

DRAFT 2024
REVISED DYEA FLATS LAND MANAGEMENT PLAN



Municipality of Skagway
Dyea Community Advisory Board
National Park Service Rivers, Trails and Conservation Assistance Program
Taiya Inlet Watershed Council
United States Fish and Wildlife Service Coastal Conservation Program

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I. INTRODUCTION



Dyea Flats represents a special place in the hearts of those who live and recreate in the Municipality of Skagway. The 202-acre tidal flats offer multiple opportunities for outdoor activities and for learning about nationally significant cultural and historic events. The flats also provide important habitat for fish and wildlife ranging from the anadromous salmon and the western toad to the Alaskan coastal brown bear grizzly bear.

Planning for Dyea Flats has been on-going since the early 1990s when the Municipality of Skagway began working with the State of Alaska to acquire 202 acres in Dyea Flats. In the intervening years, a series of public planning efforts has been undertaken to determine how best to manage the area, resulting in the 1996 *Dyea Flats Land Management Plan*, corresponding code requirements, and several identified implementation actions.

The loss of traditional recreational areas due to National Park Service ownership and management prompted the community to pursue ownership of the remaining Dyea Flats land. In order to gain ownership of the Dyea Flats the City of Skagway was required to form a land management plan as required by the State of Alaska.

In an effort to bring the 1996 plan and related code up to date and to encompass all relevant management direction for Dyea Flats under one umbrella, ~~this a *Revised Dyea Flats Land Management Plan* has been~~ was prepared in 2010. ~~Changes from the 1996 plan include editorial adjustments (e.g., reformatting) and new or updated information reflecting current conditions. Information in the 1996 plan that is no longer valid or actions that already have been implemented have not been carried forward in this revised plan.~~

This 2010 *Revised Dyea Flats Land Management Plan* ~~outlines~~ outlined the vision and framework for sustainable use of Dyea Flats, and ~~will serve~~ served as a guide for the future. ~~setting the general management direction for Dyea Flats for the next five years (2010 to 2015).~~ This The Dyea Flats Management Plan is a living document, and this 2021 updated version will be its 3rd revision reflecting the current conditions. ~~to be evaluated and reviewed and updated, as necessary, to keep pace with demographic, funding, recreation and other trends as they evolve.~~

The *Revised Dyea Flats Land Management Plan* consists of seven main sections:

- ★ *Part I. Introduction*
- ★ *Part II. Existing Conditions.* A description of the natural resources, cultural/historic resources, and current recreational and other uses of Dyea Flats.
- ★ *Part III. Existing Code.* Excerpts taken from the Municipality of Skagway code that apply to Dyea Flats.
- ★ *Part IV. A Chronology Dyea Flats Planning.* An overview of planning processes and decisions made to date for Dyea Flats, as well as summary of other plans affecting management of Dyea Flats.
- ★ *Part V. Revised Dyea Flats Land Management Plan.* A description of the vision, goals and objectives for Dyea Flats, as well as the proposed 5-year action plan to achieve them.
- ★ *Part VI. Plan Administration.* A description of how the plan will be administered and by whom.
- ★ *Appendices*

As established under Chapter 3.15 of Skagway Municipal Code, the Dyea Community Advisory Board will continue to advise the Municipal Assembly on issues and policies relating to public lands in the Dyea and West Creek Valleys including, but not limited to, land use, planning, land disposal, land and water conservation, utilities, recreational and commercial development. Additionally, the Dyea Community Advisory Board shall be responsible for the periodic review and update of this management plan (see Part VI Plan Administration).

II. EXISTING CONDITIONS

Natural Resources

Dyea flats, a 202 acre area of uplifted unconsolidated sedimentary material, is located at the mouth of the Taiya River, a 16 mile-long water course that begins among the alpine glaciers and snow fields of the Coastal mountain range. During the last Ice Age, about 10,000 years ago, the entire region was under thousands of feet of ice. As of 1994, 33% of the 180 square mile Taiya River watershed remained covered in glacial ice. This The loss of ice cover in southeast Alaska, centered in the Glacier Bay area, is causing one of the most dramatic geomorphic processes in the area: isostatic rebound.



Recent measurements reveal that the land surface in the Dyea area is being uplifted at the rate of 10 to 14 about 16 millimeters per year (Curran 2020). ~~This uplift continues to mold the landscape by changing hydrological processes, resulting in rapid rates of~~

~~succession and altering river channel morphology, subsequently shifting the juxtaposition and extent of fish and wildlife habitat. River channel migration is currently eroding portions of the Municipal land on the Dyea Flats, and in other areas land is accreting. Glaciers are currently estimated to be thinning at the rate of two meters per year and about 13% of the ice cover in the watershed has been lost in the last 50 years. Glaciers are currently thinning at a dramatic rate and a significant portion of ice in the watershed has been lost. Global sea level rise has been accelerating since the 1990s and was about 3.7 mm per year between 2005 and 2020 (Johnson and Lumpkin, 2021). The apparent sea level in Skagway will continue to “drop” as long as isostatic rebound is greater than overall sea level rise.~~

The rate at which ice cover is being lost is increasing, which is likely to increase the frequency of outburst floods as retreating glaciers leave pre-glacial lakes in their wake. The Taiya River watershed has a history of glacial outburst floods, the most recent one occurring in 2002. ~~These are among the factors contributing to the dynamic nature of the biological and physical processes of Dyea Flats.~~ When not subject to outburst floods or other extreme events, the lower Taiya River is now in an unusually stable configuration unlikely to see much main channel movement in general, but with specific areas of high erosion and accretion. A hydro-geomorphic examination of the lower Taiya River was published by the USGS in the summer of 2020 (Curran 2020). The study found channel movement and side channel development less likely than what was experienced prior to the mid 1990s, but that some sites are expected to see dramatic change, such as the cutbank into the historic townsite and the western shore of the meander across from Hackett’s Hill.

Locally observed changes in population numbers and distribution of plants and animals show us that the Dyea valley is responding to rapid changes.

Curran, J.H., 2020, Hydrology and geomorphology of the Taiya River near the West Creek Tributary, southeast Alaska: U.S. Geological Survey Scientific Investigations Report 2020-5059, 57 p., <https://doi.org/10.3133/sir20205059>.

Johnson, G. C. and R. L. Lumpkin, Eds., 2021: Global Oceans [in “State of the Climate in 2020”]. Bull. Amer. Meteor. Soc., 102 (8), S143-S198, <https://doi.org/10.1175/BAMS-D-21-0083.1>.

Vegetation

The southern portion of Dyea Flats is an intertidal estuary strongly influenced by the interacting forces of sediment deposition from the Taiya River and the 27-foot tidal range of the Northern Lynn Canal. Beach fringe plant communities, which occur adjacent to the two-mile long intertidal zone, are a mixture of salt- and flood-tolerant plants such as sea-beach sandwort (*Honckenya peploides*), goose-tongue (*Plantago maritima*), Pacific silver-weed (*Argentina egedii*) and dune-grass (*Leymus mollis*), that grow just above the intertidal zone. The location of this community can easily shift due to major storms, shifting sands or with the continued uplift of the Dyea estuary. This ~~serial~~ early seral

community is likely to be succeeded by vegetation similar to that currently on the upland portion of the Flats.

The northern portion of Dyea Flats is an uplifted estuary composed of silt and sands derived from beach and river sediments. Plant species are a mix of salt-and flood-tolerant plants and upland species such as yarrow, beach pea (*Lathyrus japonicas*), sedges, and grasses. At the northern end of the Municipal land on Dyea Flats, the Sitka spruce forest is encroaching, and as uplift of the Flats continues, will become the dominant plant community.

As of 2018, thirty-eight species of ~~invasive~~- exotic plants have been documented in the Dyea Flats area (see appendices, Table 1), ~~and several of these have been the subject of control actions.~~ Three species are ranked highly invasive and six species are ranked moderately invasive by the state of Alaska. In addition, three species ranked as extremely invasive have potential to establish in the flats area: reed canary grass, white sweet clover, and ornamental jewelweed. (IPMT 2021) Continued vigilance and annual control of high-priority exotic plant species will be essential to maintaining the ecological integrity of the Flats. ~~One of the most serious threats to the terrestrial plant communities on the Flats is white sweet clover (*Melilotus alba*) which is currently abundant in Skagway. This aggressive exotic plant can quickly and completely alter habitat compromising the areas valued as fish and wildlife habitat.~~

IPMT - Invasive Plant Management Team Program, 2004-2021, Klondike Gold Rush National Historical Park, Skagway, AK.

Wildlife

Many species of resident and migratory songbirds, raptors, and water-birds can be observed on Dyea Flats or on the surrounding waters (see appendices, Table 2). During spring green-up and during salmon runs both black and grizzly bears are commonly observed on the Flats. Occasionally, bears and humans fishing in Nelson Creek encounter each other at close range while fishing. However, to date, no one



has been injured by a bear. It is important that a strong bear safety message be conveyed to people recreating in the Dyea Flats area.

~~Coyotes are regularly seen on the Flats, and wolves use the area on occasion. The only species of ungulate very rarely observed~~

~~on the Flats are moose. Small mammals such as snowshoe hares and voles are present year-round. Harbor seals and the occasional Steller's sea lion can be observed in the Taiya River during high tides. The occasional river otter has been spotted in the water and on land.~~

Fox, lynx and coyotes hunt on the Flats. Mule deer have established a breeding population in Dyea, and may venture onto the Flats when crowds are absent. Small mammals such as mice, voles, and snowshoe hares are year-round food for carnivores and raptors. Wildflowers and their butterfly, bee, beetle, and fly pollinators play an important role in the Flats ecosystem.

The shallow intertidal zones fringing the Flats harbor specially adapted plants and animals found only in periodically inundated areas. Harbor seals and the occasional Steller's sea lion visit the waters around the Flats and can be observed in the Taiya River during high tides. River otters have been spotted year round in the water and on land.

Aquatic Habitat

Water quality information available for the Taiya River suggests that the watershed is relatively un-impacted and currently free of anthropogenic influence. The lower Taiya River and its tributaries support a diverse fishery. Historically, the Taiya River had a large spring run of eulachon, but this phenomenon ~~has not been observed for several years~~ has become inconsistent. The cause of this run's decline is unknown. The channels of the Taiya River and Nelson Creek are accessible to anadromous fish and support three of the five species of Pacific salmon (chum, pink, and coho), as well as Dolly Varden. The Taiya River is listed in the *Catalog of Waters Important for the Spawning, Rearing and Migration of Anadromous Fishes* (ADFG 2005 2021). ~~Farmed Atlantic salmon are released into the North Pacific each year and may affect native salmon populations through disease, colonization, interbreeding, predation, and competition. The Alaska Department of Fish and Game has documented over 700 recoveries of Atlantic salmon in locations throughout Southeast Alaska.~~

Cultural/Historic Resources

History of Dyea

In the past, the Dyea Historic Townsite operated as a vital port of entry for thousands of people seeking entrance from the Pacific to the interior of the present-day Yukon Territory and Province of British Columbia. At the head of the Lynn Canal's Taiya Inlet, Dyea nestles deep within the narrow Taiya River Valley. Many glaciated peaks that tower over 6,000 feet surround the townsite, positioned on an island delta between the west and main branches of the glacial Taiya River, whose heavy sediment load creates a braided and constantly fluctuating channel. The southernmost settlement on the Chilkoot Trail, Dyea became the gateway community for trade and travel to the vast transportation network of the Yukon River drainage. The trail is one of only three non-

glaciated passes over the Coast Range to the Canadian interior along an area stretching from south of Juneau to north of Yakutat.

The earliest known traditional use of the Dyea landscape was as a Tlingit village; in the late nineteenth century, it became the site of a trading post. With easy access to the Taiya River Inlet, the Chilkoot Tlingit established a trans-mountain trade corridor from Dyea along a valley trail to exchange goods with interior ~~Athabaskan Native Americans~~ Canadian First Nations. The Chilkoot held a rigid hegemony over the route, barring prospecting parties from the corridor until 1880. Between 1897 and 1899, the Chilkoot Trail was the most accessible of the three, primary links to the Yukon gold fields.

In the late 1890s, Dyea served as the trailhead for the Klondike Gold Rush stampeders, as the place where they packed supplies, and where other enterprising individuals capitalized on the ready market for goods. The gateway settlement exploded into a sizable grid-platted townsite rivaling for regional dominance until the construction of Skagway's White Pass & Yukon Route ~~Railway~~ railway in 1898.

Over the next several decades, homesteaders made claims on the land and worked to transform the landscape into farms and ranches. Dyea, once a quintessential boomtown, is now an archeological landscape with subtle but identifiable signs of its former heyday amid a complicated history of land tenure, as well as dynamic natural systems of vegetation, forestation, and river erosion. A forest of Sitka spruce has grown over the townsite since Gold Rush days; during the last several years, visitors and locals have used Dyea—one of the area's only flat landscapes—as a recreational site.

The creation of the Klondike Gold Rush National Historical Park in 1976, a four unit park comprised of the Dyea and Chilkoot Trail, Skagway, White Pass, and Seattle units, memorialized Dyea's historical period during the Gold Rush. In 1978, the Chilkoot Trail and Dyea National Historic Landmark district was designated. The Municipal lands in Dyea Flats are within both the boundaries of the Klondike Gold Rush National Historical Park and the Chilkoot Trail and Dyea National Historic Landmark.

Although the Municipality was transferred ownership of the Flats by the State of Alaska in 1996, the State reserved title to all historic and archeological resources situated on the property pursuant to Alaska Statute 41.35.020.

Known Archeological Resources

No known archaeological surveys have been conducted on Municipal lands within the Dyea Flats area; however, there is a high potential for indigenous or historic archeological features on or below the surface. Surveys on the adjacent NPS lands have led to the discovery of over 250 significant features including ten general features, two foundations, seventy-nine pits, thirteen structures, and several large areas of artifact concentration. The most prominent remains of a wooden structure are the large Viking and Wilkes warehouse, which collapsed in 1953. It was built on a log sill foundation,

and located on the southern end of what was once West Street. The archeological report posits it as potentially the remains of the E.A. Klatt barn. This sits at the southern boundary of the park, just north of the Municipal lands.

The archeological sites within the Dyea Historic Townsite are considered its most important landscape characteristic dating to the period of significance. Although largely forested today, the townsite archeological deposits remain the most significant historic resources in the entire valley. Where houses, warehouses, and commercial buildings once stood, there are now just depressions in the ground that mark the location of their foundations. A 1987 Historic Structures Report identified eleven structural properties within the townsite on federal lands as historically significant.

Two archaeological sites that have visible remains within the Municipal lands of Dyea Flats are significant in their own rights: the Dyea-Klondike Transportation Company (DKT) Wagon Road and the Long Wharf.

DKT Wagon Road

In October 1897, the Dyea-Klondike Transportation Company of Oregon began construction of a wharf, warehouse, wagon road, and toll bridge three miles south of Dyea on the western mountainside of the inlet across from Dyea Point and Long (Nahku) Bay. An L-shaped design with pilings driven into a shelf extending fifty yards to deep water allowed ships to dock parallel to the shoreline of the Taiya Inlet.



Overview photograph of Dyea, Alaska looking northeast, 1898, W. C. Mendenhall, photographer (United States Geological Survey, print #mwc00001;KLG0 DO-30-5855).

From the DKT Wharf, stampedees followed the DKT wagon road that extended approximately two and one-half miles along the mountain slope and cut east across the west branch of the Taiya River just southeast of the town grid.

At the north end of the road, about one-half mile southwest of downtown Dyea, the bluff dropped off sharply to the tidal zone, too steep to allow the road to reach the tidal area without the construction of a bridge. DKT built a wood-surfaced bridge with wood pilings and diagonal braces. A short-span A-frame truss, featuring a single vertical tension rod below the apex, spanned the west branch of the Taiya River, allowing small boats to pass underneath the bridge.

At the end of a wooden ramp that eased users to the beach, stood a small board-and-batten shed for toll collection. Once across the bridge, stampedees could claim their freight at the Chilkoot Railroad and Transport Company (CRT) warehouse at Main and

Front Streets, at the Vining and Wilkes Warehouse, or at other freight depots located past Scow Street at First Avenue and West Street on the edge of town below the high tide line. A forest fire burned over the area in late July 1899 consuming the dock and buildings. Although heavily overgrown, traces of the road, particularly at the northern end can still be seen; a few pilings mark the site of the bridge at the lower end of Nelson Creek.

Long Wharf

Also known as the Dyea Wharf, Kinney Wharf or Portland Wharf, promoter L.D. Kinney conceived the idea for the Long Wharf on October 4, 1897, shortly after the platting of the Dyea townsite. The plat reserved land 250 feet wide out to deeper water with the wharf itself about 50 feet wide. The pilings were 12-inch round logs, spaced in groups of three and separated by a 15-foot gap; logs in each of the piling groups were spaced about 6 to 7 feet apart. The wharf extended from low tide to deep water, being 34 feet deep at the shore end and 60 feet deep at the outer end, with piles driven from 25 to 50 feet into solid ground.

In January 1898, Kinney sold the uncompleted wharf to a Seattle financier, and work progressed as a cooperative project between the Washington-Alaska Steamship Company and the Chilkoot Railroad and Transport Company (CRT). Along with constructing the warehouse at the south end of the wharf on Broadway, CRT also began laying wood-rail tracks for a horse-drawn surface tramway up Broadway to the Kinney Bridge. (There is no evidence that the surface tramway was ever built on the wharf, although photographs do indicate the wood-rail tracks along parts of Broadway.) Historical and archeological evidence suggests Broadway Street actually may have stretched 15 feet wider than other streets to accommodate the CRT's tramway route through the middle of town.

Completed mid-May 1898, the new wharf extended south of town about two miles into the deep water and connected to Broadway which led directly into town. The northern section glided down to the beach sand by means of a ramp, but could not be reached during high tides.

On the tidal flats, few of the 4,000-foot Dyea Long Wharf (IDLCS Number 035710) piers are still apparent. Although the wharf extended to deep water when it was built, nothing more than a few piers remain.

Current Recreational and Other Uses of Dyea Flats

The 1996 *Dyea Flats Land Management Plan* described recreational and other public uses at the time as follows:

Recent public testimony, letters sent to the City of Skagway, and responses to the [1996] public opinion survey indicate that recreational use of Dyea Flats and other

lands within the Klondike Gold Rush National Historical Park is an exceptionally important local issue. The Dyea Flats area is clearly one of the most important recreation areas for Skagway residents.



Public input indicates that the area is popular for walking, all-terrain vehicle (ATV) use, camping, picnicking, bird and wildlife watching, fishing, hunting, horseback riding, trapping, snow machining, cross-country skiing, swimming, volleyball, rabbit & squirrel hunting, town parties with a live band and a variety of other recreational uses.

Residents also testified that beach log salvage for firewood, seaweed gathering for garden compost, and collecting edible plants were important traditional uses of the Flats. Easy access to the ocean and tideflat environment was also mentioned as an important and unique quality of the Flats.

Many respondents to the opinion survey commented on the less tangible, more personal, values of the Flats. The Flats offers a quiet, peaceful respite from the busy downtown area during the tourist season and is used by locals as a place to “escape” the tourist scene. Some respondents noted the importance of the Flats as a peaceful place with spiritual qualities, and as a place for enjoying the natural environment and wildlife.



The importance of Dyea Flats and other lands within the Dyea Valley to area residents is well documented by public testimony in a series of hearings dating back to the early 1970’s when the Park was established. For example, in response to the proposal to establish the Park, 166 Skagway residents signed a petition in 1971 voicing their opposition to the restrictions on recreation that might occur if the Park was established.

NPS staff indicates that recreational use of the Dyea area by Park visitors has increased in recent years. ~~In addition to the daily interpretive tours mentioned earlier, commercial ventures have recently offered horseback riding and biking trips to on the Flats.~~ According to the Park Service, the following commercial guided tour visitor service activities can be conducted within Park boundaries with a NPS permit: auto/bus, bicycle, horseback, boat, walking/hiking, and buggy/wagon tours.

Dyea Flats is not currently the site of major economic activity or a generator of revenues for Skagway or its residents. However, the way that Dyea Flats is managed and used could impact, to some extent, how attractive Skagway is to tourists interested in the historical and natural history values of the area. The NPS and other tour providers use the Flats as a destination for some commercial tours. (From pages 8-9 of the 1996 Dyea Flats Land Management Plan.)

The March 2007 *Skagway Coastal Management Program Plan Amendment* reiterates on page 3-39 that recreational uses on Dyea Flats and adjacent Dyea lands include: walking, hiking, ATV use, camping, picnicking, bird and wildlife watching, fishing, hunting, horseback riding, trapping, snow-machining, swimming, coastal access, appreciation of cultural resources, solitude, and other recreational uses. The *Program Plan Amendment* further notes that the physical, biological and cultural features that support these recreational uses are: scenic surroundings and vistas; natural/undeveloped character conducive to semi-remote and remote recreation; fish, wildlife, and plants that support fishing, hunting and plant gathering; coastal access; and cultural resources, sites and artifacts (e.g., gold rush era or other; traditional cultural properties).

Today, in 2010, there is insufficient data to describe current user demographics, impacts, conflicts, or trends on Dyea Flats. However, it is clear that the Dyea Flats is a Municipal recreational area that continues to be shared by diverse user groups. The following specific uses are specifically allowed under Skagway Municipal Code:

Allowed recreational uses (non-commercial):

- Walking, skiing, bicycling, snowshoeing
- Boating, canoeing, rafting, kayaking
- Interpretation, public education
- Picnicking
- Remote control airplanes in designated areas
- Fishing, hunting, trapping (in compliance with state/federal regulations)
- Edible plant gathering
- Beach log and seaweed harvest for personal use
- Horseback riding
- Use of road legal vehicles on designated roads
- Use of off-road all terrain vehicles (ATV's) on designated roads and off-road in designated areas
- Camping, (including recreational vehicles) in designated camping areas (currently 21 numbered campsites that require registration and a fee during the summer season)
- Campfires in provided campfire rings
- Snow machine use on roads and off-roads in designated areas when adequate snow cover is present to protect underlying vegetation.

Allowed recreational uses with permit:

- Use of the Flats by organized groups for “allowed uses” in 16.08.020(A)
- Camping outside of designated areas
- Research and inventory related to historic and biological resources
- Use of the Flats for low impact special events, particularly those that benefit non-profit groups.
- Commercial recreational uses as provided in 16.08.020(C).

Allowed commercial recreational uses by permit with the following provisions:

- Chilkoot Horseback Adventure Tour
- ~~Soekeye Cycle Bicycle Tour~~
- Motorized vehicles used for commercial purposes or any other commercial enterprise will not be allowed beyond the Nelson Slough Bridge.



In addition to recreation and commercial users, there are a number of residences and privately owned property in the general vicinity which are both year round and seasonal. ~~the 1996 Dyea Flats Land Management Plan had this to say about residential uses:~~

~~There are eleven residences on or in close proximity to the Dyea Flats. The National Park Service’s 1991 Land Protection Plan indicated that five of the residences are inhabited year round. The remaining residences are used as summer cabins or are vacant. Some of the residents must cross the Flats to gain access to their property. (Page 5, 1996 Dyea Flats Land Management Plan)~~

~~In the intervening years, There has been an increase in year-round and seasonal residences, but again, there is insufficient data to describe the current situation. For an up-to-date map showing property ownership, including private parcels, within or near to Dyea Flats, reference Figure L-11 (Land Ownership- Dyea/Nakhu Area) Figure 7-2 (Dyea Land Ownership) in the Municipality of Skagway 2020 Comprehensive Plan. in the Municipality of Skagway 2030 Comprehensive Plan.~~

III. EXISTING CODE

Skagway Municipal Code contains two chapters that outline the legal provisions for managing Dyea Flats: Chapter 16.08 (Dyea Flats Management Plan) and Chapter 16.10 (Dyea Management Plan). These chapters are reprinted in full below. Note that in case of conflict, Chapter 16.10 takes precedence over Chapter 16.08.

On June 5, 2007, voters approved dissolution of the City of Skagway and incorporation of the first first-class borough in the State of Alaska. The State of Alaska certified this election and the Municipality of Skagway Borough was incorporated on June 20, 2007. The Municipality of Skagway is transitioning from city to borough status over the next two years. As part of this transition, references to the “City of Skagway” in code language will be replaced by “Municipality of Skagway Borough” or variation thereof. The code language presented below reflects this anticipated change (no other editorial or substantive changes have been made to the code at this time).

Skagway Municipal Code 16.08.010-16.08.040 (Dyea Flats Management Plan)

16.08.010 Statement of Intent and Goals

- A. The Municipality of Skagway Borough recognizes that the Dyea Flats is an area of local, State and national importance. Its historic value as the “gateway” to the Klondike Gold Rush of 1898 has warranted its inclusion in the Klondike Gold Rush National Historic Park and its designation as a National Historical Landmark. An area of scenic beauty and uncommon open space, the Flats is also valued highly by Skagway residents and visitors to the National Park for its recreational and scenic values and for the opportunity it provides to escape the community of Skagway environs during the busy summer months. The tidal Flats have also been recognized for their biological diversity and the habitat that they provide for waterfowl, fish and wildlife.
- B. It is the Municipality’s intent to be a responsible steward of the resources and values of the Dyea Flats in perpetuity. The citizens of Skagway are fond of the Flats as a familiar place for recreation and relaxation. Public testimony and responses to opinion surveys echoed with stories of recreational activities on the Flats and strong statements regarding the need to keep the Flats in public ownership because of its historic, natural and recreational value.
- C. The Municipality believes that Skagway residents’ use of the Flats for recreation is an extremely important local “public use” that should receive full consideration, along with the interests of the State and national “public,” in decisions regarding ownership and management of the area. The Municipality also recognizes that the Flats have State and national significance—particularly due to the historic events which took place more than 100 years ago, and the artifacts that remain from that time. The Flats are integrally connected to the other historic properties in the

National Park, and will be managed by the Municipality with that consideration.

- D. It is the Municipality's intent to keep the Dyea Flats in public ownership. The Municipality of Skagway Borough will implement this Land Management Plan, in cooperation with the National Park Service, the State of Alaska, other Dyea property owners, and the public.

16.08.020 Allowed/Prohibited Uses

In order to protect the scenic, historical, ecological and archaeological resources of the Dyea Flats, the following allowed and prohibited uses are adopted.

A. Allowed Recreational Uses (non-commercial)

1. Walking, Skiing, Bicycling, Snowshoeing
2. Boating, Canoeing, Rafting, Kayaking
3. Interpretation, Public Education
4. Picnicking
5. Remote control airplanes and drones in designated areas in compliance with local and federal regulations
6. Fishing, Hunting, Trapping (in compliance with State/Federal regulations)
7. Bird Watching
8. Edible plant gathering
9. Beach log and seaweed harvest for personal use
10. Horseback riding
11. Use of road legal vehicles on designated roads
12. Use of off-road all terrain vehicles (ATV's) on designated roads and off-road in designated areas.
13. Camping, (including recreational vehicles) in designated camping areas
14. Campfires in provided campfire rings
15. Snow machine use on roads and off-roads in designated areas when adequate snow cover is present to protect underlying vegetation.

B. Allowed Recreational Uses With Permit

1. Use of the Flats by organized groups for "allowed uses" in 16.08.020(A)
2. Camping outside of designated areas
3. Research and inventory related to historic and biological resources
4. Use of the Flats for low impact special events, particularly those that benefit non-profit groups.
5. Commercial recreational uses as provided in 16.08.020(C).

- C. Commercial Uses. There shall be no pre-existing rights. Commercial Recreational Uses are allowed by permit with the following provisions:

1. Designation of Areas Open to Commercial Uses. The Borough Assembly shall, by resolution, establish an area(s) on the Dyea Flats which shall be the portion of the Flats to which commercial use will be confined.
2. Dyea Flats- Commercial activity is prohibited on the Dyea Flats except for the existing permit holder providing non-motorized horse tours through their existing ownership. ~~Limits on the number and types of commercial vendors. Commercial uses of the Dyea Flats shall be limited to the existing permit and be able to demonstrate three previous years of historical use of the Dyea Flats for commercial purposes within the following categories:~~
 - a. There shall be a review by the borough assembly after five (5) years;
 - b. Maximum group size of 12;
 - c. ~~Each~~The vendor is limited to two (2) tours of the Flats are one time ~~and only one (1) tour south of the northern most parking area:~~
 - d. Total passenger volume will not exceed that of ~~each~~ the operator's 1999 visitor volume for product sold on the Dyea Flats which has been established as 4,900;
 - e. Other elements of the "Agreement for Limited Commercial Use of the Dyea Flats" shall be directly negotiated with each the vendor;
 - f. Conditions of the contract with each the vendor by the Dyea Community Advisory Board following the end of the tourist season each year.
 - a. ~~Horseback Tours— not more than 1 operator~~
 - b. ~~Bicycle Tours— not more than 1 operator~~
 - c. ~~Motorized vehicles used for commercial purposes or any other commercial enterprise, will not be allowed beyond the Nelson Slough Bridge.~~
3. ~~Limits on group size and group concentration. The commercial vendor will be limited to groups not to exceed 12 people. The commercial vendor shall ensure that not more than 2 commercial groups are within the designated area at any given time. Total client volume will not exceed that of the operator's 1999 visitor volume for product sold on the Dyea Flats. This capacity volume is limited to 4,960 patrons a season.~~
3. General Provisions
 - a. Permit holders are responsible for complying with all State, Federal and local laws applicable to their activities.
 - b. Permit holders shall reimburse the Municipality of Skagway for any damages to municipal property caused by the permit holder's activities.
 - c. Permit holders shall have in their possession at all times the permit issued pursuant to this section.
 - d. Permit holders, as a condition of receiving a permit, shall execute an instrument under the terms of which the permit holder will agree to

indemnify, defend and hold harmless the Municipality of Skagway from any and all claims for injury or damage to person or property as a result of the permit holders activities.

- e. Prior to issuance of a permit, the prospective permit holder must provide the Municipality of Skagway with a certification of insurance showing the permit holder has obtained at least five hundred thousand dollars (\$500,000) combined single limit public liability insurance. This certificate must establish that the Municipality is named as an additional insured on such policy, and that the insurer thereof shall notify the Municipality twenty (20) days before the policy is modified, cancelled, or terminated.
- f. Permit holders are responsible for compliance with permit conditions. Any person listed on a permit issued shall be deemed to be jointly and severally liable for any violation of this chapter by any person or employee operating under the permit.
- g. Each permitted operator shall provide on an annual basis following each season, a report to the Municipality of the commercial activity of that season. Such report shall include daily volumes, monthly totals, and seasonal totals of activity.
- h. Permits authorized under this chapter are not transferable, and shall revert back to the Municipality in the event of any abandonment or failure to perform.
- i. The term of permits under this chapter shall expire on September 30, 2004. At that point the Borough Assembly shall review the program, and determine a course of further action.

D. Prohibited Uses

1. Commercial activities including tours not permitted, rentals, retail sales or any other uses where compensation is made or offered.
2. Grazing
3. ~~Unrestricted road vehicles and ATV access (What does this mean? Needs clarification.)~~
4. ~~Camping outside of designated areas without a Municipal permit~~
5. ~~Subdivision and/or sale of public lands~~
6. ~~Residential, industrial and commercial structures or other intensive developments~~

E. Campground Provisions

1. Campers are required to self-register at the established kiosk and to familiarize themselves with burn restrictions and possible animal problems in the area,

16.08.030 Permits and Fees

- A. Permits - The borough manager shall establish a system for the permitting of uses requiring such permits as identified in section 16.08.020(B) above, except that the

borough assembly shall by resolution establish the permit requirements for commercial uses of Dyea Flats. Permits shall be obtained prior to the conduct of any of the intended uses.

- B. Fees – The Borough Assembly shall establish by resolution a schedule of fees for uses of the Dyea Flats, when and if such fees are determined necessary.

16.08.040 Penalties

Any violation of this code is a non-criminal infraction, punishable by a civil penalty up to three hundred dollars (\$300) per violation. Each act or violation and every day upon which a violation occurs or continues constitutes a separate offense.

Skagway Municipal Code 16.10.010 – 16.10.040 (Dyea Management Plan)

16.10.010 Statement of Intent and Goals

- A. It is the Municipality of Skagway’s intent to be a responsible steward of the resources and values of the Dyea and West Creek areas.
- B. The Municipality believes that commercial uses in the Dyea area impact the Flats and private properties in the area.
- C. The Municipality of Skagway will implement this Land Management Plan for Municipal property outside the Dyea Flats, in cooperation with the National Park Service, the State of Alaska, other Dyea property owners, and the public.

16.10.020 Allowed/Prohibited Uses

In order to protect the scenic, historical, ecological and archaeological resources of the Dyea and West Creek Valleys, the following allowed and prohibited uses are adopted.

- A. Allowed Recreational Uses (non-commercial)
 - 1. Walking, Skiing, Bicycling, Snowshoeing
 - 2. Boating, Canoeing, Rafting, Kayaking
 - 3. Interpretation, Public Education
 - 4. Picnicking
 - 5. Fishing, Hunting, Trapping (in compliance with State/Federal regulations)
 - 6. Edible plant gathering
 - 7. Beach log and seaweed harvest for personal use on Municipal property.
 - 8. Harvest of dead and downed firewood for personal use.
 - 9. Horseback riding
 - 10. Use of road legal vehicles on designated roads
 - 11. Use of off-road all terrain vehicles (ATV’s) on designated roads and off-road

- in designated areas.
12. Camping, (including recreational vehicles) in Municipal-designated camping areas
 13. Campfires in designated municipal metal campfire rings only
 14. Snow machine use on roads and off-roads in designated areas when adequate snow cover is present to protect underlying vegetation.
- B. Commercial Uses. There shall be no pre-existing rights. Commercial Recreational Uses are allowed by permit with the following provisions:
1. Designation of Areas Open to Commercial Uses.
 - a. West Creek: There shall be no commercial tour operations on the West Creek Road or into the West Creek Valley.
 - b. Taiya River: There shall be no commercial tour operations north of the raft put in on the Taiya River or at the mouth of the West Creek where it enters the Taiya River.
 - a. ~~There shall be a review by the Borough Assembly after five (5) years;~~
 - b. ~~Maximum group size of 12;~~
 - c. ~~Each vendor is limited to two (2) tours on the Flats at one time and only one (1) tour south of the northern most parking area;~~
 - d. ~~Total passenger volume will not exceed that of each operator's 1999 visitor volume for product sold on the Dyea Flats;~~
 - e. ~~Other elements of the "Agreement for Limited Commercial Use of the Dyea Flats" shall be directly negotiated with each vendor;~~
 - f. ~~Conditions of the contract with each vendor shall be subject to Assembly approval; and~~
 - g. ~~There shall be an annual review of each vendor by the Dyea Community Advisory Board following the end of the tourist season each year.~~
 2. ~~Designation of Areas Open to Commercial Uses.~~ Limits on numbers of permits allowed. The number of commercial permits allowed in Dyea outside of the Dyea Flats shall be three (3). There shall be a separate permit required for each product offered. The borough assembly may,
 - a. ~~West Creek: There shall be no commercial tour operations on the West Creek Road or into the West Creek Valley.~~
 - b. ~~Taiya River: There shall be no commercial tour operations north of the Raft Put in on the Taiya River or at the mouth of West Creek where it enters Taiya River.~~
 3. ~~Limits on numbers of permits allowed. The number of commercial permits allowed in Dyea outside of the Dyea Flats shall be three (3). There shall be a separate permit required for each product offered. The Assembly may, at its discretion, increase or reduce the number of permits allowed as conditions~~

~~warrant and as recommended by the Dyea Community Advisory Board.~~

4.3. General Provisions

- a. Permit holders are responsible for complying with all State, Federal and local laws applicable to their activities.
- b. Permit holders shall reimburse the Municipality of Skagway for any damages to municipal property caused by the permit holder's activities.
- c. Permit holders shall have in their possession at all times the permit issued pursuant to this section.
- d. Permit holders, as a condition of receiving a permit, shall execute an instrument under the terms of which the permit holder will agree to indemnify, defend and hold harmless the Municipality of Skagway from any and all claims for injury or damage to person or property as a result of the permit holders activities.
- e. Prior to issuance of a permit, the prospective permit holder must provide the Municipality of Skagway with a certification of insurance showing the permit holder has obtained at least one million dollars (\$1,000,000) combined single limit public liability insurance. This certificate must establish that the Municipality is named as an additional insured on such policy, and that the insurer thereof shall notify the Municipality twenty (20) days before the policy is modified, cancelled, or terminated.
- f. Permit holders are responsible for compliance with permit conditions. Any person listed on a permit issued shall be deemed to be jointly and severally liable for any violation of this chapter by any person or employee operating under the permit.
- g. Each permitted operator shall provide on an annual basis following each season, a report to the Municipality of the commercial activity of that season. Annual reports shall include all reports of complaints, accidents or incidents, daily volumes, monthly totals, and seasonal totals of activity.
- h. Permits authorized under this chapter are not transferable, and shall revert back to the Municipality in the event of any abandonment or failure to perform.

C. Prohibited Uses

1. Commercial activities including tours not permitted, rentals, retail sales or any other uses where compensation is made or offered.
2. Grazing
- ~~3. Unrestricted road vehicles and ATV access~~
4. 3. Camping outside of designated areas without a Municipal permit

D. Campground Provisions

1. Campers are required to self-register at the established kiosk and to familiarize themselves with burn restrictions and possible animal problems in the area.
- ~~2. Camping shall be limited to a total of 14 days within a 45 consecutive day time frame. Long term camping is prohibited. For the purposes of the section long term camping means a duration of more than 14 days within a 45 consecutive day time frame.~~
- ~~3. Collection of registrations should be once each week by Public Works employees while picking up the trash.~~
2. Campground rules will be established by resolution.

16.10.030 Permits and Fees

- A. Permits - The borough manager shall establish a system for the permitting of uses requiring such permits as identified in section 16.10.020(B) above. Permits shall be obtained prior to the conduct of any of the intended uses.
- B. Fees – The Borough Assembly shall establish by resolution a schedule of fees when and if such fees are determined necessary.

16.10.040 Penalties

- A. Damage to public property or resources. The permit holder shall be responsible for any damages to any public land, road, trail, facility or natural resources including trees, waters, or wildlife, and shall pay actual costs of remediation of these damages.
- B. Impact upon the quiet enjoyment of public lands by non-commercial users. Complaints by non-commercial users of public lands filed with the Skagway Police Department against any commercial operator may result in a citation.
- C. Any violation of this code is a non-criminal infraction, punishable by a civil penalty up to three hundred dollars (\$300) per violation. Each act or violation and every day upon which a violation occurs or continues constitutes a separate offense.
- D. Grievance Procedure – Any reported violation of this code may result in a correction order issued by the Borough Manager under SMC 5.01.050. An appeal of such correction order may be filed as provided in SMC 5.01.070, Appeal to Assembly.

IV. CHRONOLOGY OF DYEA FLATS PLANNING

Past Planning and Public Involvement

Pre-1996 Dyea Flats Land Status

Prior to 1996 land transfer, the State of Alaska owned the Dyea Flats. The State of Alaska selected the Dyea Flats, and other gold rush properties in the Taiya Valley, from the U.S. Bureau of Land Management in 1961. Documents from that time indicate that the State selection of Dyea Flats was based on its historic significance to the State of Alaska and its value for public recreation and historic interpretation.

Beginning in 1972, Dyea Flats and nearly all other State-owned property in the Park were managed by the National Park Service through a series of Memoranda of Understanding (MOU) between the National Park Service (NPS) and Department of Natural Resources (DNR). The NPS was the de facto manager of these lands, providing staff for on-site management and maintenance, and enforcing national park regulations (36 Code of Federal Regulations) on State property.

The Flats were located within the corporate limits of the City of Skagway. As such, the area also was subject to local municipal codes and land use plans.

Dyea Flats Land Transfer and 1996 Dyea Flats Land Use Management Plan

In July 1989, the City of Skagway selected approximately 8,095 acres of State land for City acquisition as authorized under the Alaska Municipal Lands Entitlement Program (AS 29.65). Lands were selected both inside and outside of the Klondike Gold Rush National Historical Park. Given the topography in the Skagway area, it was difficult to identify acreage for selection that was not steep and/or inaccessible, and that would be suitable for community uses.

In 1994, before DNR could complete its review and take action on the initial acreage request, approximately 1,000 acres of the selected land was removed from the City's application and transferred to the Mental Health Trust. This transfer was required to comply with court decisions that resolved litigation between the State of Alaska and the Mental Health Trust. In January 1995, the City of Skagway selected an additional 1,000 acres to compensate for the transferred acreage.

In June 1995, the DNR Division of Land issued a preliminary decision approving the conveyance of approximately 7,376 acres of land, including all of Dyea Flats, to the City of Skagway. A 30-day public comment period was provided. The City of Skagway, satisfied with this preliminary decision, did not comment. However, the Division of Land received comments from the National Park Service, Canadian Heritage, Skagway residents, and the State Historic Preservation Office within DNR, objecting to the

conveyance of Dyea Flats and other lands within the Klondike Gold Rush National Historical Park.

In response to comments received, DNR issued a second preliminary decision in December 1995. This decision disapproved the conveyance of the Dyea Flats and several other properties within and adjacent to the Park, including Sheep Camp, the campground/ranger station area, and areas along the Chilkoot Trail corridor. A total of 419 acres was disapproved for conveyance. The December 1995 decision did approve the conveyance of 7,240 acres, including 1,281 acres within the Park. Much of the land approved for conveyance is quite steep and inaccessible, making it much less suitable for public recreation than the Dyea Flats area.

DNR's decision to disapprove the City's selection of Dyea Flats and other properties was based on reasons set forth in a December 11, 1995, letter from Richard Mylius, Chief, Resource Development and Assessment Section, DNR Division of Land, to Mayor Sioux Plummer of the City of Skagway. DNR's reasons for denying the conveyance of the Dyea Flats to the city of Skagway were given as follows:

These selections are disapproved because the public interest in retaining these lands in state ownership outweighs the city's interest in owning these lands. The public interest in these lands is that they are within the boundary of a national park that is important to the history and economy of the state. The Dyea flats lands encompass a portion of or are immediately adjacent to the former community of Dyea, and include the historic dock and staging area. The first area visitors to the national park see are the Dyea Flats as they drive along Taiya Inlet and continue on the Dyea road to the campground and trailhead. Leaving this area in a scenic and undisturbed state is important to the overall historic and visual integrity of the park. Additionally, including the trailhead and the corridor along the east bank of the Taiya River ensures public ownership and preservation of the trailhead within the park.

The Skagway City Council held a public hearing on December 28, 1995, to take public testimony on the DNR decision. As a result of the hearing, the City Council decided that the City's main concern was DNR's decision not to convey the 202 acre Dyea Flats. The City decided not to take issue with the disapproval of the other properties. The Council also decided to invite a DNR representative to Skagway to discuss the Dyea Flats issue.

On January 4, 1996, the City held another public hearing. A DNR representative attended and explained DNR's reasons for denying conveyance of the Dyea Flats. The possibility of preparing a land management plan for the Flats was proposed by the City. The City Council decided to request a six month extension of the comment period to prepare a land management plan that would respond to DNR's concerns for the Flats. DNR agreed to give the City until July 17, 1996, to prepare and submit the plan. DNR's final decision on the City's land selections was held in abeyance pending submission of the plan.

A steering committee, made up of a City Council member, interested citizens, and the NPS Superintendent, was established to guide development of the plan. The Steering Committee hosted advertised public meetings on March 26 and April 30, 1996. A “Discussion Draft” of the plan was available to the public prior to the April 30 public meeting. The Skagway City Council received the “Public Hearing Draft” version of the plan on June 6, 1996, and held a public hearing on the plan during its June 20, 1996 meeting, prior to taking action on the Plan. At each meeting, a presentation regarding the content and status of the plan was followed by an opportunity for public comment.

Interviews with key individuals in the community, city officials, and DNR and NPS representatives were conducted. A public opinion survey was also prepared and mailed to every post office box holder in Skagway. Approximately 550 surveys were mailed. Surveys were returned by 43 Skagway residents. Survey results were not used as a “statistically valid” representation of citizen opinion. However, the survey provided an additional, important means for the interested public to express opinions regarding ownership and management of the flats. (A summary of survey results is found in the *Appendices* section of this Revised Dyea Flats Land Management Plan.)

The final *Dyea Flats Land Management Plan* was published in July 1996 and submitted to the State of Alaska on July 12. The plan stated that it was the City’s intent to be a responsible steward of the resources and values of the Flats in perpetuity and to keep the area in public ownership. The plan identified land management goals and established a series of implementation options.

On September 3, 1996, the State of Alaska granted title to the 202-acre Dyea Flats to the Municipality of Skagway and documented this grant of title in the *Municipality of Skagway Final Finding and Decision Municipal Land Conveyance Approved In Part Disapproved In Part* (ADL 105276).

Recent Management of Dyea Flats

In 1999, the 1996 *Dyea Flats Land Management Plan* was entered as an ordinance into the City Code under Land Use as Chapter 16.08 (expiration date set at September 2004).

From 2005 to 2007, as a result of the expiration of the Dyea Flats Land Management Plan Ordinance Chapter 16.08, the Dyea Community Advisory Board developed revisions and recommendations for City Council consideration. Principal recommendations involved commercial use agreements and land management infrastructure improvements. In summer 2006, the City Council adopted the revisions and recommendations with modifications.

In the intervening years, the Dyea Community Advisory Board has requested budgetary funding to institute infrastructure improvements. In 2008, the Board began the process of revising the 1996 Plan to reflect current conditions and issues and to highlight proposed new implementation actions.

Infrastructure upgrades to Campground include but are not limited to: a campground host cabin, Romtech outhouses, fire suppression water pumps, fire rings, picnic tables, gravel parking areas, road improvements, and signage.

Other Plans Governing Management of Dyea Flats

Dyea Flats currently falls under the purview of several federal, state, and municipality land use plans. These documents (summarized below) indicate how the State of Alaska, the National Park Service, and the Municipality of Skagway believe the Flats and the resources located there should be managed. All plans emphasize protection of historic resources and scenic values, and the maintenance of public recreational opportunities and access. These management objectives have been considered in development of the Municipality's *Revised Dyea Flats Land Management Plan*.

Municipality of Skagway 2030 Comprehensive Plan

The *Municipality of Skagway 2030 Comprehensive Plan* is intended to guide community growth over the next decade to 2030. It describes current conditions, reviews outstanding issues and needs, forecasts future growth, and lays out an orderly plan to address anticipated needs. The Skagway Comprehensive Plan addresses quality of life, community demographics, municipal fiscal trends, employment and economic development, transportation, land use, housing, public safety, public services and utilities. As Dyea Flats is within the Municipality, it is governed by this comprehensive plan.

Skagway Coastal Management Program Plan Amendment

The 1999 *Skagway Coastal Management Plan* has gone through a comprehensive re-write over the past 2-3 years and was officially adopted and approved by NOAA and the State of Alaska in March 2007.

Section 3.10.3 of the *Skagway Coastal Management Program Plan Amendment* describes Dyea Flats and adjacent Dyea lands as follows:

The Dyea Flats and adjacent Dyea lands are areas of immeasurable historic, cultural and recreation significance. Located at the entrance to the Chilkoot Trail unit of the Klondike Gold Rush National Historical Park, the Dyea flats is the site of the historic town of Dyea, which rivaled Skagway in size and significance during the first year of the gold rush.

In addition to its historic and cultural significance, the Dyea area is highly valued by Skagway residents for a wide range of recreation uses, including walking, ATV use, camping, picnicking, bird and wildlife watching, fishing, hunting, horseback riding, trapping, snow-machining, cross country skiing, swimming, and other

uses. The area offers easy access to the ocean and tideflat environments. Users of the flats relish the quiet respite it offers from downtown Skagway during the busy and crowded summer season.

In 1996, the City of Skagway prepared a management plan for the Dyea Flats area. The plan expressed the City's intent to be a responsible steward of the resources and values of the Dyea Flats in perpetuity (Ordinance 99-28). The plan commits to keep the Flats in public ownership, and highlights the importance of public recreation use of the area. The management plan was instrumental in the State of Alaska agreeing to convey a 202 acre portion of the Dyea Flats to City ownership. In 2003, the City expanded the coverage of the management plan to include City-owned lands adjacent to the Dyea Flats (Ordinance 03-06).

Chapter 4 of the *Skagway Coastal Management Program Plan Amendment* includes issues, goals, objectives, and policies that regulate activities on Dyea Flats. The policies address protection of recreation areas, environmentally sensitive areas, and other issues applicable to Dyea Flats. The program identifies Dyea Flats as an area of historic value, but does not include specific policies for the protection of its historic resources.

Alaska Department of Natural Resources Northern Southeast Area Plan

On October 15, 2002, the Commissioner of the Department of Natural Resources (DNR) adopted the *Northern Southeast Area Plan* (NSEAP). The plan determines management intent, land-use designations, and management guidelines that apply to all 4.1 million acres of State lands in the planning area, including all State owned and State selected uplands, as well as all tidelands, submerged and shorelands within the plan boundaries. Dyea Flats lies within the planning area boundary for the *Northern Southeast Area Plan*, as do the communities of Dyea and Skagway. This plan governs the tidelands and shorelands around Dyea Flats. As defined in the plan, tidelands span the area from mean high water to mean lower low water; submerged lands reach from mean lower low water to a line three miles seaward from mean lower low water. Shorelands include the lands below ordinary high water in nontidal areas. With the adoption of the *Northern Southeast Area Plan*, the 1979 *Haines-Skagway Land Use Plan* was superseded and replaced. For further information on the *Northern Southeast Area Plan*, go to: <http://dnr.alaska.gov/mlw/planning/areaplans/nseap/>.

Klondike Gold Rush National Historic Park General Management Plan

The Klondike Gold Rush National Historical Park is governed by a General Management Plan (GMP) that was adopted in 1996. The GMP recognizes the presence of many land owners and jurisdictions in and adjacent to the Park, including the Dyea Flats area. The 202 acres of the Dyea Flats are now managed solely by the Municipality of Skagway. The GMP contains the following direction directly related to Dyea Flats:

- ★ The NPS worked cooperatively with the state and Municipality of Skagway to provide beach access via a new one lane gravel road with pull-outs and a vehicular bridge farther downstream on Nelson Slough. A new parking area was constructed just south of the new bridge on the flats above the high tide line. Vehicular traffic fording through the slough and townsite area was prohibited after the new bridge was completed.
- ★ ~~A trail route from the wharf area through the townsite to the existing Chilkoot Trailhead will be marked and re-established to meet accessibility standards for the handicapped.~~
- ★ ~~The tidal flats will be managed to protect the remaining historic Dyea wharf features and other resources.~~
- ★ The Taiya River erosion is ongoing, monitored, and a plan was cooperatively developed with the state and Municipality of Skagway to prevent additional loss of cultural resources, especially in the Dyea townsite area.
- ★ Park boundaries in the Dyea area was surveyed and marked for easier recognition by the public, private landowners, and park staff.
- ★ ~~A conservation easement for the Dyea Klondike Transportation Company Wagon Road will be sought from the state and private land owner(s) to provide long term protection for the road remnants and its connection with the park.~~

National Historic Preservation Act

Section 106 of the National Historic Preservation Act requires a review process to ensure that historic properties are considered during Federal project planning and execution. Section 106 comes into play any time the federal government proposes an activity, provides grants or funding, or a federal permit is needed, for work that could affect historic properties within the Klondike Gold Rush National Historical Park boundary. This would like include activities such as road, parking lot, or campground construction. The state has a similar statute and process in place. These reviews by the federal Advisory Council on Historic Preservation and the State Historic Preservation Office can take a fair amount of time and planning.

V. REVISED DYEA FLATS LAND MANAGEMENT PLAN

Vision (Statement of Intent)

Chapter 16.08 of the Skagway Municipal Code presents statements of intent for Dyea Flats that are restated here as the Dyea Flats Vision. As noted earlier, the Municipality of Skagway is transitioning from city to borough status over the next two years. As part of this transition, references to the “City of Skagway” in code language will be replaced by “Municipality of Skagway Borough” or variation thereof. The Vision described below reflects this anticipated change.

Dyea Flats Vision

The Municipality of Skagway Borough recognizes that the Dyea Flats is an area of local, State and national importance. Its historic value as the “gateway” to the Klondike Gold Rush of 1898 has warranted its inclusion in the Klondike Gold Rush National Historical Park and its designation as a National Historic Landmark. An area of scenic beauty and uncommon open space, the Flats is also valued highly by Skagway residents and visitors for its recreational and scenic values and for the opportunity it provides to escape the Municipality environs during the busy summer months. The tidal flats have also been recognized for their biological diversity and the habitat that they provide for waterfowl and other fish and wildlife.

It is the Municipality’s intent to be a responsible steward of the resources and values of the Dyea Flats in perpetuity. The citizens of Skagway are fond of the Flats as a familiar place for recreation and relaxation. Public testimony and responses to opinion surveys echoed with stories of recreation activities on the Flats and strong statements regarding the need to keep the Flats in public ownership because of its historical, natural and recreational values.

The Municipality believes that Skagway residents’ use of the Flats for recreation is an extremely important local “public use” that should receive full consideration, prior to the interests of the State and national “public,” in decisions regarding ownership and management of the area. The Municipality also recognizes that the Flats have State and national significance—particularly due to the historic events which took place there nearly 100 years ago, and the artifacts that remain from that time. The Flats are integrally connected to the other historic properties in the National Park, and will be managed by the Municipality with that consideration.

It is the Municipality’s intent to keep the Dyea Flats in public ownership. The Municipality of Skagway Borough will implement this Land Management Plan, in cooperation with the National Park Service, the State of Alaska, other Dyea property owners, and the public.

Goals and Objectives

With community input, several goals have been defined to help guide implementation of the broad vision for Dyea Flats. The first eight goals reflect those presented in the 1996 *Dyea Flats Land Management Plan*. These 1996 plan goals have been carefully reviewed and have been determined to be still valid and relevant in 2010. In addition, the following additions or revisions are proposed:

- ★ Add Goal 9 to reflect existing language in contracts between commercial vendors and the Municipality of Skagway;
- ★ Add Goal 10 to affect changes resulting from the formation of the Municipality of Skagway Borough; and
- ★ Add Goal 11 to address administrative needs pertaining to management of Dyea Flats.

Each of the goals is expanded upon by one or more objectives that will drive the development of more specific recommendations in the “Five-Year Action Plan.” These objectives have been developed by the Dyea Community Advisory Board, with public input.

Goal 1 – Maintain the Dyea Flats as an important public recreation area, allowing for use of the area by Skagway residents and visitors for recreation activities that are consistent with the purposes and requirements of this plan.

Objective 1a: Campground improvements: Development of a campground loop road with designated camp sites, a campground information kiosk, waste facilities, and bear-proof food caches and garbage cans

Objective 1b: Explore the option of designating Dyea Flats as an “Area Meriting Special Attention” (AMSA) through amendment to the Coastal Management Plan.

Objective 1c: Rezone as Recreational Conservation

Goal 2 – Maintain and manage the Flats as a site of national importance for protection of the historical artifacts of the Dyea settlement and interpretation of the story of the Klondike Gold Rush of 1898.

Objective 2a: Install an educational kiosk

Objective 2b: Develop interpretive signage reflecting the Dyea settlement and the Klondike Gold Rush

Goal 3 – Encourage public appreciation of the historic and natural resources of the Dyea Flats through public education.

Objective 3a: Create a self-guided walking tour

Objective 3b: Coordinate and collaborate with the Skagway Traditional Council for educational programming

Objective 3c: Encourage the use of the Dyea Flats as a classroom for the Skagway School students

Goal 4 – Maintain the scenic qualities of the Flats.

Objective 4a: Passively manage the Dyea Flats through public education with the allowed and prohibited uses of the Dyea Flats (Main Kiosk)

Objective 4b: Encourage participation in the annual Dyea Clean Sweep

Goal 5 – Allow the continuation of harvesting of resources on the Flats for personal (non-commercial) use, such as fishing, hunting, trapping, seaweed harvest, and collection of edible plants.

Objective 5a: Encourage bird watching with installment of bird blinds

Goal 6 – Improve public access for visitors and Dyea residents by improving road conditions and maintaining roads for year-round use.

Objective 6a: Improve a loop road on the Dyea Flats with appropriate drainage and surfacing with the plan for regular road maintenance and snow removal

Objective 6b: Improve the road surface of the Dyea Flats access road and set-up a plan for regular maintenance and snow removal with the Municipality, State, and National Park Service

Objective 6c: Identify road access for ATV Users to access the ATV Use Areas and the West Creek Area

Goal 7 – Protect the biological values of the Flats from degradation by managing human use of the area.

Objective 7a: Restoration of damaged areas

Objective 7b: Decommission abandoned or redundant roads and designate them as non-motorized walking trails

Goal 8 – Designate appropriate areas for motorized and non-motorized use to protect the Flats’ resources and to separate these uses from one another.

Objective 8a: Provide public education designating motorized and non-motorized use areas (Main Kiosk)

Objective 8b: Designate and develop parking areas

Objective 8c: ATV management: Install sign designation of ATV areas and provide educational brochures promoting ATV responsible ridership and municipal codes

Goal 9 – Manage relationships with the two existing commercial vendors to adhere to the implementation of the Dyea Flats Management Plan goals and objectives.

Objective 9a: Conduct an annual review with the vendors to ensure business operations are consistent with the Dyea Flats Management Plan and to ensure communication

Goal 10 – Rewrite and update 16.08 Dyea Flats Management Plan ordinances as required by borough formation.

Objective 10a: Correct grammatical errors and review for consistency

Goal 11 – Continue development and maintenance of infrastructure required by the Plan.

Objective 11a: Create (by code if required) a liaison with the appropriate department head for the purpose of budget development, expenditure and implementation for Dyea Flats management

Dyea Flats 5-Year Action Plan

This action plan builds on the “Goals and Objectives” above by developing prioritized specific implementation strategies, and, for each strategy: identifying responsible parties; outlining needed monitoring and evaluation; identifying funding opportunities, partnerships, and other participants; and assigning a time frame for each action to be completed. The actions listed below are essentially steps that need to be taken to accomplish the outlined objectives, and were developed through input received from public outreach efforts by the Dyea Community Advisory Board.

	Action	Progress to Date	Time Frame for Completion	Lead Party	Potential Partners	Estimated Cost (To Be Determined by)
Goal 1 - Maintain the Dyea Flats as an important public recreation area, allowing for use of the area by Skagway residents and visitors for recreation activities that are consistent with the purposes and requirements of this plan.						
Objective 1a: Campground improvements: Development of a campground loop road with designated camp						
1	Tables		2010	Public Works		
2	Food containers		2010	Public Works		
3	Toilets		2012	Public Works		
Objective 1b: Explore the option of designating Dyea Flats as an “Area Meriting Special Attention” (AMSA) through amendment to the Coastal Management Plan. (Deleted from the Dyea Flats 5-						
Objective 1c: Rezone as Recreational Conservation						
1	Hold initial exploratory public hearings for the	None	2010	DCAB	TIWC	No cost
2	Take the action to Planning and Zoning	None	2010	DCAB	TIWC	No cost
3	Take recommendation to the Assembly	None	2010	Planning & Zoning	DCAB	No cost
Goal 2 – Maintain and manage the Flats as a site of national importance for protection of the historical artifacts of the Dyea settlement and interpretation of the story of the Klondike Gold Rush of 1898.						
Objective 2a: Install an educational kiosk						
1	Install main kiosk, campground kiosk and signs, informational signs, etc.	Main kiosk design completed and production price quotes being	2010	Public Works	DCAB, NPS, TIWC, Skagway Traditional Council	Public Works Budget
Objective 2b: Develop interpretive signage reflecting the Dyea settlement and the Klondike Gold Rush						

	Action	Progress to Date	Time Frame for Completion	Lead Party	Potential Partners	Estimated Cost (To Be Determined by)
1	Install main kiosk, campground kiosk and signs, informational signs, etc.	Main kiosk design completed and production price quotes being	2010	Public Works	DCAB, NPS, TIWC, Skagway Traditional Council	Public Works Budget
Goal 3 – Encourage public appreciation of the historic and natural resources of the Dyea Flats through public education.						
1	Design content	None	2013	DCAB	Museum, TIWC, School, NPS, Traditional	
Objective 3b: Coordinate and collaborate with the Skagway Traditional Council for educational						
1	Initiate discussion with Skagway Traditional	None	2012	DCAB	TIWC, Traditional	None
2	Explore the development of seasonal workshops on-site and in classroom	None	2012	DCAB	TIWC, Traditional Council	None
Objective 3c: Encourage the use of the Dyea Flats as a classroom for the Skagway School students						
1	Initiate discussion with Skagway School staff	None	2012	DCAB	TIWC, School, Traditional	None
2	Explore the development of seasonal workshops on-site and in classroom	None	2012	DCAB	TIWC, School, Traditional Council	None
3	Encourage student involvement in improvement of the infrastructure (e.g.	None	2010	DCAB		
Goal 4 – Maintain the scenic qualities of the Flats.						
Objective 4a: Passively manage the Dyea Flats through public education with the allowed and prohibited						
1	Develop and install kiosk	In production	2010	DCAB	Public Works	
2	Develop a campground host program	Initial discussion with Borough	2011	DCAB	Public Works	
Objective 4b: Encourage participation in the annual Dyea Clean Sweep						
1	Coordinate with Clean Sweep Committee in Skagway to advertise	Already occurring informally	Annual event	Skagway Chamber of	DCAB, Public Works	
Goal 5 – Allow the continuation of harvesting of resources on the Flats for personal (non-commercial) use, such as fishing, hunting, and trapping (restricted to small game and water fowl as defined by Alaska Fish and Game), seaweed harvest, and collection of edible plants.						
1	Explore design elements and construction costs	None	2011	DCAB	Public Works, TIWC	

	Action	Progress to Date	Time Frame for Completion	Lead Party	Potential Partners	Estimated Cost (To Be Determined by DCA)
2	Determine locations	None	2011	DCAB	Public Works,	
3	Develop design and construction costs	None	2011	DCAB	Public Works, TIWC	
4	Production	None	2011	Public		
5	Installation	None	2011	Public		
Goal 6 – Improve public access for visitors and Dyea residents by improving road conditions and maintaining roads for year-round use.						
Objective 6a: Improve a loop road on the Dyea Flats with appropriate drainage and surfacing						
1	Build up roadbed for	Main route	2012	Public		
	Build up campground	Completed	2010	Public		
2	Parking area	Initial layout	2012	Public		
Objective 6b: Improve the road surface of the Dyea Flats access road and set-up a plan for regular maintenance and snow removal with the Municipality, State, and National Park Service						
1	Develop routine maintenance and snow	None	2010	DCAB	Municipality, NPS, DOT	
Objective 6c: Identify road access for ATV Users to access the ATV Use Areas and the West Creek Area						
1	Develop route for ATV users to access the ATV use areas from the	None	2010	DCAB	Municipality, NPS, DOT	
2	Develop route for ATV users to access the ATV use areas on the Dyea Flats with a connection to	None	2010	DCAB	Municipality, NPS, DOT	
Goal 7 – Protect the biological values of the Flats from degradation by managing human use of the area.						
Objective 7a: Restoration of damaged areas						
1	Stabilize / improve horse trail	TIWC proposed a plan and secured funding for stabilization project	2010	Public Works	TIWC, Chilkoot Horseback Adventures	
2	Protect on-going rehab projects	Plans to install log barricades and install	2011	Public Works	TIWC	
3	Identify, prioritize and rehabilitate additional	Initial areas have been identified	2013	Public Works	TIWC	
Objective 7b: Decommission abandoned or redundant roads and designate them as non-motorized walking						
1	Block roads that are to be abandoned or changed to		2010	Public Works	DCAB, Chilkoot Horseback	

	Action	Progress to Date	Time Frame for Completion	Lead Party	Potential Partners	Estimated Cost (To Be Determined by)
2	Install signage to indicate non-motorized	Signs in production and scheduled for	2010	Public Works		
Goal 8 – Designate appropriate areas for motorized and non-motorized use to protect the Flats’ resources and to separate these uses from one another.						
1	Install main kiosk including a map designating motorized	Kiosk in development	2010	DCAB	Public Works	
2	Provide ATV responsible use brochures at the main	Brochure design completed	2010	TIWC	Public Works	
Objective 8b: Designate and develop parking areas						
1	Parking area designation	Done	2010	DCAB	Public Works	
2	Parking area pads installed (with roadbed	None	2012	Public Works		
Objective 8c: ATV management: Install sign designation of ATV areas and provide educational brochures promoting ATV responsible ridership and municipal codes						
1	Install main kiosk including a map designating motorized	Kiosk in development	2010	DCAB	Public Works	
2	Provide ATV responsible use brochures at the main	Brochure design completed	2010	TIWC	Public Works	
Goal 9 – Manage relationships with the two existing commercial vendors to adhere to the implementation of the Dyea Flats Management Plan goals and objectives						
Objective 9a: Conduct an annual review with the vendors to ensure business operations are consistent with the Dyea Flats Management Plan and to ensure communication						
1	Schedule annual meeting for review following the completion of the tourist season in person or tele-	On-going annually (Procedure established and completed annually)	On-going annual	DCAB	Municipality admin., Chilkoot Horseback Adventures and	
Goal 10 – Rewrite and update 16.08 Dyea Management Plan ordinance as required by borough formation						
Objective 10a: Correct grammatical errors						
1	Schedule fall review and public hearing for municipal ordinance	On-going	2010	DCAB	Community at-large	None
2	Following revision, present to Assembly for	None	2010	DCAB		None
Goal 11 – Pursue the development of a department head as an administrative liaison						
Objective 11a: Initiate discussion with Borough manager, Parks & Rec. Committee, and Public Works						
1	Schedule a meeting with all parties	None	2010	Parks & Rec.	DCAB, Public Works, Borough	None

VI. PLAN ADMINISTRATION

Management Oversight of Plan

The Dyea Community Advisory Board will review the Dyea Flats Management Plan timeline and project status during their monthly regular meetings. They will be responsible to track the projects and to make communications to the associated people or organizations to ensure the plan implementation is being followed according to schedule. The Dyea Flats Management Plan will be reviewed and updated every five years by the Dyea Community Advisory Board.

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Skagway Traditional Council
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ABBREVIATIONS

ATV: All terrain vehicles
CVB: Convention and Visitor Bureau
DCAB: Dyea Community Advisory Board
DNR: Department of Natural Resources
DOT: Department of Transportation
NPS: National Park Service
RTCA: Rivers, Trails, and Conservation Assistance Program (National Park Service)
TIWC: Taiya Inlet Watershed Council

APPENDICES

- ★ Table 1: Exotic Invasive Plants in the Dyea Area
- ★ Table 2: Waterbird And Raptor Species Recorded In Dyea Flats
 - Note: tables are representative of species known to be in the Dyea area
- ★ Municipal Entitlement Final Findings and Decision
- ★ Bibliography of Studies Related to Dyea Flats
- ★ 1996 Dyea Flats Management Plan
- ★ Vendor Agreements
 - Chilkoot Horseback Adventures
 - Soekeye Cycle

Table 1: Exotic Invasive Plants In The Dyea Area	
Scientific Name	Common Names
<i>Bromus inermis</i>	smooth brome
<i>Capsella bursa-pastoris</i>	shepherd's purse
<i>Cerastium fontanum</i>	mouse-ear chickweed
<i>Chenopodium album</i>	lambsquarters
<i>Crepis tectorum</i>	narrowleaf hawksbeard
<i>Elymus repens</i>	Quackgrass
<i>Erysimum cheiranthoides</i>	wormseed mustard
<i>Euphrasia nemorosa</i>	common eye-bright
<i>Hordeum jubatum</i>	foxtail barley
<i>Impatiens glandulifera</i>	ornamental jewelweed
<i>Leucanthemum vulgare</i>	oxeye daisy
<i>Linaria vulgaris</i>	yellow toadflax
<i>Matricaria discoidea</i>	pineapple weed
<i>Phalaris arundinacea</i>	reed canary grass
<i>Phleum pretense</i>	timothy grass
<i>Plantago major</i>	plantain
<i>Poa pratensis</i>	Kentucky bluegrass
<i>Polygonum aviculare</i>	prostrate knotweed
<i>Potentilla gracilis</i>	slender cinquefoil
<i>Ranunculus acris</i>	tall buttercup
<i>Ranunculus repens</i>	creeping buttercup
<i>Rumex acetosella</i>	sheep sorrel
<i>Rumex crispus</i>	curled dock
<i>Senecio viscosus</i>	sticky ragwort
<i>Senecio vulgaris</i>	common groundsel
<i>Silene cucubalus</i>	bladder campion
<i>Stellaria media</i>	common chickweed
<i>Tanacetum vulgare</i>	common tansy
<i>Taraxacum officinale</i>	dandelion
<i>Thlaspi arvense</i>	field pennycress

Table 1: Exotic Invasive Plants In The Dyea Area	
Scientific Name	Common Names
<i>Trifolium hybridum</i>	Alsike clover
<i>Trifolium pretense</i>	red clover
<i>Trifolium repens</i>	white clover
<i>Galeopsis bifida</i>	split-lipped hemp nettle

Table 2: Waterbird And Raptor Species Recorded In Dyea Flats
American Green-winged Teal
American Kestrel
American Wigeon
Arctic Tern
Bald Eagle
Barrow's Goldeneye
Belted Kingfisher
Blue-Winged Teal
Bonaparte's Gull
Bufflehead
Canada Goose
Canvasback
Common Goldeneye
Common Loon
Common Merganser
Common Raven
Dunlin
Glaucous Gull
Glaucous-winged Gull
Great Blue Heron
Greater Scaup
Greater White-fronted Goose
Greater Yellowlegs
Green-winged Teal
Harlequin Duck
Herring Gull
Hooded Merganser
Horned Grebe
Hudsonian Godwit
Least Sandpiper
Lesser Scaup
Lesser Yellowlegs
Long-billed Dowitcher
Long-tailed Duck
Mallard
Marbeled Murrelet

Table 2: Waterbird And Raptor Species Recorded In Dyea Flats
Merlin
Mew Gull
Northern Harrier
Northern Pintail
Northern Shoveler
Northwestern Crow
Pacific Loon
Pectoral Sandpiper
Pigeon Guillemot
Red-breasted Merganser
Redhead
Red-necked Grebe
Red-throated Loon
Ring-necked Duck
Semipalmated Plover
Semipalmated Sandpiper
Sharp-shinned Hawk
Solitary Sandpiper
Spotted Sandpiper
Surf Scoter
Thayer's Gull
Trumpeter Swan
Wandering Tattler
White-winged Scoter
Wilson's Sniper