

Appendix B

REPORT TO THE HAINES BOROUGH
ON THE STATUS OF
LAND & WATER ISSUES AT EXCURSION INLET, ALASKA

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INTRODUCTION: In June of 1994 the Haines Borough contracted with David Y. Nanney, Planner, to accomplish research and analysis of land and water use and ownership issues in the Excursion Inlet area, and to make recommendations to the Assembly as to the status of the issues and possible courses of action.

GOALS AND OBJECTIVES OF THE PLANNING PROJECT: The goal of the project is to facilitate Haines Borough State land selection and overall planning in the Excursion Inlet Area.

Objective 1 - Identify the complex land and water use issues blocking administrative progress in recent times. Do this by establishing open and sustained communications and a comprehensive planning map for the use of all parties.

Objective 2 - Pursue cooperative agreements for use of land and water resources which will resolve the practical and legal issues between the Borough, State, and Federal land managers and private owners such as Excursion Inlet Packing Company (X.I.P.).

METHODOLOGY: A strategy of field trips, interviews, and workshops was used to maximize the involvement of State and Federal lands officers, management and legal personnel of Excursion Inlet Packing Company (X.I.P.), the Haines Borough Planning Commission, the Haines Borough Lands Officer, the Haines Borough Mayor, and the Haines Borough Assembly. An Overall Planning Map was drawn up and circulated in February of 1995 for the review of all parties, and the map was updated in April of 1995 to incorporate comments.

SECTION 1. Status of Haines Borough Land Selection Process.

The State Division of Land has been sufficiently encouraged with the progress toward resolving the issues that they are writing the "Survey Instructions" so that field work can begin in the summer of 1995 to accomplish the "Preliminary Plat" of Haines Borough Selection lands. State approval of the "Final Plat" and transfer of the title to State lands to the Borough will occur when satisfactory final agreements on use and access easements and rights-of-way are reached between the Haines Borough, X.I.P, the State of Alaska and the U.S. Forest Service. ,

There is an unresolved Native Land Claim within the northern portion of the original Haines Borough land selection which will require resolution prior to Borough acquisition. There are additional State lands adjacent to the Borough selection being evaluated for inclusion in the Borough entitlement lands.

SECTION 2. Overall Planning Map for the Excursion Inlet Area.

This Map was circulated in February 1995, in a "Public Review" format. It was updated in April of 1995 to reflect comments received from the State and others. The Map delineates all land and water uses and ownership status, and proposes future easements and rights-of-way, possible land trades and leases, as well as several important environmental and social issues areas. It is the primary document currently in use by all parties to visualize, discuss and resolve the land and water issues.

SECTION 3. Land and Water Issues

A. Easement and Right-of-way Issues. The easements and rights-of-way required by previous legal actions, plats, permits, X.I.P. preference rights, and good planning practices are proposed on the Overall Planning Map and the accompanying "Legend" to the Map. They address U.S. Forest Service and State of Alaska access requirements, X.I.P. preference rights and access requirements, and Haines Borough access and property development requirements such as future subdivisions, utilities corridors, and land use.

Easement and right-of-way issues relate primarily to the use of existing and proposed roads for access and utilities corridors, and the X.I.P. water system and power lines.

B. Water System. The entire existing water system in use by X.I. P. is shown on the Overall Planning Map. Included are 8" water mains, two large federally built reservoirs and dam with pond at the uplands springs source, and two emergency in-river pump-out sites. Negotiations are currently focusing on details of easement agreements between X.I.P. and the Borough. These easements must protect the preference rights granted to X.I.P. by the State and Federal governments while allowing for future use of public rights-of-way by others (private and government) for road access and utilities installation and maintenance.

C. Issues within and adjacent ATS 862 - 1. Ownership and Management, 2. Land Trades, 3. Borrow Sites, 4. Accreted Lands, and 5. Lease of State Tidelands.

1. Ownership and Management. The State has approved a 5-year renewable lease agreement with X.I.P. for the northwestern portion of ATS 862 which includes X.I.P.'s barge loading facility and transshipment staging area. The larger southeast portion which includes the skiff harbor and a large flat "uplands" staging area is available for lease from the State. Additional State "tidelands" adjacent ATS 862 are actually a substantial old military filled area which will be very valuable in the future. X.I.P. has patent to a portion of this filled area, ATS 271, which is immediately adjacent to ATS 862. It was previously a sawmill site and includes submerged lands as well as the tilled area.

2. Land Trades. It has been proposed that ATS 271 be traded to the Haines Borough- for Borough selection lands immediately adjacent the X.I.P. plant. Additionally, it has been proposed that the Haines Borough lease from the State the balance of ATS 862 and the remaining State tidelands in the vicinity to allow for municipal management of these strategically located areas with high future use potential.

3. Borrow Sites. Dredging and borrowing of material from submerged land within ATS 862 in the vicinity of the X.I.P. barge loading facility should be evaluated. Continuing dredging at the barge ramp will be required to maintain operational depths due to post-glacial rebound (uplift) and slumping of adjacent gravels. This dredged material will continue to be a minor source of borrow material.

The adjacent skiff harbor is becoming continually shallower due to uplift. To maintain or improve the facility considerable dredging will be required. This dredged material, mostly rocky gravel, could be a valuable source of borrow material for construction requirements in the future. The value of the dredged material for fill could offset the cost of dredging if it is stockpiled and sold (e.g. dredging costs \$5/cu.yd. and rocky gravel fill sells for \$10-\$15/cu.yd.). Additionally, expansion of the breakwater would be facilitated by using dredged material for the core of the breakwater structure eliminating the cost of importing fill. A conceptual design and operations plan should be done for improvements to the skiff harbor so that permits can be applied for which would allow dredging, borrow and improvement operations to occur.

Acceptable borrow sites for rock must be identified in the vicinity to allow for future construction including rip-rap for breakwater armor and other shoreline stabilization. The steep slopes overlooking Neva (South) Creek to the southeast of the creek were reportedly used by the Military as a source of rock. This area should be evaluated as a future borrow site as well as other sites with similar potential.

4. Accreted Lands. Post-glacial rebound is very rapid in the Excursion Inlet area, almost one foot each 10 years. This causes the mean high tide line (the line of record for uplands property ownership) to gravitate seaward away from the beach creating accreted land which in many cases may be added to the area of the uplands property. Some waterfront owners in S.E. Alaska add this accreted land to their property by resurvey and application to the State of Alaska.

Some Haines Borough land selections include accreted land along the waterfront which may be surveyed and added to the uplands property. However in the vicinity of the old military fill, the fill itself obscures the natural beach and mean high tide line. The State has ruled that accreted land applications are not possible in this area. The original mean high tide meander lines, though substantially inland from the beach, will remain the lines of record for uplands property ownership.

5. Lease of State Tidelands. The Borough could lease some of the filled tidelands from the State for \$/year for land management purposes and future improvements. The Borough may-sublease areas to users and activities but must annually pay the State 25% of the appraised lease value of all improvements.

D. Hazardous Sites. Several sites exist within Borough selection lands which may be hazardous. One is the officially closed out landfill and incinerator site in the uplands. Though certified as "closed-out" by the federal government, the remains of the old incinerator exist on the site as well as refuse (mostly burned out metal cans) in the immediate vicinity. Subsurface conditions at this site are not properly documented. Assessment of the subsurface conditions and testing for the presence of leachate may be required. The Borough should retain ownership of this site as open space rather than sell it as part of a subdivision.

Another potentially polluted site is the abandoned military petroleum products tank farm immediately north of Excursion Inlet South Subdivision. The Borough plans to assess this site to document its condition. It is an ideal site for a waterfront subdivision and possibly public marina facilities. A previous request to the Corps of Engineers to evaluate this site has brought no action.

Other sites in the general vicinity may also exist where burial, disposal or leaching of hazardous materials has occurred. One such site may have been an old landfill near the south end of the landing strip.

E. Historic Sites. The entire area of the 1940*s U.S. Army base at Excursion Inlet may be considered a site with historic significance by the State of Alaska although virtually all vestiges of the military presence are gone. Most movable facilities were removed by the military almost immediately after construction due to the rapidly changing situation in the Pacific during World War II.

Cannery operations have occurred in the waterfront area most of this century and some historic significance may be attached to the site because of these operations.

In Spring of 1995 an X.I.P. permit to construct waterfront improvements was delayed by additional review requirements due to historic resources considerations.

The Raines Borough should work with the State to define the historic values in the vicinity so that they are clearly defined. Several well located commemorative historic markers or signs would be an appropriate way to "preserve" the historic significance of the area considering the lack of physical evidence or remains.