

STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER
SOUTHCENTRAL REGIONAL LAND OFFICE

PRELIMINARY DECISION

**ADL 233815 Chloe Ivanoff, Hailey Thompson, and Clifton Ivanoff
dba Kelp Island Alaska
Application for Lease
AS 38.05.083**

This Preliminary Decision is the initial determination on a proposed disposal of interest in state land and is subject to comments received during the Public Notice period. The public is invited to comment on this Preliminary Decision. The deadline for commenting is **January 3, 2022**. Please see the Comments Section of this decision for details on how and where to send comments for consideration. Only the applicant and those who comment have the right to appeal the Final Finding and Decision.

Proposed Action:

The Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), Southcentral Regional Land Office (SCRO) has received a request from Chloe Ivanoff, Hailey Thompson, and Clifton Ivanoff dba Kelp Island Alaska (KIA) to lease 13.9 acres of state owned tide and submerged lands, more or less, for 10 years for the purpose of the installation of a submerged longline culture system for the commercial growth and harvest of ribbon kelp (*Alaria marginata*) and sugar kelp (*Saccharina latissimi*) located near Kodiak, Alaska. The location of the project area is further described as being within the NW1/4 of Section 4, Township 28 South, Range 19 West, Seward Meridian.

SCRO is considering the issuance of a 10-year aquatic farmsite lease to KIA for the purpose of one parcel measuring 415 feet by 1,600 feet by 315 feet by 1,600 feet for the installation of submerged longlines to cultivate two species of kelp, ribbon kelp and sugar kelp.

Scope of Review:

The scope of this decision is to determine if it is the State's best interest to issue this aquatic farmsite lease.

Authority:

This lease application is being adjudicated pursuant to AS 38.05.035 Delegation of the Powers and Duties of the Director; AS 38.05.070(b) Generally; AS 38.05.083 Aquatic Farming and Hatchery Site Leases; and AS 38.05.945 Public Notice. The authority to execute the Preliminary Decision, Final Finding and Decision, and the lease has been delegated to the Regional Manager of SCRO.

Administrative Record:

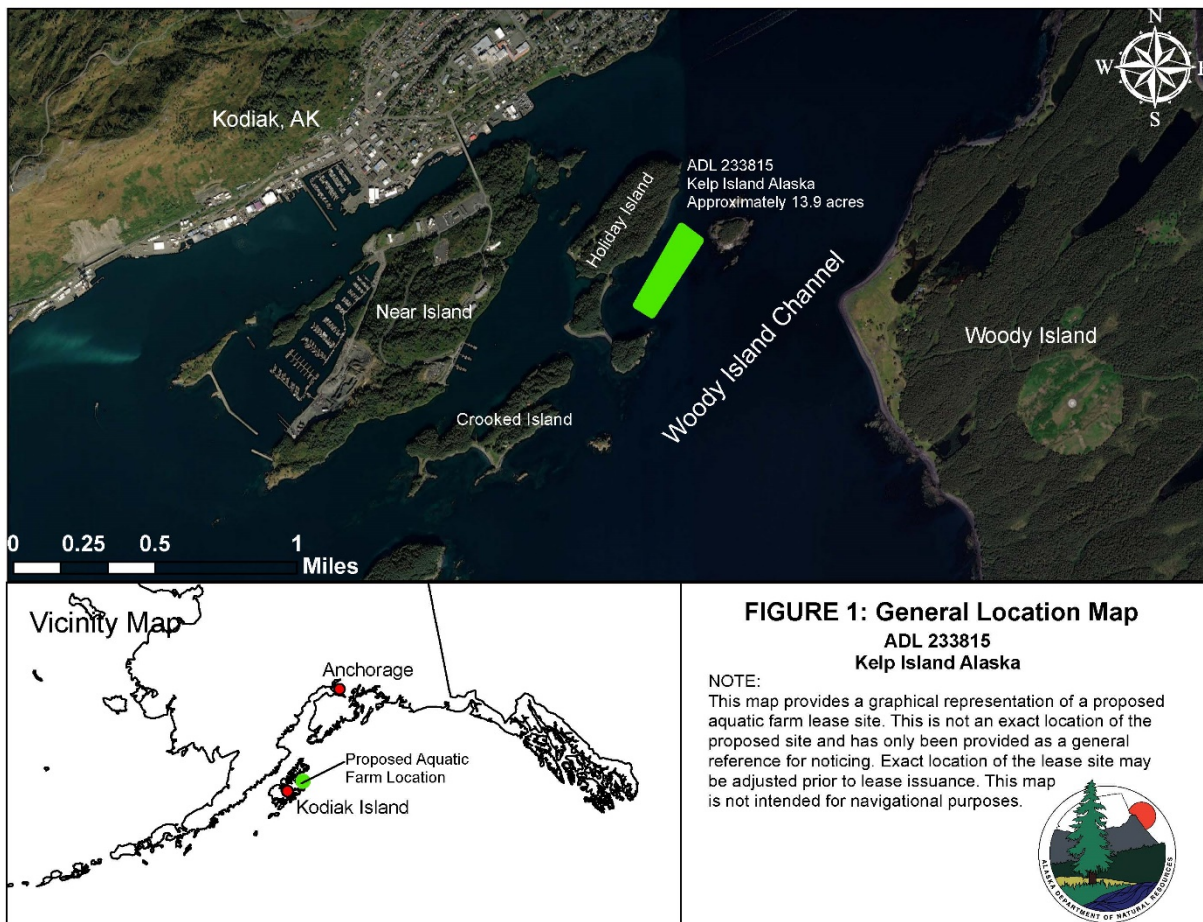
The administrative record for the proposed action consists of the Constitution of the State of Alaska, the Alaska Land Act as amended, applicable statutes and regulations referenced herein, the 2004 Kodiak Area Plan and other classification references described herein, and the casefile for the application serialized by DNR as ADL 233815.

Legal Description, Location, and Geographical Features:

The state land where this proposed lease site is located is described as follows:

Site 1

- **Site reference name:** Holiday Island
- **Legal description:** NW1/4 of Section 4, Township 28 South, Range 19 West, Seward Meridian
- **Geographical locations:** Woody Island Channel, east of Holiday Island, approximately 0.72 nautical miles from the city of Kodiak, Alaska.



- **Approximate Lat/Longs:**

Parcel #1: 415 feet X 1,600 Feet X 315 Feet X 1,600 Feet (Approximately 13.9 Acres)

NE Corner: 57° 47.026’N, 152° 22.508’W

SE Corner: 57° 46.806’N, 152° 22.792’W

SW Corner: 57° 46.835’N, 152° 22.875’W

NW Corner: 57° 47.069’N, 152° 22.610’W

- **Existing surveys:** None
- **Municipality/Borough:** Kodiak Island Borough
- **Native Corporations/Federally Recognized Tribes:** Koniag, Inc., Afognak Native Coporation
- **Size:** 13.9 acres, more or less

Title:

A DNR Title Report (RPT-22063) was requested on August 2, 2021 from DMLW’s Realty Services Section. A Title Report issued from DMLW’s Realty Services Section will state whether the State of Alaska holds title to the subject tidelands under the Equal Footing Doctrine and the Submerged Lands Act of 1953. SCRO reserves the right to modify the Final Finding and Decision based upon information contained within the Title Report.

Third Party Interests:

No third party interests are known at this time.

Classification and Planning:

The project area ADL 233815 is subject to the Kodiak Area Plan (KAP), Kodiak Region, Map 3-5, Unit KT-13, Near Island. The project area is designated as Public Recreation and Tourism-Dispersed (Rd) which converts to the classification of Public recreation land according to Chapter 4 of the KAP.

According to Chapter 4 of the KAP, Public Recreation Land is land “that is suitable for recreation uses, wayside parks, campsites, scenic overlooks, hunting, fishing or boating access sites, trail corridors, or greenbelts along bodies of water or roadways”.

Management guidelines for the siting and operation of aquatic farms are specifically mentioned within Chapter 2 of the KAP. The stated goal set forth in Chapter 2 of the KAP for aquatic farms is to “provide opportunities to increase income and diversify the state’s economy through the use of state tidelands and submerged lands for aquatic farming”. Aquatic farming will be allowed on state tide and submerged lands unless there is a significant conflict with other uses of the immediate area, or it is inconsistent with conditions found within the KAP. General conditions considered within the KAP are: 1) Consider limiting the number of sites to be leased within an area in order

to reduce cumulative impacts on the environment and natural resources; and 2) Protect the public's right of access and use of navigable waters and the land beneath them for navigation, commerce, fishing, and other purposes, as required under the Public Trust Doctrine.

Management guidelines set forth within Chapter 2 of the KAP state that "aquatic farming will be allowed on state tidelands or submerged lands unless there is significant conflict with other uses of the immediate area or is inconsistent with the requirements of 11 AAC 63.050 or this management plan". Siting of aquatic farms, according to Chapter 2 of the KAP, "may be more difficult on tidelands designated for: log transfer or storage; mineral transfer or access; critical or crucial fish and wildlife habitat or harvest; anchorages; and developed recreation" and "may be more difficult on tidelands adjacent to proposed land sales or existing residential areas, legislatively designated areas, such as state critical habitat areas or parks, and federal conservation units, such as National Parks and National Wildlife Refuges where the upland management objective is to retain the natural environment. Specific stipulations related to siting, operations, and maintenance may be imposed by the Department in addition to those otherwise required in order to achieve site and use compatibility".

Applicant will remove grow lines and anchors at the end of growing season (October – May) and will be completed by May 31st annually to avoid potential conflicts with sport fishing that may take place within the area. Applicant has stated within their project description that if unable to remove anchors by May 31st annually due to weather conditions or other extenuating circumstances, applicant will contact the local ADF&G Sportfishing office in Kodiak and notify them when anchors will be removed.

In accordance with the KAP, aquatic farming is an allowable use and is therefore consistent with the plan. Siting of the proposed aquatic farmsite and removal of gear after the season should not interfere or conflict with other uses found within the area.

Traditional Use Findings

Traditional use findings will not be discussed in this Preliminary Decision because the proposed lease site is located within the Kodiak Island Borough, an organized borough. Pursuant to AS 38.05.830 a traditional use finding is not required.

Access:

Access to the aquatic farm is by skiff kept in Kodiak Harbor. Gear storage will be at applicants' private residence and personal gear storage yard in the city of Kodiak, AK.

Access To and Along Navigable and Public Waters:

Nearly all shore and tidelands in the State of Alaska are subject to a To and Along Easement under AS 38.05.127 and 11 AAC 51.045. The purpose of this easement is to uphold the constitutional

right of the public to have free access to, and use of, the state's waterways. At the proposed lease site, the Along easement is 50 feet seaward from the line of mean high water (MHW).

Public Trust Doctrine:

Pursuant to AS 38.05.126 all authorizations for this site will be subject to the principles of the Public Trust Doctrine; 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 studies, and other purposes. These rights must be protected to the maximum extent practicable while allowing for the development of this project. As such, SCRO is reserving the right to grant other authorizations to the subject area consistent with the Public Trust Doctrine.

Lease Discussion:

KIA submitted an application for a SCRO aquatic farm lease to culture ribbon kelp and sugar kelp on April 28, 2021. On July 20, 2021, KIA submitted a finalized and updated application in response to a request for additional information from SCRO and Alaska Department of Fish and Game (ADF&G).

The proposed lease will be comprised of one parcel covering an area of approximately 13.9 acres, more or less, and measure 415 feet by 1,600 feet by 315 feet by 1,600 feet. KIA proposes to use two longline arrays within the parcel with a total of 25, 800-foot long, submerged longlines in the north array and 20, 700 foot long, submerged longlines in the south array held in place by 12, 300 lb. steel Danforth anchors, 6 attached to each array. Within the parcel, there will be 6 A-6 polyform buoys attached to the north array and 6 A-6 buoys attached to the south array. Grow lines will be constructed of poly dacron, in a parallel configuration, spaced 10 feet apart and held at a depth of 3 feet below the surface of the water using tension.

Seeded string will be outplanted by hand from an open skiff between October and December annually. The kelp will grow at a depth of 3 feet and on lines spaced 10 feet apart to allow for optimal light to reach plants and to minimize the risk of entanglement or mechanical disturbance. Water quality parameters will be measured year-round at the site using passive sensors attached to farm equipment in order to collect data. Data collected will be used to predict harvest times, determine optimal kelp growth conditions, and assess any environmental impacts the farm may have on the nearby environment. Kelp will be monitored for growth by measuring the length of the kelp plants and density of plants per foot of longline. Kelp will be harvested by hand from an open skiff. A larger tender vessel will transport kelp back to Kodiak for processing. Harvest will begin in the first two weeks of April, depending on growth, and be completed by the end of May annually.

There is no infrastructure or support structures associated with this proposed aquatic farm in the nearby tide and submerged lands or adjacent uplands. Access to the proposed aquatic farm will be by open skiff kept in the harbor in Kodiak, AK.

At this time the Commercial Use Requirement (CUR) states a farm needs to be making annual sales in excess of \$3,000.00 per acre or \$15,000.00 per farm by the fifth year of operation of aquatic farm product. Failure to meet CUR constitutes a default and may be cause for termination. Annual reports of sales are due January 31 of every year.

The proposed lease will be subject to the terms of DMLW's standard lease document and any Additional Stipulations based, in part, upon the following considerations.

Operation and Development Plan:

The Operation and Development Plan dated April 27, 2021 is accepted by SCRO as complete but may be subject to change based on agency and public review. Should the proposed lease be granted, it is anticipated that the Development Plan will need to be updated throughout the life of the lease as activities and/or infrastructure are added or subtracted. All updates must be approved, in writing, by SCRO before any construction, deconstruction, replacement of infrastructure, or change in activity will be permitted. SCRO reserves the right to require additional agency review and/or public notice for changes that are deemed by SCRO to be beyond the scope of this decision.

Hazardous Materials and Potential Contaminants:

No hazardous materials or fuel will be stored on the proposed lease. The use and storage of all hazardous substances must be done in accordance with existing federal, state and local laws. Debris (such as soil) contaminated with used motor oil, solvents, or other chemicals may be classified as a hazardous substance and must be removed from the sites and managed and disposed of in accordance with state and federal law.

Lease Performance Guaranty (bonding):

In accordance with AS 38.05.083(e) and 11 AAC 63.080, KIA will be required to submit a performance guaranty for the lease site.

- **\$2,500.00 Performance Bond:** This bond will remain in place for the life the proposed lease. The bond amount is based upon the level of development, amounts of hazardous material/substances on site, and the perceived liability to the state. This bond will be used to insure the applicant's compliance with the terms and conditions of the lease issued for their project. This bond amount will be subject to periodic adjustments and may be adjusted upon approval of any amendments, assignments, re-appraisals, changes in the development plan, changes in the activities conducted, or changes in the performance of operations conducted on the authorized premises, and as a result of any violations to one or more of the authorizations associated with this project.

- **Reclamation Bond:** SCRO is reserving the right to require a reclamation bond due to non-compliance issues during the term of the lease or near the end of the life of the project.

Insurance:

KIA will be required to submit proof of liability insurance to SCRO, with the State of Alaska listed as a “NAMED” insured party. KIA will be responsible for maintaining such insurance throughout the term of the lease.

Survey:

In accordance with AS 38.04.045, this short-term lease does not require a survey. However, the State of Alaska reserves the right to require one in the future, should the need arise due to changes in statutes or increased use of the area. KIA has submitted GPS coordinate point(s) for the four corners of the proposed leasehold.

Compensation and Appraisal:

DMLW has approved an administrative lease fee schedule for aquatic farmsites that meet the conditions listed within the schedule. The most current lease fee schedule will be used to establish the fair market rental each lessee must pay. Fees are subject to adjustment per AS 38.05.083(c). The current annual rate for a 13.9-acre aquatic farm lease is a base fee of \$450.00 for the first acre plus \$125.00 for each additional acre or a portion thereof up to 30 acres. In accordance with the Aquatic Farmsite Fee Schedule, Report No. 2522-14, a breakdown of the lease fee will be as follows:

13.9 acres (1 acre at \$450) + (12.9 acres x \$125) = **\$2,075.00 per year**

If the applicant does not agree with the fee schedule amount of \$2,075.00, a fair market value determination can be obtained by the applicant. Fair market value is determined by obtaining a DNR approved appraisal of the lease site. If an appraisal is conducted to determine fair market value of the lease site, the applicant will be required to pay the appraised amount and the \$2,075.00 annual fee will no longer be an option. The appraisal cost will be borne by the applicant. The parcel may need to have an approved Alaska Tidelands Survey to accomplish the appraisal. If a survey is required, the cost will be incurred by the applicant.

Assignment of Lease:

The proposed lease, if issued, may be transferred or assigned to another individual or corporation **only** with prior written approval from the DMLW. A lease will not be assigned to an entity if that entity does not meet the statutory requirements of the lease or the lease is not in good standing. DMLW reserves the right to amend the terms of the lease prior to assignment.

Reclamation:

In accordance with AS 38.05.090(b), all Lessees must restore their lease sites to a “good and marketable condition” within 120 days after termination of the lease. What level of reclamation constitutes as being “good and marketable” is at the discretion of SCRO. DNR reserves the right to require a reclamation bond at any time.

Agency Notice:

An Agency Review was conducted starting on August 4, 2021 and ending on August 24, 2021. The following agencies were included in the review:

The following agencies will be included in the review:

- DNR DMLW – Mining
- DNR DMLW – Water
- DNR DMLW – Resource Assessment and Development
- DNR DMLW – Realty Services
- DNR DMLW Survey Unit
- DNR Southeast Land Office
- DNR Division of Parks and Outdoor Recreation (DPOR)
- DNR DPOR Office of History and Archaeology, State Historic Preservation Office
- DNR Natural Resource Conservation and Development Board
- DNR Division of Oil and Gas
- DNR Land Conveyance Section
- Alaska Mental Health Trust Land Office
- Alaska Department of Fish and Game
- Alaska Department of Environmental Conservation
- Alaska Department of Transportation and Public Facilities
- Alaska Department of Commerce, Community, and Economic Development
- U.S. Forest Service
- U.S. Army Corp of Engineers
- U.S. Fish and Wildlife Service
- National Oceanic and Atmospheric Administration
- U.S. Environmental Protection Agency
- U.S. Coast Guard
- U.S. National Park Service
- Kodiak Island Borough
- City of Kodiak

Agency Review Comment(s):

During the Agency Review, SCRO received comments from two agencies and two “no comments” from two agencies.

ADF&G Comment:

As stated in ADF&G’s Permit Coordinator’s August 19, 2021 letter, “The Alaska Department of Fish and Game (ADF&G) has completed a preliminary review of project proposal, ADL 233815 relevant to criteria specified in authorizations for Aquatic Farming AS16.40.105 and 5 AAC 200-400. ADF&G Division of Commercial Fisheries (Management, Gene Conservation Lab and Fish Pathology Section), Division of Sport Fish, Division of Wildlife Conservation Subsistence Section and Habitat Section were part of the initial review. There are no concerns pertaining to an aquatic farm operation permit at the proposed location.”

Within ADF&G’s letter is a Department Advisory and aquatic farm operation permit conditions.

SCRO Response:

DNR’s statues and regulations for aquatic farm site leases do not specify management of aquatic farms relating to fish and game but authorize DNR to issue a lease of state-owned tideland, shoreland, or submerged land to develop an aquatic farm. Management of fish and game is within the authority of ADF&G, not DNR. ADF&G may add to its operation permit authorization the conditions it deems appropriate regarding fish and game.

SCRO has provided a copy of ADF&G’s August 19, 2021 letter to KIA to inform KIA of these recommendations or concerns. As requested within the ADF&G letter, the PD herein contains ADF&G’s letter, which will be advertised for a 30-day public comment period. The ADF&G letter is attached to the PD.

NOAA Fisheries Comment:

As stated in the NOAA Fisheries email dated August 9, 2021 email NOAA will “offer some recommendations informally. The main concerns are disturbance of existing kelp beds in the area and possible herring spawn on kelp that might affect harvest. We recommend:

- Survey the area for kelp beds and other submerged aquatic vegetation. Do not disturb existing beds during outplanting, site monitoring, or harvest. Do not set kelp lines over existing kelp beds that could cause shading.
- Monitor the area for herring. If herring spawn on kelp, do not harvest the kelp until after the eggs hatch. We note that the Kodiak herring sac roe fishery is closed in this area (NE40), but that Kalsin Bay (NE20) had a GHF for 2021.
- Remove all Buoys, lines, anchors, etc. and restore the aquatic farm site once vacating the operation to minimize continued impacts to EFH from abandoned structures.”

SCRO Response:

Pursuant to AS 38.05.090, a lessee shall remove all improvements and restore the leasehold to a good and marketable condition within 120 days after termination of a lease. Furthermore, as per additional stipulation no. 18, a lessee shall file an approved reclamation plan for the leasehold that includes a description of the methods and techniques that will be used to rehabilitate affected areas of the leasehold. The reclamation plan must also include a specific timeline showing when each step of the restoration process will be completed.

DNR’s statutes and regulations for aquatic farm site leases do not specify management of aquatic farms relating to EFH but authorize DNR to issue a lease of state-owned tideland, shoreland, or submerged land to develop an aquatic farm.

SCRO has provided a copy of the NOAA August 9, 2021 email comments to KIA to inform KIA of these recommendations.

Public Notice of the Preliminary Decision:

Pursuant to AS 38.05.945, this PD will be advertised for 30-day public comment period. Notice will be posted on the Alaska Online Public Notice System and the post office located in Port Lions, Ouzinkie, Chiniak, and Kodiak, Alaska. Courtesy notices will also be mailed or emailed to neighboring property owners, permit/lease holders, and other interested parties on November 30, 2021 for a 30-day public comment period.

Comment(s):

This decision is subject to both public and agency comments and all comments received by the comment deadline will be considered in the Final Finding and Decision. Only those who comment and the applicant have the right to appeal the Final Finding and Decision.

Written comments about this project must be received in this office no later than 5:00 PM on January 3, 2022 to be considered.

To submit comments, please choose one of the following methods:

- Postal: Department of Natural Resources
Southcentral Regional Land Office
ATTN: Brent Reynolds
550 West 7th Avenue Suite 900C
Anchorage, AK 99501-3577
- Phone: 907-269-8567
- E-mail: brent.reynolds@alaska.gov
- Fax: 907-269-8913

If public comments result in significant changes to the Preliminary Decision, additional public notice may be given. To be eligible to appeal the Final Finding and Decision, a person must provide written comments during the Preliminary Decision comment period per AS 38.05.035(i)-(m).

Signature Page Follows

Recommendation:

DMLW has completed a review of the information provided by the applicant, examined the relevant land management documents, and has found that this project is consistent with all applicable statutes and regulations. SCRO considered three criteria to determine if this project provided the best interest to the State and the development and enjoyment of its natural resources. The criteria include direct economic benefit to the State, indirect economic benefit to the State, and encouragement of the development of the State’s resources. This authorization provides a direct economic benefit to the State with the collection of one-time filing fees and any yearly rent/fees. The authorization of this lease is in the State’s best interest as it furthers economic development of the State’s aquatic farm industry. It is recommended that SCRO issue a 10-year lease to Kelp Island Alaska.

Brent Reynolds, Natural Resource Specialist Date

Preliminary Decision:

It is the determination of the Division of Mining, Land, and Water that it may be in the State’s best interest to issue an aquatic farmsite lease to Kelp Island Alaska, as described above. Upon authorization of lease ADL 233815, the applicant will be required to pay the annual lease fee of \$2,075.00, submit a \$2,500.00 performance bond, and provide proof of liability insurance. This Preliminary Decision shall now proceed to public notice.

Samantha Carroll 11/26/2021
Samantha Carroll, Regional Manager Date
Southcentral Regional Land Office
Division of Mining, Land & Water

Attachments

- Attachment A – Development Plan: General Location Map, Site Plan Maps, Project Description, and Operation and Development Plan (The complete Development Plan is available upon request.)
- Attachment B – Alaska Department of Fish and Game Comment Letter

Attachment A Development Plan

PROJECT DESCRIPTION

Kelp Island, Alaska Farm

Chloe Ivanoff, Hailey Thompson & Clifton Ivanoff

Updated 4/27/2021

The proposed aquatic farm site is composed of a single parcel located on state-owned tidal and submerged lands totaling about 13.9 acres. The parcel will include a series of longlines and anchors arranged in a rectangle measuring no more than 415 by 1600 ft by 315 by 1600 ft. The proposed farm site is located approximately .72 nautical miles from the town of Kodiak Island, Alaska. It is adjacent to the Kodiak Island named Holiday Island.

The farm will consist of 25-800-foot submerged suspended longlines on the North array and 20-700-foot submerged suspended longlines on the South Array held in place with a series of 12- 300 lb. steel Danforth anchors. This is not a true rectangle due to the face of following the true shape of the bay. There will be 6, A-6 polyform buoys attached to array A (North) and 6, A-6 polyform buoys attached to array B (South) for a total of 12, A-6 polyform buoy in our parcel. The grow lines will be poly dacron, in parallel configuration, spaced 10 ft. apart held at a depth of 3ft. below the surface of the water using tension. The farm is placed so that it is not in the way of sport, commercial or subsistence vessels.

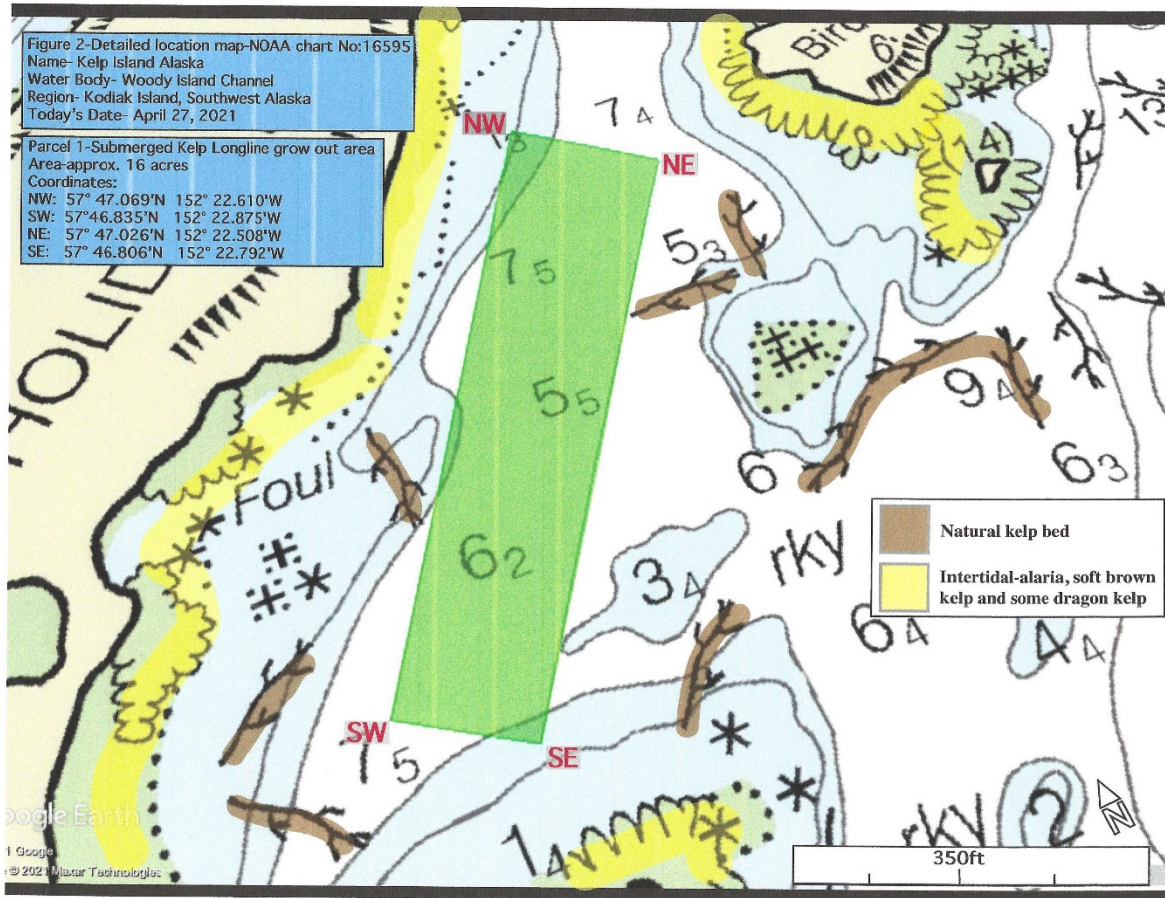
The grow lines and anchors will be removed at the end of the growing season (October-May). This will be done by May 31st annually to avoid potential conflicts with sport fishing that may take place in the area. If we are unable to move the anchors by this date due to weather or other extenuating circumstances outside of our control, we will contact the local ADFG Sportfishing office in Kodiak and notify them when we will have them moved.

The farm will grow the following species of macroalgae: Ribbon Kelp- Alaria marginata and Sugar Kelp- Saccharina latissima, from cultured seed string on suspended longlines. Seed string will be out planted by hand from an open skiff October-December annually. The kelp will be grown at a depth of 3 ft. and on lines spaced 10 ft. apart to allow for optimal light to reach the plants and minimize the risk of entanglement or mechanical disturbance from storms and waves. Ultimately, these measures should result in optimal growth (> 4 lbs. /ft. by mid-April annually).

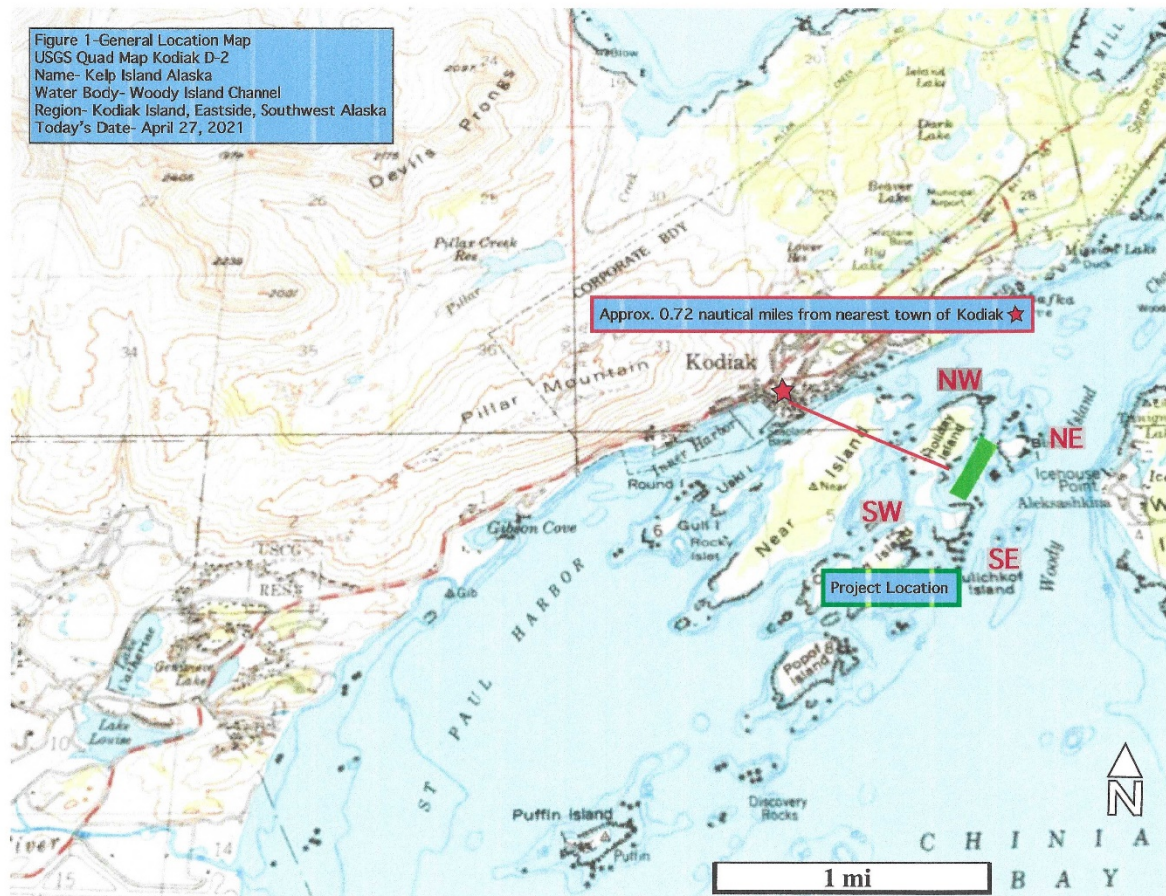
Water quality parameters (temp, salinity, pH) will be measured year-round at the site using passive sensors (hobo loggers, YSI) attached to farm equipment to collect data for NOAA and Blue Evolution. This data will be used to predict harvest times, determine optimal kelp growth conditions, and assess any environmental impacts the farm may have on the nearby environment. Kelp will be monitored for growth by measuring the length of kelp plants and density of plants per foot of longline to assess optimal harvest time. A final pounds/foot will be calculated for each species after harvest. Kelp will be harvested by hand from an open skiff. A larger tender vessel will transport the kelp back to Kodiak for processing. Harvest will begin sometime in the first 2 weeks of April, depending on growth, and be completed by the end of May annually.

There are no infrastructure or support structures associated with this site in the nearby tidal and submerged lands or in the adjacent uplands. The farm will be accessed by an open skiff kept in the harbor in the town of Kodiak. Gear storage will be at the Ivanoff Residence and personal gear storage yard in the town of Kodiak.

Attachment A Development Plan



Attachment A Development Plan



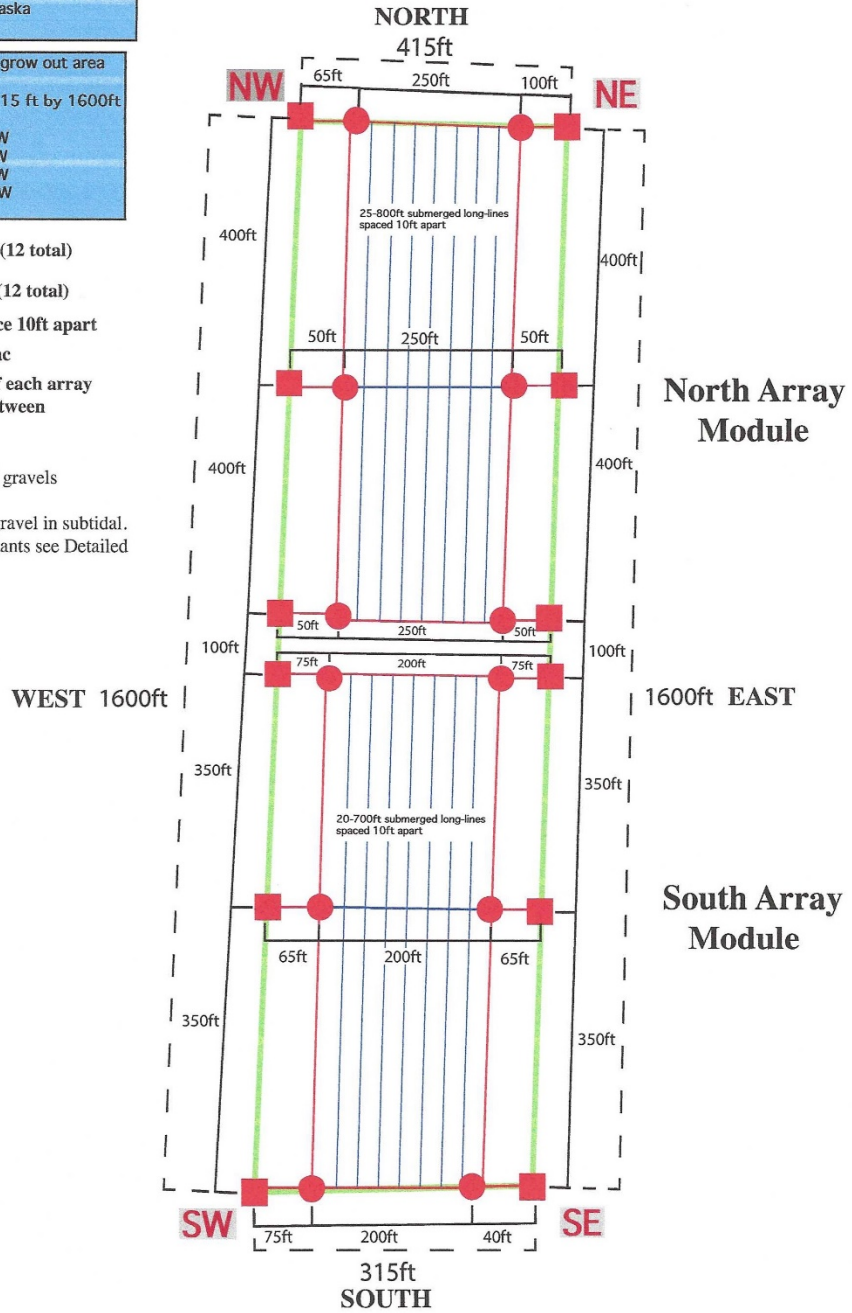
Attachment A Development Plan

Figure 3- Site Plan Map
 Name: Kelp Island Alaska
 Water Body- Woody Island Channel
 Region- Kodiak Island, Southwest Alaska
 Today's Date- April 27, 2021

Parcel 1-Submerged Kelp Longline grow out area
 Area-approx. 13.9 acres
 Dimensions: 415ft by 1600ft by 315 ft by 1600ft
 Coordinates:
 NW: 57° 47.069'N 152° 22.610'W
 SW: 57°46.835'N 152° 22.875'W
 NE: 57° 47.026'N 152° 22.508'W
 SE: 57° 46.806'N 152° 22.792'W
 (NAD83 Datum)

- 300lb danforth anchors (12 total)
- Polyform 75inch buoys (12 total)
- Submerged long-lines space 10ft apart
- anchor line 3/4inch polydac
- - - Total length of edges of each array and length of space between
- set line 3/4 inch polypro

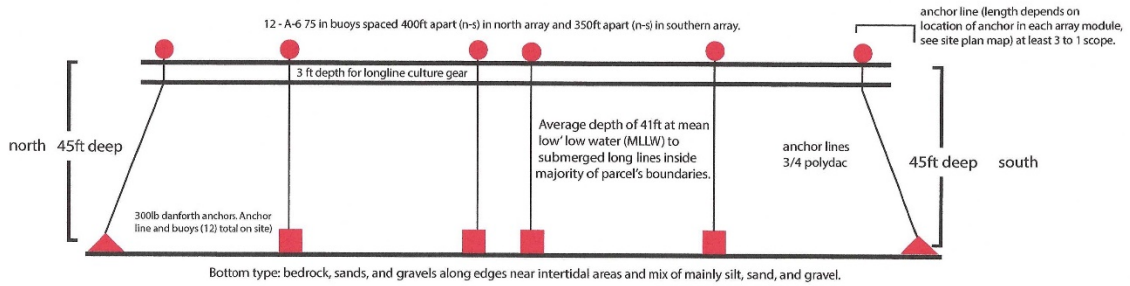
Bottom type: bedrock, sands, and gravels along edges near intertidal areas and mix of mainly silt, sand, and gravel in subtidal.
Intertidal and subtidal aquatic plants see Detailed location map.



Attachment A Development Plan

Figure 4a- Cross-sectional diagram
 Name- Kelp Island Alaska
 Water Body- Woody Island Channel
 Region- Kodiak Island, Southwest Alaska
 Today's Date- April 27, 2021

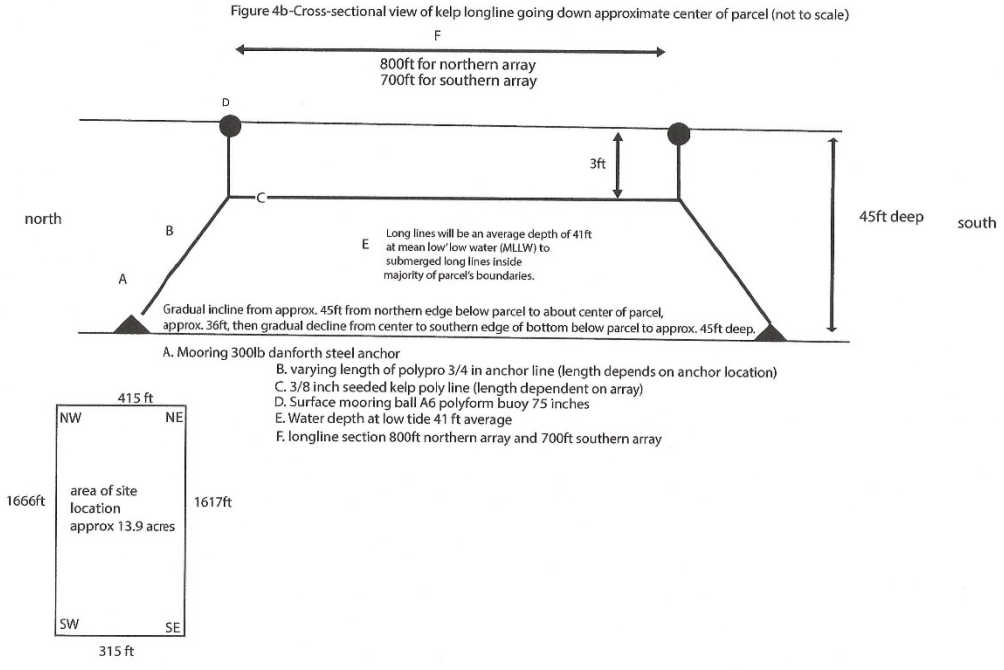
Parcel 1-Submerged Kelp Longline grow out area
 Area- approx. 13.9 acres
 Dimensions- 415ft by 1600ft by 315 ft by 1600ft
 Coordinates:
 NW: 57° 47.069'N 152° 22.610'W
 SW: 57° 46.835'N 152° 22.875'W
 NE: 57° 47.026'N 152° 22.508'W
 SE: 57° 46.806'N 152° 22.792'W
 (NAD83 Datum)



*Design modified from Kodiak Kelp Company

Attachment A Development Plan

Figure 4b- Cross-sectional diagram
 Name- Kelp Island Alaska
 Water Body- Woody Island Channel
 Region- Kodiak Island, Southwest Alaska
 Today's Date- April 27, 2021

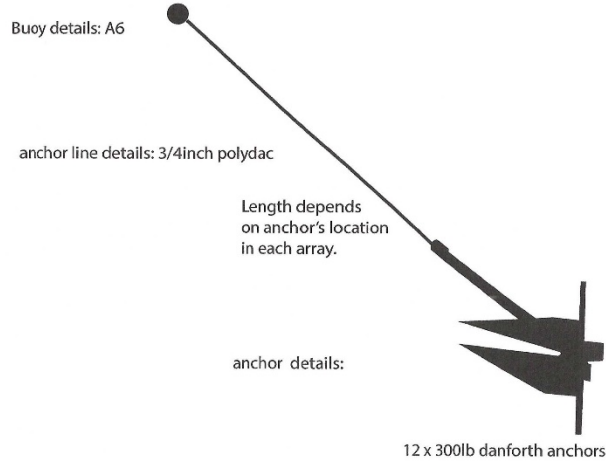


*Design modified from Kodiak Kelp Company

Attachment A Development Plan

Figure 4c- Cross-sectional diagram
Name- Kelp Island Alaska
Water Body- Woody Island Channel
Region- Kodiak Island, Southwest Alaska
Today's Date- April 27, 2021

Figure 4c. Anchor (Mooring) System



*Design modified from Kodiak Kelp Company

Attachment B
ADF&G Letter



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

Department of Fish and Game

Division of Commercial Fisheries
Headquarters Office

1255 West 8th Street
P.O. Box 115526
Juneau, Alaska 99811-5526
Main: 907.465.4210
Fax: 907.465.4168
Permit Coordinator: 907.465.4724

August 19, 2021

Brent Reynolds
Department of Natural Resources
Southcentral Regional Land Office
Aquatic Farm Leasing Program
550 West 7th Avenue, Suite 900C
Anchorage AK 99501

Re: Alaska Department of Fish and Game Agency Review Comments
Ivanoff/Thompson/Ivanoff – Kelp Island Alaska Aquatic Farm Site Proposal
– Woody Island
DNR File No.: ADL 233815

Dear Mr. Reynolds:

The Alaska Department of Fish and Game (ADF&G) has completed a preliminary review of the project proposal, **ADL 233815** relevant to criteria specified in authorizations for Aquatic Farming AS16.40.105 and 5 AAC 200-400. ADF&G Division of Commercial Fisheries (Management, Gene Conservation Lab and Fish Pathology Section), Division of Sport Fish, Division of Wildlife Conservation, Subsistence Section and Habitat Section, were part of the initial review. *There are no concerns pertaining to an aquatic farm operation permit at the proposed location.* Any comments from other government agencies or from the public that may impact applicable department provisions will be considered as part of the final department review for an aquatic farm operation permit which will be issued within 30 days of the lease being issued. Recommendations from this preliminary review are summarized below.

Department Advisory

Please advise the applicant that if the project is approved, general conditions pertaining to Alaska Department of Fish and Game statutory and regulatory provisions for issuance of an Aquatic Farm Operation Permit (AFOP) will be included in the operation permit. In addition, site-specific conditions that have been recommended by staff may be included in the AFOP.

Division of Commercial Fisheries has reviewed this request and have no concerns. Note that there are other aquatic farms in the area that were not indicated on the application.

Gene Conservation Lab has reviewed this request and have no concerns.
Fish Pathology Section has reviewed this request and have no concerns.

Attachment B ADF&G Letter

Brent Reynolds
Department of Natural Resources
Aquatic Farm Proposal ADL 233815 ADF&G Review Comments

- 2 -

August 19, 2021

Division of Sport Fish has reviewed this request and have no concerns.

Invasive Species Program Coordinator has no comment at this time.

Division of Wildlife Conservation has reviewed this request and have no concerns.

Marine Mammal Research Program: This application complies with the guidelines set forth with the ADF&G marine mammal mariculture policy established on April 12, 2019. Project is within area designated as critical habitat or in a known biologically important area for grey whales, humpback whales, Northern sea otter and Stellar sea lion cetaceans. Any advisories or mitigation steps recommended by NOAA Fisheries National Marine Fisheries Service (NMFS) or the US Fish and Wildlife Service (FWS) to reduce marine mammal disturbances should be followed. Large whales, especially humpbacks, are highly susceptible to entanglement in lines in the water; Removing all gear from the water during the non-growing season may minimize gear loss, user conflicts, and marine mammal entanglement and habitat exclusion potential. Any marine mammal entanglements should be immediately reported to the NMFS 24 hr. Stranding Hotline, phone – (877) 925-7773 and the ADF&G Permit Coordinator (907-465-4724).

Access Defense Program: Has no comment at this time.

Seabird Program: Has no comments at this time.

Habitat Section has no comment at this time.

Subsistence Section has reviewed this request and have no concerns.

Our department requests that the Department of Natural Resources consider providing this in their Preliminary Decision as an advisory to the applicant and for public reference.

Thank you for the opportunity to provide comments on this aquatic farm proposal. If you have any questions, please contact me at (907) 465-4724.

Sincerely,



Michelle Morris
Permit Coordinator

ecc: Garold V. Pryor, Aquaculture Section Chief, ADF&G
Chloe Ivanoff, Hailey Thompson, Clifton Ivanoff, Kelp Island Alaska