



**ALASKA DEPARTMENT OF NATURAL RESOURCES
NOTICE OF PRELIMINARY DECISION
LEASE AMENDMENT
ADL 108979
HAINES HUTS**

In accordance with AS 38.05.035, the Division of Mining, Land and Water (DMLW) has issued a preliminary decision to amend a 10-year public and charitable lease to Haines Huts ("Applicant") for 2.6 acres of state-owned land within the Haines State Forest, along the southern flank of Mt. Tukgahgo, Haines, Alaska. The applicant plans to construct a 16-foot by 20-foot public use backcountry cabin and a 4-foot by 4-foot outhouse for the Haines community. The applicant was issued an Entry Authorization for the requested activity in 2019. In 2021, DMLW received an application requesting to amend the location of the proposed lease to reduce impacts to wildlife, which is the subject of this decision. All other aspects of the applicant's requested activity remain the same.

Public notice of this preliminary written decision will be posted on the Alaska Public Notice System website for 30 calendar days. The public may provide written comments to DMLW during that time. Additionally, notice of this preliminary decision will be given to adjacent landowners. The Haines Post Office will also be requested to post the notice of this preliminary decision.

The public is invited to comment on this preliminary decision. Written comments must be received by DNR no later than 5:00 p.m. October 3rd, 2022. All comments must be submitted to: DNR, Division of Mining, Land and Water, Southeastern Regional Office by mail at 400 Willoughby Avenue, P.O. Box 111020, Juneau, AK 99811-1020, by fax at 907-465-3886, or by electronic mail to megan.hillgartner@alaska.gov in order to ensure consideration. Please include your mailing address and telephone contact. In order to establish appeal rights regarding this decision, you are required by law to meaningfully participate in the decision process by commenting on the decision, in writing, prior to the comment deadline. Following the deadline, all timely written comments will be considered, and DNR may modify this decision based on public comments received.

The names of commenters and comments received will be part of the public record.

If DNR determines that public comments in response to this notice indicate the need for significant changes to the decision, additional public notice will be given. If no significant changes are required, the preliminary decision, after any necessary minor changes, will be issued as a final decision. A copy of the final decision, along with instructions on filing an appeal, will be sent to all persons who comment on the preliminary decision. Persons who do not submit written comments during the comment period will have no legal right to appeal the final decision.

The Division of Mining, Land and Water reserves the right to waive technical defects in this publication.

**STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER**

Southeast Regional Land Office

Preliminary Decision

ADL 108979

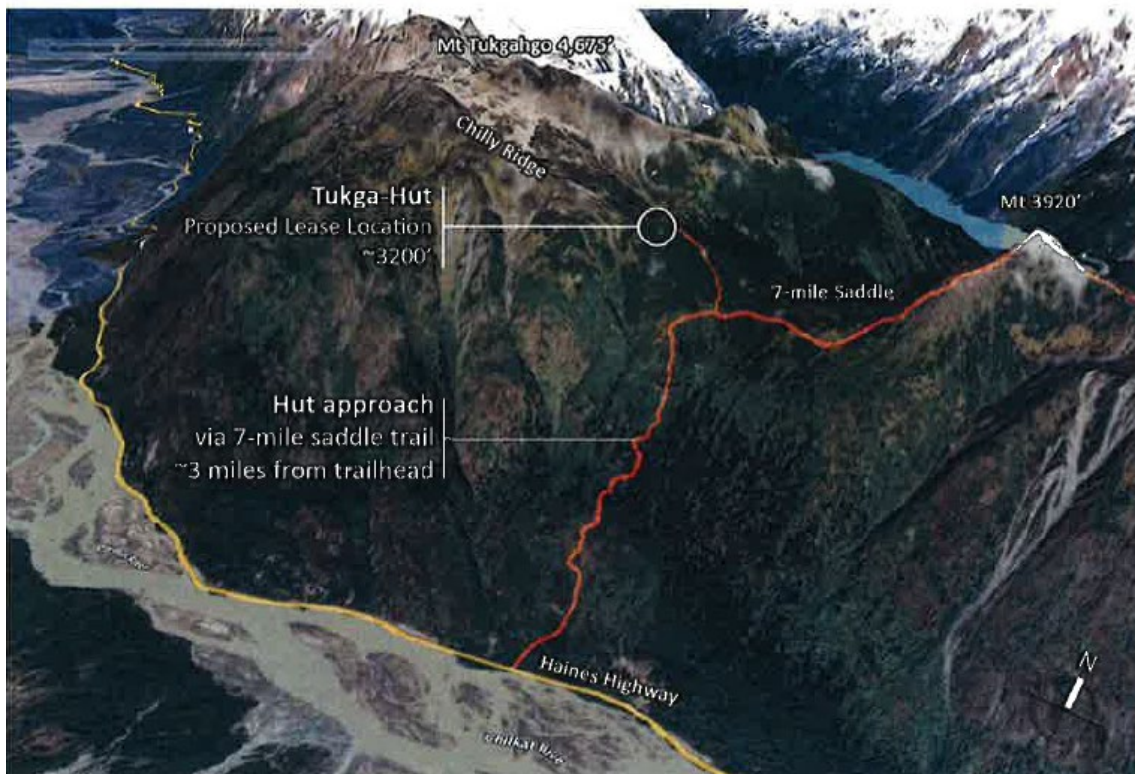
Haines Huts and Trails

Lease Amendment

AS 38.05.810

Executive Summary

This Preliminary Decision (PD) is the State's preliminary best interest finding regarding a proposed disposal of interest in state land. Haines Huts and Trails applied for a lease amendment during the term of their originally issued Entry Authorization to change their leasehold location. The State intends to authorize this lease amendment, contingent on comments received during public notice and the best interest finding contained herein. The public is invited to comment on this PD. The deadline for commenting is 5:00 pm October 3rd, 2022. Please see the Public Notice section of this decision for requirements related to submitting comments for consideration. Only the applicant and those who comment have the right to appeal the Final Finding and Decision (FFD).



Requested Action

Haines Huts and Trails (“applicant”) was issued an Entry Authorization on December 9th, 2019, to lease approximately 2,000 square feet of land for the purposes of constructing a 16-foot by 20-foot backcountry cabin and a 4-foot by 4-foot outhouse on the south flanks of Mt. Tukgahgo, near Haines, Alaska. The purpose of the lease is to establish and operate a public use backcountry cabin and outhouse facility for the Haines community. On December 2nd, 2021, the applicant submitted an application requesting to amend their lease to change the location of the lease site to an area further down Mt. Tukgahgo. The reason for the location change is because the original lease site was located in sensitive goat habitat. The applicant selected the new location to reduce potential impacts to wildlife. The applicant requested a 55-year lease. A development diagram is included as Attachment 1.

Proposed Improvements:

- (1) 16-foot by 20-foot timber backcountry hut containing approximately 320 square feet.
- (1) 4-foot by 4-foot outhouse containing approximately 16 square feet.

The total area requested by the applicant is approximately 2.6 acres.

Proposed Action

The Division of Mining, Land & Water (DMLW) proposes to issue a 10-year public and charitable lease to the applicant for the construction, operation, and maintenance of the cabin and outhouse facilities, as outlined in the applicant’s lease development plan (Attachment 1).

Scope of Decision

The scope of this decision is limited to the determination of whether it is in the State’s best interest to issue a 10-year public and charitable lease to the applicant. The administrative review for this authorization is defined by AS 38.05.035(e)(1)–(2) and is limited to (1) reasonably foreseeable, significant effects of the uses to be authorized; (2) applicable statutes and regulations; (3) facts pertaining to the land or resources; and (4) issues that are material to the determination.

Authority

This lease application is adjudicated pursuant to AS 38.05.035(b)(1) and AS 38.05.035(e) Powers and Duties of the Director, AS 38.05.810 Public and Charitable Use and AS 38.05.945 Notice. The authority to execute the PD, Final Finding and Decision (FFD), and the lease has been delegated to the Regional Managers of DMLW.

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 here-in, the Haines State Forest Management Plan (HSFMP, 2002) and other classification references described herein, and the casefile for the application serialized by DNR as ADL 108979.

Location Information

Geographic Location:

The proposed site is located at an elevation of 3,200 feet on the south flanks of Mt. Tukgahgo, approximately 8 miles from downtown Haines.

Property Description:

The proposed lease is located within Section 11, Township 30 South, Range 58 East, Copper River Meridian.

Other Land Information:

Municipality: Haines

Regional Corporation: Sealaska Corporation

Village Corporation: N/A

Federally Recognized Tribe: Chilkat Indian Village and Chilkoot Indian Association

Approximate Leasehold Corners Coordinate Location:

- 59°17'6.60"N, 135°36'20.53"W
- 59°17'8.08"N, 135°36'21.09"W
- 59°17'7.09"N, 135°36'3.82"W
- 59°17'5.96"N, 135°36'4.27"W

Title

The State of Alaska received tentative approval for the lands from the United States Department of the Interior in 1980 under General Grant GS-1540. This tentative approval was recorded in 2012 under document number 2012-0000278-0.

Title is subject to valid existing rights, including reservations, easements, and exceptions in the U.S. Patent or other State or federal conveyance, and in acts authorizing the issue thereof, easements, rights-of-way, covenants, conditions, reservations, notes on the plat, and restrictions of record, if any.

Adjacent Landowners

The site is located entirely within the Haines State Forest and is surrounded by state-owned land.

Third Party Interests

Non-identified.

Planning and Classification

The proposed lease is consistent with the 2002 HSFMP. Located in Management Unit 8 Subunit 8d, Resource Management Land is the land classification (HSFMP, 3-64).

Management Intent: "Subunit 8d will be managed for its scenic, recreational, wildlife habitat, and potential mineral values under a land classification of Resource Management to represent the diversity of resources. There are approximately 224 acres of operable commercial timber in this

unit. Because of the remote, mountainous location of this subunit, development is not anticipated or considered appropriate. If authorizations are granted by the Department, the general standards of Chapter 2 apply except for the specific requirements of a special use designation prohibiting motorized uses in certain parts of the subunit,” (HSFMP, 3-65).

Chapter 2 of the HSFMP establishes the forest-wide management policies the Department must consider. “Recreation” is the most pertinent and applicable section relevant to this the applicant’s requested use of state land:

Chapter 2 Guidelines – Recreation; Public Use Cabins and Trails: “A system of public use cabins and trails should be established in the State Forest, subject to the availability of funding. Public use cabins and trails may be constructed where analysis indicates a need, and where the state, federal, or local government, or local non-profit organizations are able to construct and maintain the facilities. The Division of Forestry, Division of Parks and Outdoor Recreation and Department of Fish and Game shall closely coordinate the establishment of any public use cabin site or trail [...] Public use cabins will be sited to avoid conflicts with existing or planned resource uses such as timber or mineral development,” (HSFMP, 2-25).

While development in this subunit was not considered appropriate in 2002 when the HSFMP was created, the demand for public use cabins was clearly foreseen and anticipated. The level of disturbance to the landscape and ecosystem from the construction of the cabin and outhouse proposed in the application is minimal: the cabin and outhouse comprise a small square footage and the facilities are designed to be dismantled in one weekend. Additionally, all cabin users are required to adhere to leave no trace practices.

Special Use Designation ADL 106929 (Appendix B), “prohibits the use of motorized vehicles in the area of Mt. Ripinski north to Seven Mile Saddle [...] this designation also affects [...] subunit 8d,” (HSFMP, 3-52).

With the appropriate stipulations in place, the proposed lease is consistent with the classification and management intent of the Haines State Forest Management Plan.

Traditional Use Finding

This finding is not required since the proposed leasehold is located within an organized borough (AS 38.05.830). The Borough will be notified of this Preliminary Decision.

Access

The 2019 Preliminary Decision for ADL 108979 noted issues with legal access. While there are several trailheads that may be used to connect to a trail system providing physical access to the

requested lease area, the trailheads did not provide legal access because they either began on private land or lands not managed by DMLW/DOF (i.e., Mental Health Trust and University of Alaska lands). The original PD stated that it was the applicant's responsibility to establish legal access to their lease site (via one of the existing trailheads) during the Entry Authorization (EA) period by working with pertinent stakeholders/landowners for permission or authorization.

The applicant has since clarified in this amendment request that the primary route to the leasehold will be via 7 Mile Saddle Trail. This trail bisects land owned by the University and Mental Health Trust (MHT) near Mile 7 of the Haines Highway. On May 17th, 2022, the applicant obtained a letter of non-objection and support for the proposed lease from the University of Alaska¹. The applicant also supplied DMLW with proof of a public, non-exclusive trail use agreement between the Haines Borough and MHT for use of 7 Mile Saddle Trail².

As noted above, the site is also subject to Special Land Use Designation, ADL 109269. This designation prohibits motorized access within certain portions of Subunit 8d.

Reservation of Mineral Estate

In accordance with section 6(i) of the Alaska Statehood Act and AS 38.05.125, the state, in this decision, reserves unto itself the mineral estate, including oil and gas, and the rights expressed in the reservation clause of the statute, that being the right to reasonable access to the surface for purposes of exploring for, developing and producing the reserved mineral resources. Exploration and development, if any, which could occur, would be consistent with AS 38.05.130 and other applicable statutes and regulations.

Mineral Orders

The proposed leasehold does not fall within the areas delineated in an Administrative Mineral Closing Order (MCO). Neither an MCO nor a leasehold location order is necessary or appropriate for this lease.

Hazardous Materials and Potential Contaminants

Hazardous materials, specifically a 250-gallon propane tank for cooking and heat will be stored within the proposed leasehold. Stipulations will be included in the lease to ensure proper handling and storage. 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 leasehold and disposed of in accordance with state and federal law.

¹ Letter from Adrienne Stolpe, Director of UA Land Management. May 17th, 2022.

² Revocable License for Land Use, MHT 9100994 (Mental Health Trust and Haines Borough)

The applicant will also store human waste in a 55-gallon drum within the outhouse. The drums will be removed annually via helicopter and disposed of according to state and local regulations at the Haines Borough sewer treatment facility.

Agency Review

An agency review was conducted on March 4th, 2022. The deadline for agency comments was April 4th, 2022.

The following agencies were included in the review:

- ADF&G – Wildlife Cons.
- ADF&G – Habitat Division
- DEC – Commissioners Office
- DEC – Water Plan Review Section Manager
- DNR DMLW OHA – Review & Compliance
- DOT&PF – Statewide ROW Chief
- DNR – Division of Forestry
- DNR – Division of Parks and Outdoor Recreation

Agency Review Comment and Response:

ADF&G Division of Wildlife Conservation Comment: ADF&G does not object to the issuance of the authorization but notes that while the new cabin location makes an attempt to avoid sensitive goat habitat, ADF&G models still predict that the site has a high probability for selection by mountain goats. This location is also near modeled high quality brown bear denning habitat.

To minimize potential impacts to wildlife, ADF&G provided the following recommendations:

- Limit helicopter use to the period of July 16th – October 31st to avoid the potential for disturbing denning brown bears and mountain goats.
- Helicopter should maintain a minimum distance of 1,500 meters from observed mountain goats.
- Food, fuel, waste, or other potential bear/animal attractants should be properly stored. Any conflicts with wildlife should be reported to the Douglas office of ADF&G at (907) 465-4265 or the Alaska Wildlife Troopers if an emergency occurs.

Lastly, ADF&G notes that the youth mountain goat hunting area (hunting season September 15th – November 15th, unless closed by emergency order) includes the Takshanuk Ridge from 10-mile to the town of Haines, and the primary access used by

most hunters is the 7 Mile Saddle Trail. Noise from construction activities may displace or alter goat behavior which may cause conflict with hunting user groups.

DMLW Response: The result of the special use designation (ADL 106929) is to preclude the use of personal and commercial motorized vehicles within the designated Mt. Ripinski non-motorized area, as these uses would be otherwise generally allowed on state-owned land. 11 AAC 96.020(D)-(E) outlines what types of vehicles are generally allowed on state land, while 11 AAC 96.020(F) addresses what aircraft and watercraft uses are generally allowed. Thus, a clear distinction is drawn in regulation between vehicles and other modes of transportation, and the Mt. Ripinski non-motorized special use designation only applies to motorized vehicles. However, under 11 AAC 96.025(3)(c), activities that are generally allowed must be conducted in a manner that minimizes disturbance to fish and wildlife resources.

While helicopter use is not a part of this authorization because it is generally allowed and not restricted by the special use designation, the applicant will be advised of ADF&G's recommendations on how to minimize disturbance to wildlife. Additionally, a stipulation will be incorporated in the lease to address the recommendations regarding attractants to wildlife.

To avoid impacts to wildlife and reduce the potential for conflict with hunting user groups, DMLW will require that the applicant avoid construction between September 15th and November 15th.

DNR Division of Forestry Comment: DOF stated that while the application does not discuss removal of vegetation, the applicant indicated in an email exchange with DOF that vegetation removal could consist of a 26-foot by 30-foot area and 10-foot by 10-foot area for the human waste facility. DOF notes that removing the subalpine vegetation for the development of the cabin could promote adverse impacts to the surrounding vegetation. DOF noted concerns that removing vegetation could lead visitors to continue cutting the vegetation back for fuel once they found that cutting has already occurred. DOF would prefer that the applicant select a specific site that does not require the removal of subalpine forest or shrubs for development.

DOF indicated that the management plan supports dispersed recreation in this subunit and that allowing cabin construction is contrary to the plan guidelines. If authorized, DOF requests that development impacts to wildlife, habitat, and recreational users are as minimal as possible.

DMLW Response: In response to DOF's comment regarding brush and vegetation clearing, DMLW will include the following stipulation in the lease agreement:

Site Disturbance:

- a) Site disturbance shall be kept to a minimum to protect local habitats. All activities at the site shall be conducted in a manner that will minimize the disturbance of soil and vegetation and changes in the character of natural drainage systems. Any ground disturbances that may occur shall be contoured to blend with the natural topography to protect human and wildlife health and safety. Particular attention must be paid to preventing pollution and siltation of any waterways and to preventing disturbances to fish and wildlife populations and habitats.
- b) Brush clearing is allowed only to the extent necessary to maintain the present development. The Lessee may use dead timber that is down. The Lessee shall not cut standing timber within the leased area unless specifically authorized by DNR's Division of Forestry. The removal of vegetation shall be kept to a minimum and areas requiring disturbance should be allowed to revegetate as soon as possible after disturbance. To the extent possible, associated vegetation should be left intact to enhance stability, control erosion and enhance scenic qualities.

As noted in the *Management Intent* section above, development within the subunit was not considered in 2002 when the HSFMP was created. However, the HSFMP clearly acknowledged and anticipated that the demand for public use cabins would grow in the following years. This demonstrated in the HSFMP Chapter 2 Area Guidelines for Recreation, which specifically notes, "a system of public use cabins and trails should be established in the State Forest, subject to the availability of funding. Public use cabins and trails may be constructed where analysis indicates a need, and where the state, federal, or local government, or local non-profit organizations are able to construct and maintain the facilities," (HSFMP, 2-25). The applicant's proposal to construct a cabin and outhouse is consistent with the management plan.

This amendment request is a result of the applicant voluntarily relocating after previously receiving approval for a lease in 2019 in an effort to reduce potential impacts to wildlife and habitat. The impacts to state lands from the proposed activities are de minimis in nature, consist of a small square foot area, and are designed to be dismantled in one weekend.

Background

DMLW received the original application for lease on February 25th, 2019. The applicant was issued an EA on December 9th, 2019. In November of 2021, DMLW received an application requesting to amend the location of the proposed lease to reduce impacts to wildlife, as the previously authorized lease area was located directly within sensitive mountain goat and brown bear denning habitat. The amendment proposes to move the location of the lease area to the

3,200 foot elevation level (still within the southern flank of Mt. Tukgahgo), which is the subject of this preliminary decision.

Discussion

Haines Huts is a nonprofit corporation seeking to establish several public use cabins in the Haines area. Much of the uplands in Haines are owned and managed by the State.

The mission of Haines Huts is to establish and operate an area hut system that provides reliable backcountry cabins for residents and visitors, with a purpose of providing a place that fosters wilderness education for all ages, a jumping off point for backcountry adventures, and a safe place for emergency situations.

DMLW proposes to issue Haines Huts a 10-year public and charitable lease under AS 38.05.810.

The lease shall be subject to the standard DMLW Lease Agreement, Special Stipulations and the terms and conditions set forth therein (Attachment 2).

Development Plan

The Development Plan (DP) attached to this decision (Attachment 1) and dated November 7th, 2021, is under consideration by DMLW. Should the proposed lease be granted, it is anticipated that the DP 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 DMLW before any construction, deconstruction, replacement of infrastructure, or change in activity will be authorized. DMLW reserves the right to require additional agency review and/or public notice for changes that are deemed by DMLW to be beyond the scope of this decision.

Performance Guaranty

In accordance with AS 38.05.035, AS 38.05.860, and 11 AAC 96.060(a) Performance Guaranty, the applicant will be required to submit performance guaranties for the lease to incentivize performance of the conditions of the lease. This provides a mechanism for the state to ensure that the lessee shares any financial costs associated with noncompliance of the lease agreement for site cleanup, restoration, and any associated costs after termination or expiration of the leases.

The following bonds will be required:

\$6,570 Performance Bond:

Performance guaranties provide a means to pay for corrective action if the lessee fails to comply with the lease requirements. In accordance with AS 38.05.035(a)(4), the applicant will be required to submit a performance guaranty. The amount of the performance guaranty is based on the scope and the nature of the activity and the potential cost of restoring the site. Performance guaranties are subject to periodic adjustments during the term of the authorization to address increases or decreases in the costs of rectifying problems and rehabilitating state land due to inflation, changes in the level or nature of development, or other appropriate factors.

The 2019 Final Finding and Decision for ADL 108979 dictated that the applicant submit a Performance Guaranty in the amount of \$6,570. The lease amendment contemplated in this Preliminary Decision makes no changes to the 2019 Performance Guaranty requirement.

Insurance

Consistent with AS 38.05.035(a) to protect the State from liability associated with the use of the site, the applicant shall provide and maintain a comprehensive general liability insurance policy with the State of Alaska named as an additional insured party per the stipulations of the Lease Agreement. The applicant shall secure or purchase at its own expense and maintain in force at all times during the term of this lease, liability coverage and limits consistent with what is professionally recommended as adequate to protect the applicant and the State, its officers, agents and employees from the liability exposures of all the insured's operations on state land. The insurance requirement may be adjusted periodically.

Survey

In accordance with AS 38.04.045, this 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. The applicant will be required to submit a scaled diagram with GPS coordinate points for all leasehold corners. Remittance of an approved diagram will be required before the lease may be issued. DMLW reserves the right per AS 38.05.035(a) to require a survey in the future, should conditions arise that warrant a survey. If a survey is required, the applicant will be responsible for the costs of the survey.

Compensation and Appraisal

AS 38.05.810(b-d): DNR is setting the annual fee for the lease at \$0.00, because of the youth encampment fee exemption. Under AS 38.05.097(a) a nonprofit organization using state land leased by it under AS 38.05.810 for a youth encampment or similar recreational purpose is exempt from lease rental payment on that land.

In 2019, Haines Huts submitted a written request for this exemption stating:

“Haines Huts is a nonprofit organization that provides backcountry cabins for the purpose of providing a place for youth and young adults to participate in outdoor recreation living. Our cabins provide an opportunity for young people to foster personal and social development while experiencing the outdoors. This cabin will be used year-round for youth and young adult outdoor programs and for this reason should qualify for the youth encampment exemption.”

Given that 11 AAC 58.825 calls to liberally interpret the applicable statutes and regulations in determining the qualifications for a youth encampment fee exemption, DMLW determined that the applicant qualifies for the exemption.

Subleases

Subleasing is permissible through AS 38.05.095, if the proposed leased is approved. As this lease is authorized under AS 38.05.810(b-d) for public and charitable use, the lessee may only sublease to another qualified entity under AS 38.05.810(b-d). No commercial use of the leasehold is allowed under AS 38.05.810(b-d). All potential subleases must first be approved in writing by DMLW. As required by 38.05.095(b), a nonprofit organization that is exempted from paying rent on state land under AS 38.05.810 may not sublease. DMLW may conduct further agency review and/or public notice before making a determination on the appropriateness of the proposed sublease. The sublease fee will not be less than 25% of the annual fee paid to the lessee by the sublessee.

Reclamation

In accordance with AS 38.05.090, the leasehold must be restored to a “good and marketable condition” as determined by DMLW within 120 days after termination of the lease.

Public Notice

Pursuant to AS 38.05.945, this PD will be noticed for a 30-day public comment period, starting on September 1st, 2022. In addition, the post office(s) located near the proposed leasehold will be requested to post the notice pursuant to AS 38.05.945(b)(3)(C). The notice will also be posted on the State of Alaska Online Public Notice website pursuant to AS 38.05.945(b)(3)(B) located at: <https://aws.state.ak.us/OnlinePublicNotices/Default.aspx>. In accordance with AS 38.05.946, a municipality or a corporation entitled to receive notice under AS 38.05.945(c) may hold a hearing within 30 days after the receipt of the notice.

Comments

The public is invited to comment on this PD. All comments received during the public comment period will be considered in the FFD. If public comments result in significant changes to the PD, additional public notice may be given. A copy of the FFD, along with instructions on filing an appeal, will be sent to all persons who comment on the PD. To be eligible to appeal, a person affected by the FFD must provide written comments during the public comment period per AS 38.05.035(i).

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

To submit comments please choose one of the following methods:

Mail: Department of Natural Resources
Division of Mining, Land and Water
Southeast Region Office
ATTN: *Megan Hillgartner*
400 Willoughby Avenue, 4th Floor

Haines Hutst
Land Lease Development Plan
11, 28, 2021



Introduction

Haines, unlike most communities in Southeast Alaska, does not have a federal or state agency establishing and operating backcountry cabins for public use. Haines Huts, a 501c3 federal nonprofit, was established to fill this gap. The mission of Haines Huts and Trails is to foster wilderness experiences in some of our region's most inspiring locations by developing and maintaining public use backcountry cabins and trails. The purpose of these backcountry cabins is to offer a place to foster wilderness education opportunities for all ages, a jumping-off point for backcountry adventures and a safety net for emergency situations.

Starting in 2012 Haines Huts have been meeting with Haines State Forest users and the Haines State Forest office staff to identify and prioritize potential locations for the first backcountry hut established and operated by Haines Huts.

The development of backcountry cabins is supported in the Haines Borough Comprehensive Plan and the Haines State Forest Five-Year Forest Management Schedule for calendar years 2018-2022. The Tukga-Hut location is specifically mentioned in the 2018-22 Management Schedule.

The Tukga-Hut will provide residents and visitors the opportunity to experience the Haines State Forest in a way that supports and enhances the primary purposes of the Haines State Forest Resource Management Area, outlined in the Haines State Forest Management Plan.

This Development Plan is accompanied by the Department of Natural Resources' Division of Mining Land and Water Application for Public and Charitable Use Purchase of State Land Lease Application, Agreement to Bear costs, Applicant

Environmental Risk Questionnaire, and kmz file.

Legal description

SEC 11, T30S, R58E, Copper River Meridian

See *tukgahut_lease_21.kmz* in attached file.

Corners of the proposed lease location:

59°17'6.60"N 135°36'20.53"W

59°17'8.08"N 135°36'21.09"W

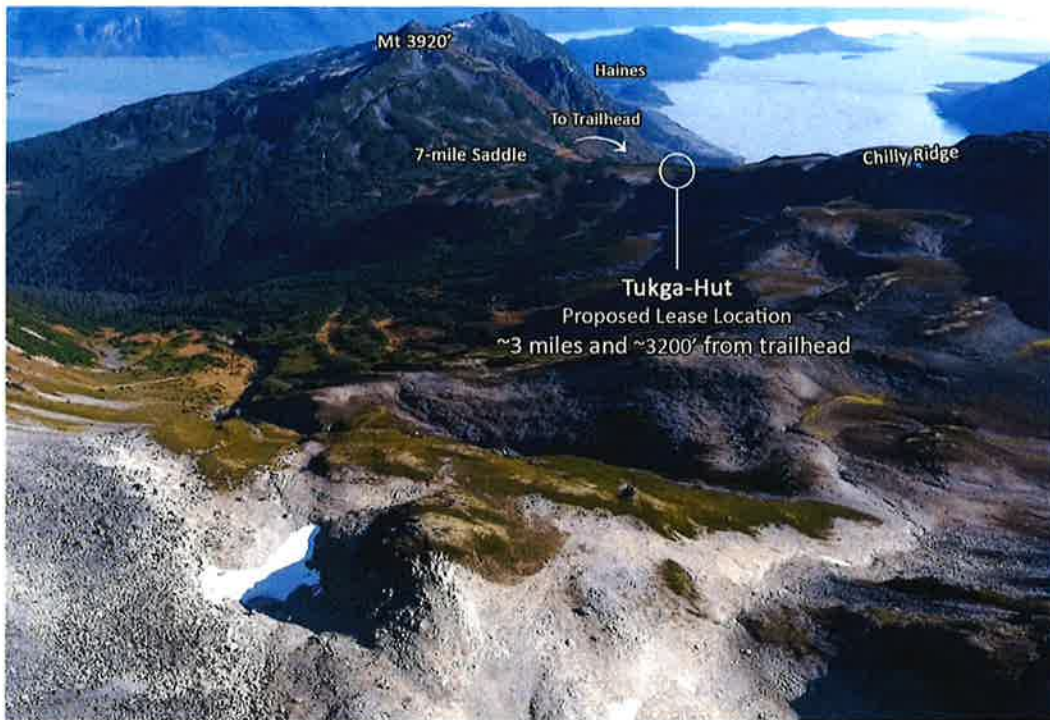
59°17'7.09"N 135°36'3.82"W

59°17'5.96"N 135°36'4.27"W

Terrain/ground cover

The proposed hut will be approximately 8 miles north of downtown Haines, Alaska, in the Takshanuk Mountain Range, on the south flanks of Mount Tukgahgo. It will be at 3,200ft, where Chilly Ridge climbs to the north above 7-mile saddle (See images on next page). The Takshanuk Mountain Range lies between the Chilkoot and Chilkat Rivers in northern Lynn Canal. The area is a geologically young and dynamic landscape that includes a mix of perennial snowfields, small glaciers, alpine meadows and rugged broken terrain that descends to a rocky, tidewater coastline (White and Barten 2008). The existing ground cover is patches of mountain Hemlock and dwarf conifers giving way to a mosaic of lush subalpine meadows and then a patchwork of alpine heather tundra and bare rock. 8 months of the year the ground is covered with snow.

The proposed changes to the terrain/ground cover for this project are minimal. The foundation for the 320 square foot cabin will be 2 rows of 3-4 footings.



View of proposed hut location from the North, looking southeast

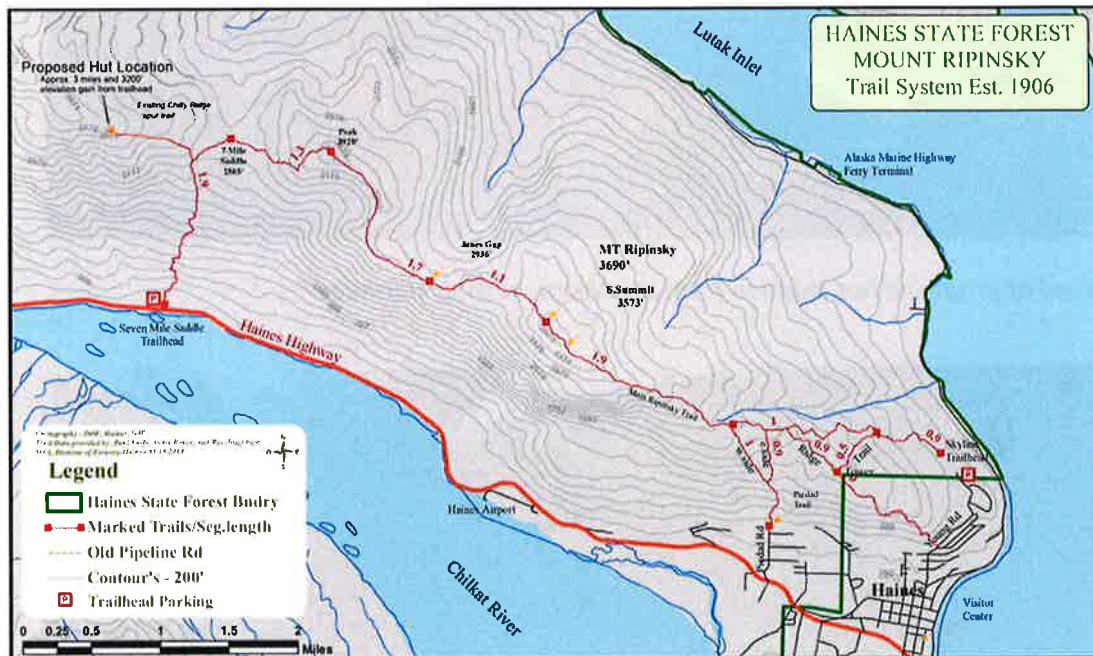


View of proposed hut location from the South, looking northwest

Access

This project will not restrict public access.

In the summer, the most established access to the project location is via hiking from the "7 Mile Saddle Trailhead" at 7-Mile on the Haines Highway. The existing trail ascends to '7-Mile Saddle' then splits south to Peak 3920 and north up to Chilly Ridge. The Hut location is ~3 miles and 3200' from the trailhead. Materials and supplies for construction will be slung in by helicopter and deposited without landing. Alternative public access routes on the West side exist into 10-mile bowl and from the northeast down the east ridge of Mt Tukgahgo to the 'Glory Hole Road' and down from '7 Mile Saddle' to the Lutak Road.



*Existing Mt Ripinski trail infrastructure and proposed Hut approach.
Base image from Division of Forestry, Haines, 2008*

Buildings and other structures

Construction will be limited to one 16'x20' Hut & one 4'x4' outhouse. The floor will be built with traditional wooden joists. The structure will be locally milled and crafted timber. The Hut will be semi-permanent, but will be built with reclamation in mind. The entire hut could be dismantled in one weekend. The hut will be pre-assembled in town, then broken down and slung up to the building site in modular sections.

Power source

There will be a small propane generator to support the weather monitoring, web cameras & data link. The hut will not have traditional 110v power.

Waste types, waste sources, and disposal methods

Pack it in, Pack it out. With no running water, human waste collected in 55-gallon drums via outhouse is the only anticipated waste that will be generated on site. Full drums will be removed annually via helicopter and disposed of according to state and local regulations at the Haines Borough sewer treatment facility. Cabin users will agree to a "leave no trace" ethic in the rental contract. If household garbage is left in cabin, Haines Huts will penalize users according to a rental contract and manage waste accordingly. Cameras are part of building design and will be used for enforcement

The hut location is just over a quarter mile from the nearest surface water stream.

Hazardous substances

Propane gas will be used in the cabin for cooking, heat & limited power infrastructure. A 250-gallon propane tank will be secured along the back gable end of the hut. The risk to environment has been greatly reduced by choosing to use propane gas instead of diesel or other liquid petroleum fuel. See SDS (propane_sds.pdf) in attached file.

Water supply

There will be no running water, and therefore no waste water. Users will bring their own drinking water. The closest water supply is a perennial stream just over a quarter mile North of the cabin. When snow is covering the ground, users may melt snow for drinking water.

Parking areas and storage areas

N/A

Number of people using the site

The cabin will have beds for 8 people. There will be one supervisor who is responsible for managing the site. The Haines Huts business model anticipates that the site will be used 100 days per year with a total of at least 250 user days per year

Maintenance and operations

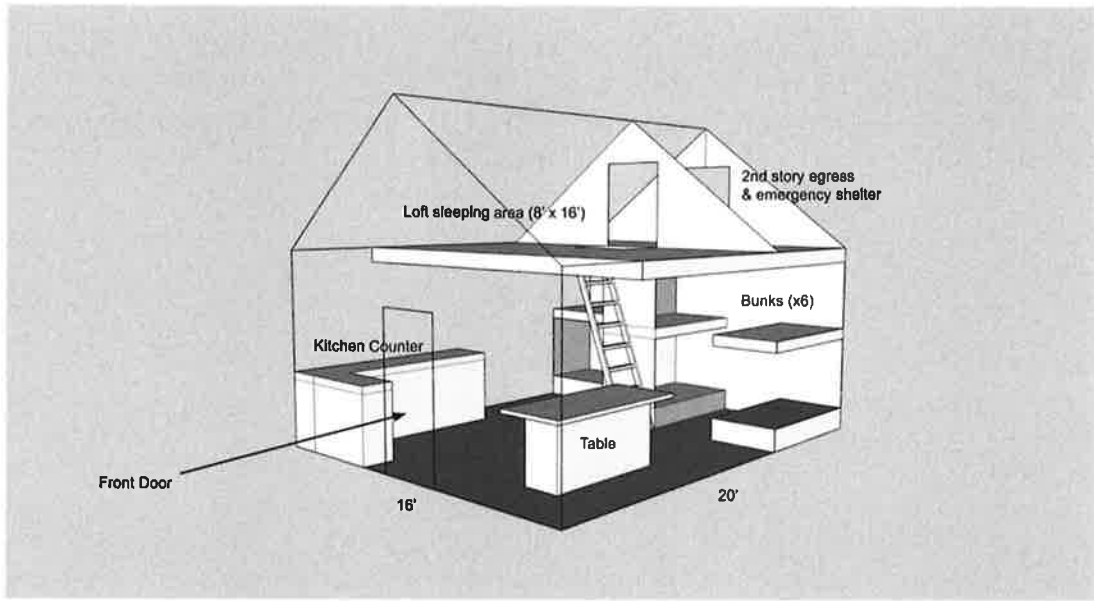
The cabin will be maintained and operated by Haines Huts. Similar to many backcountry cabin systems operated around the world, Haines Huts long-term maintenance requirements for this type of cabin will include an annual helicopter service, which will fly maintenance materials & propane fuel in and fly human waste out. The cabin will have several web-linked cameras both outside and inside the hut. The exterior cameras will post real time condition images to the Haines Huts website and the Haines Huts manager will check the internal cameras regularly. The cameras will help ensure if and when damage to the property does occur the cabin manager is able to access the property and address damages.

Closure/reclamation plan

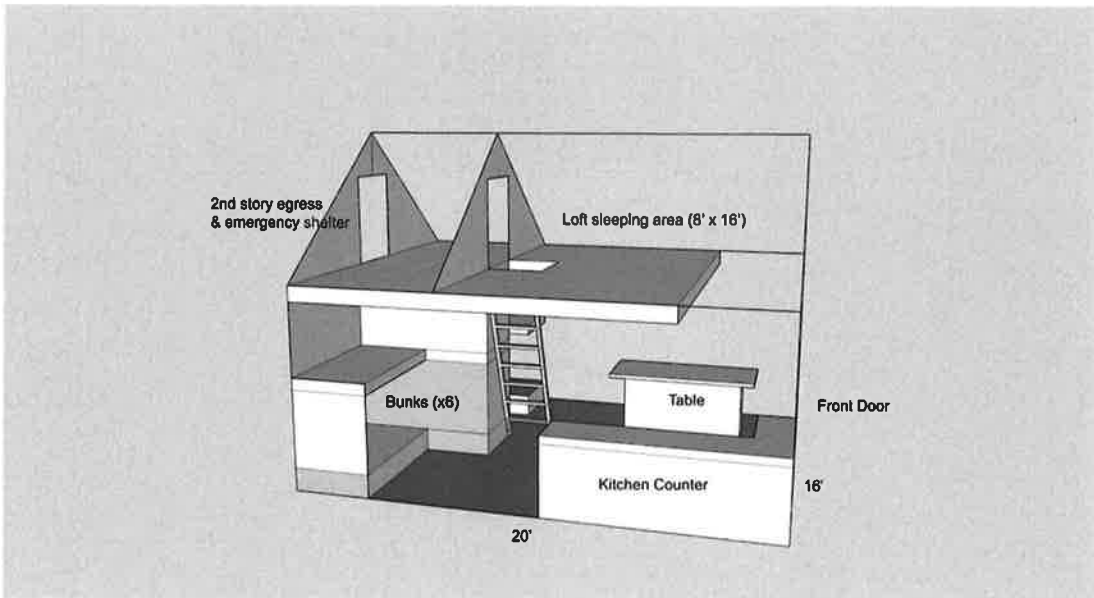
Haines Huts has secured a reclamation bond to cover the cost of deconstruction. The cabin has been designed to be dismantled quickly. Insulated panel construction allows for quick disassembly and removal by helicopter.

Sketch or blue line portion of the development plan

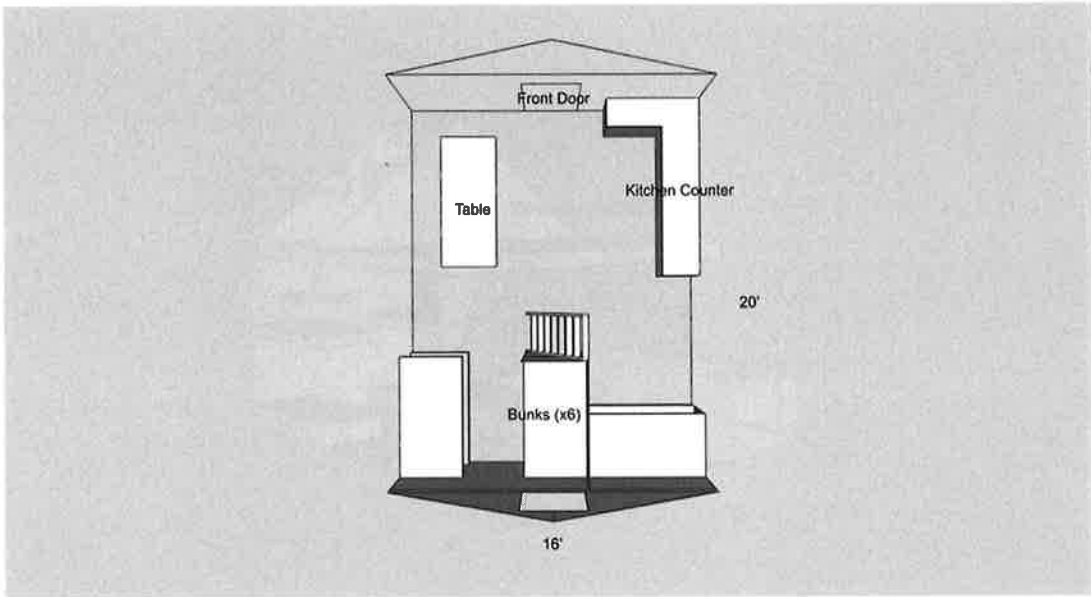
Foundation for the proposed hut will be concrete footings.



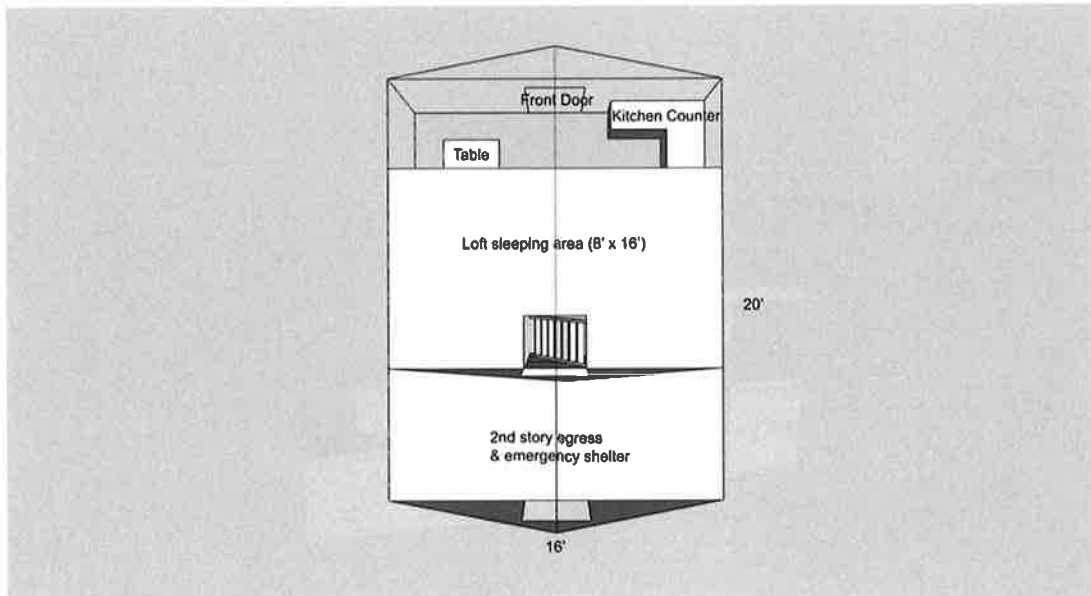
View from Southeast



View from West



Plan view, ground floor



Plan view, sleeping loft & emergency egress