

**CITY OF GUSTAVUS, ALASKA
RESOLUTION CY25-27**

**A RESOLUTION BY THE CITY OF GUSTAVUS AUTHORIZING THE GUSTAVUS MAYOR TO
NEGOTIATE PURCHASE SALMON RIVER BOAT HARBOR TRACT B2 AND SUBMERGED
LANDS FROM THE ALASKA DEPARTMENT OF NATURAL RESOURCES**

WHEREAS, the City of Gustavus manages and operates the Salmon River Boat Harbor facility under the authority granted in the Cooperative Resource Management Agreement (CRMA ADL 107456 signed January 2, 2007; and,

WHEREAS, the CRMA terminates after 20 years but may be renewed with written approval of both parties; and,

WHEREAS, the CRMA was agreed shortly after incorporation of the City of Gustavus when the entire Government Lot 6, which included the harbor and the land fill site, was still owned by the State of Alaska and before transfer of the landfill site and Tracts B1 and B3 of the Harbor to the City of Gustavus; and,

WHEREAS, the City of Gustavus later accepted ownership of the landfill (Disposal and Recycling Center) site and Harbor Tracts B1 and B3 subdivided from Government Lot 6 as municipal entitlements; and,

WHEREAS, the central Harbor Tract B2 and the submerged Harbor lands to the center of the Salmon River channel remain under Alaska Department of Natural Resources (ADNR) ownership with management authority delegated to the City of Gustavus under the CRMA; and,

WHEREAS, the CRMA describes the harbor conditions as they were in January 2007; and,

WHEREAS, the CRMA was written primarily to enable the City to complete a major clean up, organization, and development of marine-related facilities on uplands and submerged lands; and,

WHEREAS, the City of Gustavus completed a major cleanup of the Salmon River Harbor and renovation in 2008 and subsequent years; and,

WHEREAS, the CRMA no longer describes Harbor land ownership, conditions, and operations as they are today; and,

WHEREAS, the City of Gustavus contemplates further improvements to the Harbor facility both on uplands and on submerged lands and possibly to enable activities currently unavailable under the CRMA; and,

WHEREAS, City ownership of the central Tract B2 and the submerged lands off Tracts B2 and B3 to the center of the Salmon River would enhance the authority of the City of Gustavus to improve and manage this vital facility more effectively in the interests of the Gustavus community and the State of Alaska; and,

WHEREAS, the City administration has prepared a project development form, attached, for the purchase of Harbor Tract B2 and the associated submerged lands; and,

WHEREAS, the requested transfer is qualified for eligibility per AS 38.05.825:

(1) land is within or contiguous to the boundaries of the municipality;

The tidelands requested are entirely within the boundaries of the municipality. The river mouth is near the center of the shoreline of Gustavus, which stretches from the National Park boundary near Pt Gustavus on the west to National Park boundary on the east near Falls Creek. The boundary stretches offshore to the shoreline of Pleasant Island. See the DCCED 2011_Index_Map Falls Creek to Pt Gustavus accompanying this resolution.

(2) use of the land would not unreasonably interfere with navigation or public access;

The transfer of ownership to the city leaves public access and navigation unchanged from the conditions present under the existing CRMA ADL 107456 between DNR and the City of Gustavus.

(3) municipality has applied to the commissioner for conveyance of the land under this section;

The Statement of Eligibility is part of the City's application package.

(4) land is not subject to a shore fisheries lease under AS 38.05.082, or, if the land is subject to a shore fisheries lease, the commissioner determines it is in the best interests of the state to convey the land;

The land is not subject to a shore fisheries lease.

(5) land is classified for waterfront development or for another use that is consistent or compatible with the use proposed by the municipality, or the proposed use of the land is consistent or compatible with a land use plan adopted by the municipality or the department;

The land is already classified for harbor use and is managed for such under the CRMA with the State of Alaska. This use will not change with City ownership.

(6) land

(A) is required for the accomplishment of a public or private development approved by the municipality;

Under City ownership and management the land of Tract B-2 and the adjacent tidelands will be used in the same public manner as they have under the existing CRMA ADL 107456 with the State—i.e. as a small boat harbor for use by the public.

(B) is the subject of a lease from the state to the municipality; or

(C) has been approved for lease to the municipality.

The Salmon River Harbor Tract B-2 and the adjacent river tidelands to the center of the Salmon River channel are currently managed by the City of Gustavus under the terms of the CRMA ADL 107456; and,

WHEREAS, the ADNR cannot determine the cost to the City of a transfer as public and charitable lands until ADNR receives an application for the transfer.

NOW THEREFORE BE IT RESOLVED that the City Council of Gustavus, Alaska approves the attached project development form and authorizes the City Mayor to prepare application documents, pay application fees, and negotiate with the Alaska Department of Natural Resources for the purchase of Harbor Tract B2 and the submerged lands to the center of the Salmon River as public and charitable lands.

NOW THEREFORE BE IT FURTHER RESOLVED that only after the cost of purchase and any related land survey are known, will the City Council consider final approval of the purchase and appropriate funds to complete the transfer.

NOW THEREFORE BE IT FURTHER RESOLVED that until any land transfer is complete, the City of Gustavus will continue to manage the Salmon River Harbor facility and lands under the terms of the existing CRMA ADL 107456.

NOW THEREFORE BE IT FURTHER RESOLVED that if the conveyance is approved, and if required, the municipality will fund and conduct a tideland survey of the area to provide legal boundaries.

PASSED and **APPROVED** by the Gustavus City Council this ____ day of _____ 2025, and effective upon adoption.

Sally A. McLaughlin, Mayor

Attest: Morgan E. Peterson-Park, Acting Clerk