application, is structured so as not to impair the same.

The plan is also intended to establish a "Special Land Use Designation" which would allow the department to require permits for commercial users of the Baranof Lake Trail.

**II. Background information**

**A. Location:**

1. Geographic:

The subject lands are located at Baranof, and Warm Springs Bay, which is located on the east side of Baranof Island, approximately 20 miles east of Sitka.

2. Borough/Municipality: City and Borough of Sitka

3. USGS Map Coverage: Sitka A-3 Quadrangle (See Attachment A-3 for extract)

**B. Legal Description of Lands Covered by This Plan:**

This plan covers the following areas:

Uplands: All State uplands within:

T.55S., R.66E., C.R.M.:

Sec. 24, S1/2NE1/4, SE1/4; excluding U.S. Survey No. 3291A and U.S. Survey No. 3110, containing 145 acres more or less; and

T.55S., R67E., C.R.M.:

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Sec. 17, SW1/4SW1/4;

Sec. 18, S1/2SE1/4;

Sec. 19, NE1/4, NW1/4, SW1/4, W1/2W1/2SE1/4, excluding tract C shown on State Protraction Diagram CR1 14-5 officially filed March 24, 1980;

Sec. 20, NW1/4NW1/4;

Sec. 30, N1/2NW1/4, that portion west of Warm Springs Bay, excluding U.S. Survey No. 3874 and U.S. Survey No. 3291A, Sec. 19, and containing 435 acres, more or less.

Tide/Submerged Lands and Shorelands: All State tide/submerged and shorelands lying within:

T.55S., R.66E., C.R.M.:

Sec. 24 (shorelands at the east end of Baranof Lake), consisting of 80 acres, more or less;

T.55S., R.66E., C.R.M.:

Sec.'s 19, 20, 29, and 30 (excluding Tracts 1 and 2, ATS 161 (0.2330 acres), consisting of 951 acres, more or less.

**C. Title and Land Status:**

1. Lands to be Classified:

All State upland, tide, submerged, and shore land in the subject area (see Section VI.A.);

2. Title Status:

Title to all tide and submerged land in the subject area received under the Alaska Statehood Act. All right, and title, and interest of the United States in and to the uplands was vested in the State of Alaska pursuant to Sec. 906(c)(4) of the Alaska National Interest lands Conservation Act of December 2, 1980, 94 Stat. 2371, 43 U.S.C. 1635(c)(4) (1988) by T.A. to the State (NFCG-222), BLM File No. AA-53101, dated September 12, 1995.

Excepting and reserving to the United States:

A right-of-way thereon for ditches or canals constructed by the authority of the United States. Act of August 30, 1890, 26 Stat. 391, 43 U.S.C. 945 (1988); and

As to Powersite Classification No. 221 (AA-40482), the right to itself, its permittees or licensees, to enter upon, occupy, and use any part or all of said lands necessary, in the judgment of the Federal energy Regulatory Commission, for the purposes of Part 1 of the Federal Power Act of June 10, 1920, as amended, 16 U.S.C. 818 (1988); and no claim or right to compensation shall accrue from the occupation or use of any of said lands for said purposes. The United States or any

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licensee for any such lands hereunder may enter thereupon for the purposes of Part 1 of the Federal Power Act upon payment of any damages to crops, buildings, or other improvements caused thereby to the owner thereof, or upon giving a good and sufficient bond to the United States for the use and benefit of the owner to secure the payment of such damages as may be determined and fixed in an action brought upon the bond in a court of competent jurisdiction, said bond to be in the form prescribed by the Federal Energy Regulatory Commission; and for the following purpose or purposes, if any, and under the following additional restrictions, if any, contained in the Federal Energy Regulatory Commission's determination, dated February 2, 1993.

The chargeable acreage within the upland does not include the submerged lands, if any, up to the ordinary high water mark, beneath rivers or streams 3 chains wide (198 feet) and wider, and lakes 50 acres and larger, which are meanderable according to the 1973 Bureau of land management's manual of Surveying instructions.

Three previous permits: 1) Samuel Southwick for 1,012 feet of 2-inch plastic water transmission line and warm water intake structure, 2) James T. Brennan for a 1,200 feet of 1.5-inch plastic water transmission line and warm water intake structure, and 3) Clothilde Bahovec for 500 feet of 1.5-inch plastic water transmission line and warm water intake structure terminated one day prior to conveyance to the T.A. to the State of Alaska, and have no present force and effect. These, however, may enjoy preference rights pursuant to AS 38.05.087.

3. Third Party Interests: None noted.
4. Actions of Record: See Attachments "B, B-1, and B-2".
5. Actions Pending: See Attachments "B, B-1, and B-2".
6. Mineral Status: Open to mineral entry for State claims.
7. Navigability:

The water bodies of Baranof Lake, and Warm Springs Bay are considered to be both "public" and "navigable" water bodies.

**D. Climate:** Temperate rainforest.

**E. Resource Inventory:**

1. Topography/Geology:

Southeast Alaska is part of the Coast range that extends from California to the Alaska Peninsula. It is a broad belt of interconnected ranges that has been subjected to several episodes of folding, faulting, and intrusion, producing a complex geology and rough, steep terrain. The overriding factor in the development of the present landform is glaciation.

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2. Minerals:

Bureau of Mines Kardex 114-156 indicates a group of 50 claims owned by EIPaso Natural Gas., Warm #1 through 50, staked on Warm Spring Bay and Chatham Strait, approx. 7,00 feet in a southwest direction to Bahovec Peak. The Kardex indicated the last annual labor was done on these in 1975. 1986 records from the Department of Natural Resources indicate that these claims Map #133, MAS Sequence #0021140154, "WARM" deposit, were staked for Copper. There are no known active mining claims on the lands to be classified.

3. Soils: Shallow forest soils.

4. Water:

Waters in the subject area include the eastern portion of Baranof Lake, adjacent to State uplands (about 80 acres), nearly all of Warm Springs Bay, a waterfall at the head of the bay and visible from Chatham Strait, as well as several warm and cold mineral springs.

Fresh water is available on the 250-foot-long State float.

See Attachment B-2 for listing and status of water case files (note: there is a good possibility that the Division of Mining and Water may start adjudication on this area, including the clean up of dormant files and uses.

See Attachment B-3 for extract of U.S.G.S. report on "Mineral Springs of Alaska."

5. Vegetation: Temperate rainforest; coastal western hemlock-Sitka spruce forest.

6. Wildlife:

From "Alaska Habitat Management Guide, Southeast Region, Volume I", Alaska Department of Fish and Game, Division of Habitat, 1986:

| <u>Map#</u> | <u>Title</u>             | <u>Finding</u>   |
|-------------|--------------------------|--|
| 13          | Selected Marine Mammals: | Not identified as a known sea otter or harbor seal concentration or haul out area. |
| 31          | Bear:                    | Identified as important to general distribution of brown bear.                     |
| 44          | Moose:                   | Not identified as important to moose.  |

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|     |                         |  |
|-----|-------------------------|--|
| 60  | Selected Birds:         | Not identified as important to water fowl/shorebirds spring and fall concentration areas, or for trumpeter swan known resting and brood rearing concentration areas, or for sea bird known nesting colonies. |
| 97  | Brown Bear:             | See "Map #, 31, Title, Bear: " above.  |
| 122 | Mountain Goat:          | Not identified as a area with harvested Mountain goats, but does contribute to the area.   |
| 137 | Selected Furbearers:    | Identified as within an area with harvested marten, and land otter, but no harvested beaver, lynx, wolf, or wolverine.   |
| 152 | Sitka Black-Tailed Deer | Identified as within an area with significant levels of harvest of Sitka black-tailed deer.  |

7. Fish and Other aquatic Resources: .

There are four anadromous fish streams, and one branch identified within the subject area, listed in the ADF&G Catalog of Anadromous Fish-Bearing Waters, as 112-11-10030, -10033, -10050, and -10052, and 10030-2001 (See Attachment C).

From "Alaska Habitat Management Guide, Southeast Region, Volume II", Alaska Department of Fish and Game, Division of Habitat, 1986:

| <u>Map#</u> | <u>Title</u>         | <u>Finding</u>  |
|-------------|----------------------|---|
| 12          | Selected Fish:       | Not known as wintering or spawning concentration area for Pacific herring.  |
| 26          | Human Uses:          | Not identified as a major food/bait, or sac roe fishery.  |
| 37          | Selected Groundfish: | Not identified as a major ground fish harvest area, although Chatham Strait to the east has been identified as a important sablefish harvest area, and Cascade Bay to the south important for general harvest of rock fish. |
| 51          | Dungeness Crab:      | Not identified as a commercial harvest area, but does contribute to the fishery.  |
| 66          | King Crab:           | Not identifies as a commercial harvest area for Tanner, blue or brown king crab, although Chatham Strait to the east is identified as important to all three.   |

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|     |   |  |
|-----|---|--|
| 97  | Shrimp:                                     | Not identified as a specific pot or trawl site for the commercial harvest of shrimp, but identified as a contributor to spot, coonstripe, pink, sidestripe, and humpie shrimp harvest areas. |
| 112 | Abalone, Geoduck, Scallops, and Sea Urchin: | Not identified as important to the commercial harvest of any of these.   |

Note: Although not of major importance as a harvest area, the area does provide refuge and anchorage for both recreation and commercial vessels participating in guiding and commercial harvesting activities.

8. Subsistence:

The closest subsistence area is Angoon #2. Baranof Warm Springs and Baranof Warm Springs Bay are not identified as important subsistence areas.

9. Recreation:

Both private and commercial recreation activities play an important role in the community. There is at least one well established commercial recreation lodge with at least one more reported to be partially established. The status of a third commercial lodge is at this point unknown. However, significant portions of the area (100 feet along each side of both trails, all of Baranof Lake and Sadie Lake to 200 feet landward from Mean High Tide (excluding private lands) and 200 feet seaward from Mean Lower Low tide as far east as Point Salt on the south shore and point west of Manleyville to the east of Sadie Creek on the north shore) have been designated by the City and Borough of Sitka as a "Special Management Area" (see Attachment "D"). The harbor is frequented by both recreational boaters as well as commercial guides. There are nine cruise lines that are known to frequent the Bay, providing 2-3 hour walking tours to Baranof Lake. Figures for 1994 indicate that as many as 2,500 passengers may have participated in this trek, generating approximately \$7,017 in revenue to the Forest Service, and/or the State of Alaska. Although 6 of the ships averaged under 14 passengers, three of the vessels carried between 55 and 74 passengers. Commercial use of the trail could be impacted dramatically unless the State can find some way to maintain the trail to Baranof Lake. Baranof Warm Springs Bay, is dependent on maintaining its beauty, its resources (i.e. fish, halibut, and dungeness crab), and its anchorage for its well being.

**F. Land Use and Economic Conditions:**

1. Existing Land Use Plans:



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- a. Federal Government Land Use Plans: TLUP.
- b. State of Alaska Management Plans: None.
- c. Local Government Land Management Plans:

Sitka District Coastal Management Plan, Significant Amendment--Effective June, 18, 1993, established a "Special Management Area" (see "E.9" and Attachment D.

2. Existing Improvements:

Navigation lights and features.

The village has a small approach pier with a seaplane float (may now be gone) at its end and a small-craft float that extends east-south-east from near its outer end. The 250-foot-long small-craft float can accommodate craft on both sides; in 1976 depths of 12 to 20 feet were reported alongside. A 40-foot grid is close east of the small approach pier. These are state owned and maintained facilities.

Due to the terrain, a fairly extensive board walk system connects the state float to the townsite, and extends west to the springs.

3. Access:

The Bay is accessed by seaplanes and smaller vessels.

According to the U.S. Coast Pilot 8, January 1986, "The bay has good anchorage for small craft, but the anchorage for large vessels is indifferent." According to the document, "Warm Spring Bay is of easy access, and with the chart to guide no trouble should be experienced in entering. Mid channel courses are recommended.

Two small bights in the south shore afford anchorage for small craft. The west one is preferable, because of shallower water, from 12-15 fathoms.

The only anchorage in the bay for large vessels is off the west bight in 25 fathoms, but the bottom is rocky and the current from the cascade usually sets out, making a vessel lie broadside to southeast winds that draw into the bay.

A shoal with a depth of 6 1/4 fathoms is about 200 yards offshore and about 230 yards east of Warm Spring Bay Light 15. There may be less water, so it should be avoided when entering the bay. Care should be taken to avoid the reef that makes out 60 yards from the north shore at a point about 200 yards east of Baranof.

The village has a small approach pier with a seaplane float at its end and a small-craft float that

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extends east-south-east from near its outer end. The 250-foot-long small-craft float can accommodate craft on both sides; in 1976 depths of 12 to 20 feet were reported alongside.

4. Historic and Present Uses and Activities:

Earlier development centered around "anchorage" and interest in the hot "medicinal" springs. Originally there was a post office, a store, and a public bathhouse. These facilities, however, are no longer in operation. The city may try to provide a new bath house. Several entities are in the process of establishing additional resort facilities. The established facility, known as Baranof Wilderness Lodge, is located near Sadie Creek. The Bay is still frequented by persons traveling the inside passage from both destinations within and outside of Alaska, as well as commercial fishermen traversing or fishing the surrounding waters. At least nine tour lines periodically frequent the area, providing the opportunity for a 2-3 hour hike, to, from and around Baranof Lake. The Bay and surrounding area provide the visitor a seasonal opportunity to harvest a variety of salt and freshwater resources, including a least three species of salmon, halibut and other bottom fish, cut throat, dolly varden, and steel head, and dungeness crab. Brown bear are harvested from nearby areas (See also Attachments B, B-1, and B-2).

5. Anticipated Uses and Activities:

**Uplands:**

Private and commercial recreational uses dominate existing and anticipated uses of the uplands. Although both are expected to see continued growth, the growth will be limited by available resources to include, wildlife, hot and cold water, and private land. Private land ownership is limited to less than 17 acres of uplands, and 2 acres of tide and submerged land. The Department will most likely manage to provide reasonable protection for the traditional uses. In doing so it will be confronted with the need to allocate water (both hot, cold) sources, and need to provide right-of-ways across state lands to these resources. The City and Borough has selected land under AS 29 and will likely be conveyed, 54.46 acres of State uplands (See Attachment E).

**Tide, Submerged and Shore Land:**

The tide and submerged land adjacent to private and state lands in the area are mostly utilized as access to the land facilities, as anchorage, and for recreational boating. As described above, the aquatic resource harvest values in the area are relatively low. The area can best be viewed as a contributor to a larger harvest area further off-shore.

In its PUMP, the City and Borough of Sitka considers the Baranof Warm Springs Bay area as one with world class aquaculture potential. In 1978 and 1986, the ADF&G filed for water rights for a hatchery. Aquaculture development proposals focus on the Salt lagoon and adjacent bay south and east of the falls, including a potential fresh-water intake above the falls. The importance of the hatchery potential was tied by some to the U.S. Canada fisheries treaty.

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The Division received an application for a float plane dock at the north shore of Baranof Lake. Although the permit applied for may be issued without the land classification, its status is dependent on the outcome of an ACMP project consistency review.

**III. KEY ISSUES:**

**A. Water Use:**

Seven to 10 springs provide much desired "hot" water. At present the hot water sources, including yet to be utilized allocations of hot water to the City and Borough of Sitka, is nearly 100% allocated. Not all lots within the private land area are presently provided with hot water for heating or bath purposes. There is likely to be increased competition for the water use. The existing pattern of use is unfortunately inefficient and would require a proliferation and duplication of transmission lines to access the resource. The hot water resource could be used more efficiently (less heat loss) if the Borough, or existing users got together and consolidated and insulated the transmission structures. However, existing appropriators typically object to giving up their independence and water rights.

**B. Trail Use and Maintenance:**

Except for water resources, the most important and most used feature in the Baranof Warm Springs area is the approximately half mile long trail from Warms Springs Bay to Baranof Lake. The heavy use warrants a reasonable maintenance program for the trail. Unfortunately, state funding for maintenance is not available, and the possibility of securing such funding is slim. It is thus prudent on the department to explore other means by which the trail might be maintained without significantly restricting its use. If outside funding, or volunteer support, cannot be secured, it is possible that the department may have to close the trail or require commercial users to secure permits; the primary purpose of the permit being to provide the means in the form of maintenance, fees, or both to keep the trail open. Such permits and fees were required under Forest Service management. Because such use is presently a generally permitted activity on state land, the DNR proposes to establish the trail corridor as a "Special Land Use Designation."

**IV. ALTERNATIVES AND IMPACTS:**

**A. Breakdown of Areas to be Classified or Established as "Special Use Areas":**

The subject area consists of upland, tide, submerged and shore lands with distinct uses and activities. The uplands selected by the City and Borough of Sitka are awaiting conveyance. However, the use patterns on these lands are the same as on the remaining state uplands. The tide and submerged lands are divided into those lands in support of upland facilities and activities, and those further distant. The shore lands are treated in the same category as the further distant tide and submerged lands. The area adjacent to the townsite serve to a great extent the upland uses; it will be called Area 1, the remainder, except for the Salt Chuck, which will be called Area 3, will be called Area 2

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(see Attachment A-1 for breakdowns). A "Special Land Use Designation" for the Baranof Lake Trail Corridor will also be established by this plan. The corridor will be 30 feet each side of the centerline for the existing trail. The division will also reserve the right to grant right-of-ways for persons with water permits or certificates taken from either Baranof River or the Hot Water Springs, providing the application is received within 2 years of the effective date of this classification and the actions have either been found consistent with or exempt from the need for an ACMP consistency determination.

**B. Alternatives:**

**Alternative 1: No-action alternative.**

Anticipated Impacts: This alternative would uphold existing conditions and uses and/or conveyances that are exempt from the requirement of classification or do not require a conveyance of State interest, e.g. the conveyance to the municipality under Title 29, the issuance of land use permits, and generally permitted activities. However, right-of-ways and leases could not be issued. Since access to and use of the mineral (hot water) springs and other freshwater sources are critical to the local population, this is not a viable alternative. Not establishing the "Special Land Use Designation" for the Baranof Lake Trail corridor would leave the department powerless; without the means, short of securing legislative appropriations or voluntary support, needed to maintain the trail.

**Alternative 2:**

Classify the Uplands as "Public Recreation Lands", designate Baranof Lake Trail Corridor as a "Special Use Area." Classify Area 1 of the tide, and submerged lands as "Settlement Lands", and Area 3 as "Wildlife Habitat Land." Classify Area 2, the shore lands at Baranof Lake and portions of the tide and submerged lands at Warm Springs Bay as "Public Recreation Land."

Anticipated Impacts: According to the resource analysis of this plan, the uplands within the subject area experience heavy use by the recreating public, both private and commercial. The natural beauty of the subject area, its wildlife and recreational opportunities, and the mineral springs are the main attraction. These classifications would recognize the predominant use of the area (recreation), but allow the State to issue authorizations, such as leases and right-of-ways which support historic uses, e.g. access to water resources, Baranof Lake, and Baranof Warm Springs Bay. The "Settlement Land" classification for Area 1 would provide the greatest flexibility for support of the upland uses, both private and commercial. Area 2 is farther off-shore from the uplands and its primary use is accommodating recreational and commercial boat traffic and recreational activities such as fishing and sight-seeing. The bay is also provides good anchorage for smaller vessels. The proposed "Public Recreation Land" classification will not prohibit other uses but will add a dimension of additional protection over the "Settlement Land" classification to public uses. Area 3 encompasses the Salt Chuck. The City and Borough of Sitka in its PUMP, page 102, stresses the value of the chuck as sites for aquaculture projects. Although this classification will not preclude all other uses, it adds the highest dimension of protection under the Department's planning process to the area, and would preclude uses that do not enhance but significantly impact the wildlife habitat. It also recognizes its potential for possible siting, construction, and operation of a hatchery.

The special use area designation, would provide the department an alternative to legislative funding for trail maintenance. Fees were paid by such commercial enterprises prior to the state acquiring the lands. In addition,

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the above proposed classification remains in effect.

**V. AGENCY AND PUBLIC COMMENT:**

Because of desire to check the listing of improvements and uses in Attachments B, B-1, and B-2, and the implications of the proposed "Special Use Designation" for the Baranof Lake Trail corridor, the Departments distribution of the "DRAFT" SSP was extended to applicants of record, where known.

The Division received comments from eight individuals or entities. The comments as well as the Region's response:

**Undated: Letter from Matt Christner.** Apologized for incomplete application. Confirmed that the scope of the permit laid out in the decision was fine. Stressed the importance of the status of water from Spring #8. Region's Response: Scope is consistent with the PD; requires no change. The water issue is not a responsibility of this division or this decision. The Division of Mining and Water Management which is responsible for allocating water is aware of Mr. Christner's concern. This concern is shared by others.

**3/19/97 Letter and later a call from James T. Brennan:** Provided us with a copy of a letter from him to the City and Borough of Sitka. Was interested whether a individual could hook to the proposed city hot water line and still maintain his or her individual water right. Indicated that he agreed that this would be more practical if the individual water right could be maintained. Region's Response: This is again a Division of Mining and Water Management issue. The Region indicated that although the division favored consolidating the lines, the "SSP" and "Preliminary Decision" were constructed to keep both the option of individual and a consolidated public line open.

**3/19/97 E Mail from John Dunker, Division of Mining and Water Management:** Outlines some of the water issues. No response required. SSP and PD leave all options open.

**3/31/97 Letter from Rick Fleischman/Sound Sailing:** Indicated the need for a public bath-house and better trail to Spring #8. Supports a common pipeline. Supports use by, but restriction to two days a week by larger ships (defined as having 20 or more passengers). Supports fees, but should be same fixed fee per/head fixed for all commercial users. Does not support % of gross. Supports voluntary reporting. Carries insurance, does not support additional insurance or adding state as additional insurer; believes it will add to his cost as small operator. Provided a new address. Region's Response: Good input, that can be used if and when the Region decides to implement the Special Use Designation. Region is not comfortable at this time with placing limitations on size of ship, or number of persons from the ship.

**4/1/97 Letter from Michael McIntoch/The Boat Company:** Indicated a concern with use of Baranof Lake by float-planes and does not support allowing private float-plane ramps on the lake. Fears the president it establishes and believes that it would open the flood-gates to more applications. Region's



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U.S. Survey No. 3110, containing (total for the township) 145 acres, more or less;  
Containing (total for township) approximately 145 acres, more or less.

T 55 S, R 67 E, CRM:

Sec. 17, SW4SW4 (about 40 acres);

Sec. 18, S2SE4 (about 80 acres);

Sec. 19, NE4, W2, W2W2SE4, excluding Tract C, shown on Protraction Diagram  
14-5, officially filed March 24, 1980 (about 250 acres);

CR

Sec. 20, fraction of the NW4NW4 (about 10 acres);

Sec. 30, fraction of the N2NW4, portion west of Warm Springs Bay, excluding U.S.  
Survey No. 3874 and U.S. Survey No. 3291 A (about 55 acres);

Containing (total for township) approximately 435 acres, more or less.

**Total upland acreage to be classified = 580 acres, more or less.**

2. The following State "tide, submerged, and shorelands" will be classified as follows:

**Area 1:** The following State "tide and submerged lands" within the subject area are to be classified as  
"Settlement Land":

T 55 S, R 66 E, CRM:

Sec. 19, N2 (about 140 acres);

Sec 20, NW4 (about 85 acres);

**Total Area-1 to be classified "Settlement Land" is 225 acres, more or less.**

**Area 2:** The following State "shorelands" are to be classified "Public Recreation Land":

T 55 S, R 66 E, CRM:

Sec. 24, E2 (about 80 acres);

**Total Shorelands in Area-2 to be classified "Public Recreation Land" is 80 acres, more or less.**

The following State "tide and submerged" lands are to be classified "Public Recreation  
Land":

T 55 S, R 67 E, CRM:

Sec. 19, S2, excluding Tracts 1 and 2, ATS 161 (0.2330 acres), and "Area 3 (20

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acres) consisting of (about 207 acres);  
Sec. 20, E2SW4 (about 380 acres);  
Sec. 30, all (about 39 acres).

**Total Tide and Submerged Lands in Area-2 to be classified "Public Recreation Land" is 626 acres, more or less.**

**Area 3:** The following State "tide and submerged" lands in Area 3 (Salt Chuck) to be classified "Wildlife Habitat Land":

T 55 S, R 67 E, CRM:

Sec. 19, SW4, excluding all tide and submerged land to the north and east within Section 19 (about 20 acres).

**Total Tide and Submerged Lands in Area 3 to be classified "Wildlife Habitat Land" is 20 acres, more or less.**

3. The following state "uplands" are included in the "Special Land Use Designation" for the "Baranof Lake Trail Corridor".

All state uplands within 30 feet each side of the centerline of the existing Baranof Lake Trail, said lands lying within Section 24, T 55 S, R 66 E, CRM.

**B. Management intent for the Subject Area:**

As supported by the resource analysis, the principal value of the subject area lies in its natural beauty, its uniqueness as one of the more accessible warm springs in Southeast Alaska, and its recreational use. It is the plan's desire to allow and protect, to the extent possible, traditional uses, including access to the water resources, and to and from Baranof Lake and Warm Springs Bay.

Although the Department would prefer the establishment of public water systems to reduce the proliferation of transmission pipes needed, and attempt to better utilize the hot water resource, nothing in the proposed classifications is intended to prevent the Department from granting private, private non-exclusive right-of-ways or leases needed for individuals to protect or perfect their water permits or certificates of appropriation, whether it be for a hot water, or cold water source, for a public, private, residential, recreational, or commercial use.

The intent of the plan is to allow uses, otherwise approved under the State's water appropriation system, as long as such uses can be done in a manner that will not otherwise significantly conflict with the desire to protect the integrity of the lands for their principal value.

The Department is also proposing the establishment of a Special Use Area for a 60 foot wide corridor, 30 feet each side from the centerline of the trail, to Baranof Lake, within which commercial activities "may" be required to secure permits from the Division of Land, to help regulate uses and create revenue that could be used to maintain



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the trail system, and ensure public safety.

Nothing in the plan is intended to impede the conveyance of lands selected by the City and Borough of Sitka under AS 29 (approximately 55 acres) to the City and Borough of Sitka.

**C. Management Guidelines:**

1. Uplands:

**a. General:** State upland will be managed to provide protection to the integrity of the land and its beauty, while allowing reasonable access to the water resources, and as practical, both commercial and non-commercial access to Baranof Trail and Baranof Lake.

**b. Water Transmission Corridor (see Attachment F):** If accommodation of all applicants is not practical, preference for permitting land use authorizations in the water transmission corridor shall be given to public facilities and transmission lines that consolidate users into fewer facilities.

**c. Baranof Lake Trail (Corridor SUA):** The State will exercise its discretion in regulating commercial guiding activities in this intensive use area by requiring any, or combinations of, the following: Land Use Permits, Leases, User Fees, Access Restrictions, etc. An attempt will be made by the State to contact users of record if and when land use authorizations for commercial guiding is required. The Division will, if the necessary resources are available, also post notice of the need for such authorizations at the trail head.

2. Tide and Submerged Land:

**General Guidelines:**

- a. Visiting tour and recreational boats shall not unduly restrict navigation;
- b. Traditional and customary uses shall not be unduly restricted by commercial or non-commercial visiting crafts.

**Area-Specific Guidelines:**

**Area 1:** Commercial buildings on tide and submerged land are an allowable use, provided they serve the common need of the community and are compatible with the resort-like character of Baranof Warm Springs and are authorized by the DNR through a public process.

**Area 3:** Siting, construction of, and operation of a hatchery is an allowable use.

## REFERENCES

1. ADF&G: "Alaska Habitat Guide Reference Maps, Vol. I and II (1986)"
2. ADF&G: "Atlas to Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fishes, Southeast Region (Rev. 1993)"
3. State of Alaska, Department of Natural Resources, Division of Mines "Kardex (Index of Federal Mining Claims, 1986)";
4. U.S. Department of Commerce, NOAA, "US Coast Pilot, #8 (Jan 1986)".

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|---------------------|---------|---|
| <b>Attachments:</b> | "A"     | General Location Map  |
|                     | "A-1,2" | Classification Areas  |
|                     | "A-3"   | Extract of USGS Sitka A-3 Quad, 1" = 1 mile                         |
|                     | "B"     | Spread Sheet, Activities (except water appropriation)               |
|                     | "B-1"   | Listing Improvements and Activities (Proposed and Existing) w/ Maps |
|                     | "B-2"   | Spread Sheet, Water Appropriations (Certificates and Permits)       |
|                     | "B-3"   | Extract from U.S.G.S. Report, "Mineral Springs of Alaska"           |
|                     | "C"     | Map of Fish Streams   |
|                     | "D"     | C& B of Sitka Special Management Area                               |
|                     | "E"     | C& B of Sitka Municipal Selection                                   |
|                     | "F"     | Identified Water Transmission Corridor                              |
|                     | "G"     | Private Uplands   |

APPENDIX: Definitions of Land Classifications

