



MEMORANDUM

STATE OF ALASKA

Department of Natural Resources
Division of Coastal and Ocean Management

TO: Jill Taylor
Natural Resource Specialist III

DATE: February 14, 2011

TELEPHONE: 465-8797

FROM: Randy Bates
Director

SUBJECT: DMLW Natural Hazard
Designation Request –
Chilkat River (Schnabel
Material Sale and Access
Road) –
AK1101-02J

As the lead agency for the Alaska Coastal Management Program (ACMP), the Division of Coastal and Ocean Management (DCOM) within the Department of Natural Resources (DNR) retains the departmental authority to designate certain areas (i.e. important habitat, subsistence use areas, natural hazard areas) within the context of an ACMP consistency review.

In a memorandum addressed to you, dated February 9, 2011, the DNR Division of Mining, Land and Water (DMLW) requested that DCOM designate the area associated with the proposed Schnabel material sale and access road, as a natural hazard area for the purposes of the ACMP consistency review for that project.

You consulted with the DNR Division of Geological and Geophysical Surveys (DGGS) regarding DMLW's designation request. On February 11, 2011, in a memo addressed to you, DGGS recommended that DNR "designate as a landslide hazard area the state lands along the west-southwest flank of the Takshanuk Mountains from the western boundary of the Haines Coastal Management Area northwest to National Geodetic Survey benchmark 'Picnic,' from the ridge crest down to the 20 meter (65 foot) elevation level." In support of their recommendation, DGGS noted that landslides have been specifically identified in 11 AAC 112.990 as a natural hazard and that the "slope conditions are equivalent to or more extreme than" the slopes within the Haines Coastal District, approximately one mile from the proposed project site, which have been designated by the District as natural hazard areas. In designating these areas within their plan, the Haines Coastal District cited historical occurrences of landslides and slope instability, as well as an Alaska Investigations Report authored by Combellick and Long, entitled, "Geologic Hazards in Southeastern Alaska: An Overview." DGGS also evaluated true-color satellite images and color-infrared aerial photographs of the proposed extraction site and applied professional judgment in their assessment of the project area in response to DMLW's designation request.

DCOM has evaluated DMLW's request to designate the Schnabel project site as a natural hazard area against the requirements of 11 AAC 112.210(b), and has considered DGGS' justification for supporting the designation, and hereby grants the DMLW request for the natural hazard designation for this consistency review as described by DGGS.

DCOM notes there is no regulatory requirement in which requests to designate areas during the course of an ACMP consistency review be "connected" to potential impacts of the proposed activity on such areas. Rather, DCOM's role in evaluating the proposed designated area is to determine if DMLW has addressed the regulatory requirements and presented the material necessary to justify the designation for purposes of the consistency review. In this instance, DMLW has done so.

11 AAC 110.215(a)(1)(C) specifies that a consistency review packet for a proposed activity must include an evaluation of how the proposed activity is consistent with the enforceable policies of the ACMP. With this designation, and as part of the response to the request for additional information received from DMLW on February 9, 2011, the applicant must demonstrate how the proposed activity is consistent with the statewide Natural Hazard standard at 11 AAC.112.210(c) and (d). I recommend that you communicate with the applicant on this issue and provide the opportunity for the applicant to amend or supplement his consistency evaluation, as appropriate.

If you or the review participants for this project have any questions about the designated area, the process used to evaluate the approvability of the designated area, or anything else as it relates to this consistency review, please do not hesitate to contact me.

Cc: De Anne Stevens - ADNR/DGGS, Fairbanks
Steve Winker, DNR-DMLW