

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

**PRELIMINARY DECISION**

**Proposed Land Offering in an Organized Borough  
One Thousand Skies Subdivision – ADL 229494  
AS 38.05.035 (e), AS 38.05.045**

**RELATED ACTION(S):  
Proposed Mineral Order (Closing)  
AS 38.05.185 and AS 38.05.300**

**COMMENT PERIOD ENDS 5:00PM, THURSDAY, MAY 9, 2013**

**I. Proposed Action(s)**

Primary Proposed Action(s): The primary proposed action of this Preliminary Decision of the State of Alaska, Department of Natural Resources (DNR), Division of Mining, Land, and Water (DMLW) is to offer for sale State-owned land for private ownership within the identified project area. Surveyed parcels will be offered for sale in a future offering under the method as described herein.

Attachment A: Vicinity Map

Attachment B: Area Data Summary Table

Attachment C: Public Notice

Located within the Department's Southcentral Region, approximately 14 miles west of Nelchina and 112 miles northeast of Anchorage, the project area is within the portion of Lot 1 lying south of the Glenn Highway, Section 1; the portions of Lots 1 and 2 and E1/2NE1/4 lying south of the Glenn Highway, Lots 3 and 4, SW1/4NW1/4, and S1/2 of Section 2, excluding USS 5634; and Sections 11-14, all, Township 2 North, Range 10 West, Copper River Meridian. The project area consists of approximately 3,570 acres identified for disposal by this proposed action. See Attachment A: Vicinity Map for a graphic depiction of the approximate location of the project area.

For the purposes of providing land for settlement in the Eureka-Nelchina area, if deemed feasible, DNR may develop a subdivision of no more than 430 parcels varying in size, with a majority of the parcels in the nominal 5 to 20 acre range. Certain tracts of land will be retained and not sold under this decision. If it is deemed necessary, DNR may consider parcels over five acres per the allowances listed in AS 38.04.020(h) Land Disposal Bank. This proposed project area is located within the Matanuska-Susitna Borough and therefore survey, platting, and road construction will be completed to the relevant subdivision standards. The project may be subdivided and offered in phases.

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Proposed Related Action(s): There is one related action with this proposal:

Mineral Order (Closing): DNR DMLW proposes a mineral order to close the project area to new mineral entry. Refer to the Mineral Order subsection under Section VI of this document for more information on this proposed related action.

Public notice for the related actions is being conducted concurrently with the notice for the primary action's Preliminary Decision. If approved after consideration of public comment, the related actions will be developed as separate actions and accompany the Final Finding and Decision for the primary action. The Final Finding and Decision will be dependent upon approval of the related actions such that if the related actions are not approved, the Final Finding and Decision will not be approved, unless modified. Likewise, DNR DMLW will not process the related actions unless proceeding with a Final Finding and Decision. Refer to the Planning and Classification subsection of this document for more information.

Pursuant to AS 38.05.945 Notice, this notice will also be posted on the State of Alaska Public Notice website at <http://aws.state.ak.us/OnlinePublicNotices/> for at least 30 consecutive days. The public is invited to comment on the proposed primary and related actions. See Section X Submittal of Public Comments at the end of this document and Attachment C: Public Notice for details on how to submit a written comment for consideration. If commenting on more than one proposed action, separate comments should be submitted for each. If after consideration of timely, written comments these proposed actions are approved, DNR will issue a Final Finding and Decision.

## **II. Method**

DNR proposes to offer for sale the project area as described herein, through a future auction or another method under AS 38.05.045 Generally [Sale of Land].

## **III. Authority**

The State of Alaska, Department of Natural Resources (DNR) has the authority under AS 38.05.035 (e) Powers and Duties of the Director and AS 38.05.045 Generally [Sale of Land] to sell State-owned land if, on preparation and issuance of a written finding, it is determined to be in the best interest of the State.

For related actions, AS 38.04.065 Land Use Planning and Classification, AS 38.05.300 Classification of Land, and AS 38.05.185 Generally [Mining Rights] allow for amendments and special exceptions to area plans, land classifications, and mineral orders.

## **IV. Administrative Record**

The administrative record for the proposed action(s) consists of the documentation contained in the project file, ADL 229494. Incorporated by reference is the Susitna Matanuska Area Plan, adopted in 2011 and any updates or amendments to the associated land classification file CL SC-09-002.

## **V. Scope of the Decision**

The scope of this proposal, under the statutes described in the preceding Section III Authority of this document is limited and specific to DNR DMLW's proposal to offer State-owned land within

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the defined portion of the project area for disposal and to conduct the proposed related actions as described herein. The scope of this proposal does not include the control of post-patent use and DNR DMLW does not intend to impose deed restrictions for this purpose. The subdivision and offering may be conducted in phases.

## **VI. Description**

See Attachment B: Area Data Summary Table for a brief listing of the key descriptions for the project area. Additional details are provided in the following paragraphs.

Location: The project area is located within the Department's Southcentral Region, approximately 14 miles west of Nelchina and 112 miles northeast of Anchorage, along the Glenn Highway. The project area consists of approximately 3,570 acres identified for disposal by this proposed action. See Attachment A: Vicinity Map for a graphic depiction of the approximate location of the project area.

Legal Description: The project area is located within six sections within the Chitina Recording District, Third Judicial District, Alaska, as follows:

Township 2 North, Range 10 West, Copper River Meridian

- Section 1: that portion of Lot 1 lying south of the Glenn Highway,
- Section 2: those portions of Lots 1-4, E1/2NE1/4, SW1/4NW1/4, and S1/2 lying south of the Glenn Highway, excluding USS 5634, and
- Sections 11-14, all.

Title: Information from Title Report No. 1050, current as of September 17, 2009 indicates the State of Alaska holds fee title to the land and mineral estate within the project area under Patent 50-89-0654, dated September 13, 1989. The applicable State case file is GS-2039. The parcel is subject to the reservations, easements and exceptions contained in the federal patent.

*Retained Interests:* In accordance with AS 38.05.125 Reservation of Mineral Rights to Alaska, the State retains ownership of oil, gas, coal, ore, minerals, fissionable material, geothermal resources, and fossils that may be in or upon the land that it sells. The State and its successors reserve the right to enter onto the land for the purposes of exploring for, developing, and producing these reserved mineral resources. Under common law, this access reservation is superior to any and all surface uses. The State may also lease these interests to mineral developers or allow mining locations to be staked. However, AS 38.05.130 Damages and Posting of Bond also provides that the land estate (surface) owner will be compensated for damages resulting from mineral exploration and development.

Physical Characteristics: Attachment B: Area Data Summary Table describes the project area's physical characteristics. In addition, the following paragraphs describe the project area based on internal research and a field inspections conducted by DNR Survey staff in July 2004, April 2009, and October 2009. This is by no means a complete description of the project area and if this proposal is approved and the area offered for sale, it will be the responsibility of interested parties to inspect individual parcels prior to purchase to familiarize themselves with the physical characteristics of the land.

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There are potential flooding issues for lots adjacent to lakes in Sections 1 and 12. Lake basins were largely dry on older maps, but recent satellite imagery shows that the lakes have expanded as small local basins and have filled with water. Data are insufficient to predict if the lakes will continue to grow and by what amount, although the local topography and geologic setting suggest they may be at or near their maximum size. Glacial outburst floods are known to travel down the Nelchina River adjacent to this proposed subdivision (Post and Mayo, 1971). The distance from the river (approximately one mile) and elevation above stream level (approximately 100 feet) are probably sufficient to make flooding in the subdivision from such an event unlikely (though not impossible).

Background: Remote staking occurred throughout the 1980s and into early 1990s in sections east of the project area. Lots within John Lake Subdivision, a state project, approximately 8 miles northeast of the project area, were mostly sold in the 1980s.

The project was first considered in 2005 and determined to be too costly at that time due to borough road ordinances. Now, with new borough road ordinances the project is being considered again.

Planning and Classification: The project area is within the Susitna Matanuska Area Plan (SMAP) Glenn Highway Region, Unit G-2. Settlement is the current, primary surface use designation for this unit. The area is classified Settlement through Classification Order (CL) SC-09-002.

*Areawide Considerations:* DMLW will follow management guidelines in SMAP Chapter 2-Settlement.

*Planning and Coordination:* Specific subdivision designs and offerings by DMLW will be done in consideration of the factors listed under this portion of the SMAP. LSCAS will coordinate with MSB on subdivision requirements. For example, DMLW is aware of the need for parking/staging areas, and consultation with MSB and other agencies such as the Department of Fish and Game (DFG), on such sites will be part of the project design.

*Protection, Management, and Enhancement of Other Resources:* Appropriate design should be utilized to compliment human and wildlife uses. Resource management principles will be considered for elements such as scenic features, incompatible mining activity, and timber harvesting. DNR should determine the need for and retain appropriate areas for other uses as stated in the Area Plan on pages 2-38 (Section C, item 7).

*Design:* DNR, as a general policy, should retain appropriate green belts, public-use corridors, water supply areas, riparian and coastal buffer areas, wildlife migration corridors, public access sites, material sites, roads and other public facilities, as well as other open space to create a desirable land use pattern in developing areas. Generally, subdivision design should provide for the creation of an open space system designed to protect or maintain important uses and values. Subdivisions will be designed to preserve and enhance the quality of the natural setting and the recreational opportunities that make an area attractive to potential buyers. All lots will be designed

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to include sufficient buildable area for private use and will comply with MSB subdivision requirements.

*Unit/Region G-21:* Management guidelines for this unit provide that moose winter concentration areas should be carefully evaluated and greenspace or movement corridors provided as necessary. Particularly significant moose concentration areas are to be avoided or protected. Management guidelines also state that a buffer of state land should be retained and building setbacks should be utilized along the Glenn Highway. DFG is also to be consulted to identify and protect public access through the parcels.

Reservation of Mineral Estate: In accordance with Section 6 (i) of the Alaska Statehood Act and AS 38.05.125 Reservation [of Rights to Alaska], 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, that could occur, would be consistent with AS 38.05.130 Damages and Posting of Bond and any other applicable statutes and regulations, which provide that the land estate (surface) owner be compensated for damages resulting from mineral exploration and development. Refer to the Mineral Order(s) section of this document for more information on restrictions on use of the mineral estate within the project area.

*Mineral Order(s):* There are no existing mineral orders.

There is no existing mineral activity within the project area.

Mineral closing orders, where established, close an area to new exploration and development of locatable minerals such as gold, copper, platinum, etc. Such mineral orders do not apply to leasable minerals, including oil and gas leasing, coal leasing, shallow gas leasing, or exploration licensing for such, nor do they preclude reasonable surface access to these resources. However, AS 38.05.130 Damages and Posting of Bond stipulates that the land estate owner will be compensated for damages resulting from exploration and development.

Mining activity would be incompatible with the past, current, and proposed land estate uses for land disposals. To allow new mineral location within the boundaries of the parcels encompassed by this decision could create serious conflicts between land estate and mineral estate users. Area plan mineral estate management policy states that, in general, areas scheduled for disposal will be closed to mineral entry prior to sale to minimize potential conflict between land estate and mineral estate users.

*Mineral Order Proposal:*

Mineral Order (Closing): DNR DMLW proposes a mineral order to close the project area to new mineral entry.

Public notice for the related actions is being conducted concurrently with the notice for the primary action's Preliminary Decision. If approved after consideration of public comment, the related actions will be developed as separate actions and accompany the

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Final Finding and Decision for the primary action. The Final Finding and Decision will be dependent upon approval of the related actions such that if the related actions are not approved, the Final Finding and Decision will not be approved, unless modified. Likewise, DNR DMLW will not process the related actions unless proceeding with a Final Finding and Decision.

Hazardous Materials and Potential Contaminants: During field inspections in July 2004 and April and October of 2009, staff did not observe any hazardous wastes, spills, or other potential contaminants within the area. There are no known environmental hazards present within the project area, however, the State makes no representations and no warranties, express nor implied, concerning the existence or absence of any hazardous substances, hazardous wastes, contaminants, or pollutants on the land here proposed for conveyance. The State further assumes no liability for the removal of hazardous substances, hazardous wastes, contaminants, or pollutants, nor for the remediation of the site should such substances eventually be found. Interested parties are encouraged to inspect the property and familiarize themselves with the condition and quality of the land prior to bid or application submittal.

DNR DMLW recognizes there are potential environmental risks when previously vacant land is occupied. Many of the activities increasing these potential risks are regulated by other agencies, such as the regulation of septic system installation by the State of Alaska, Department of Environmental Conservation. Given the high degree of interest from both the legislature and citizens in sale of State-owned land, DNR DMLW is of the opinion that the benefits outweigh the potential risks.

Traditional Use Finding: The project area is located within the Matanuska-Susitna Borough (MSB) and a traditional use finding is therefore not required per AS 38.05.830 Land Disposal in the Unorganized Borough. However, information on current or traditional use is welcomed and can be given during the public comment period. See the Submittal of Public Comments section at the end of this document and Attachment C: Public Notice for details on how to submit comments.

Local Planning: Where they exist, local zoning and related ordinances govern private land use. The project area is within the MSB and platting actions within this borough are subject to the MSB platting and zoning authority. Approval of platting and zoning actions, and dedication of right-of-ways will require separate processes and public notices through the Matanuska-Susitna Borough. The project area is within the Glacier View Special Land Use District. This SPUD requires obtainment of a conditional use permit to install major electrical transmission lines and associated electrical substations.

Access To, Within, and Beyond the Project Area: Access to the project area is from the Glenn Highway. There will most likely be two access points to the subdivision between Miles 135 and 137 of the Glenn Highway. Roads will be constructed to Matanuska-Susitna Borough standards for roads outside of Road Service Areas. The project area is within the platting authority of the MSB. Approval of platting actions and dedication of right-of-ways will require separate processes and public notices through the Matanuska-Susitna Borough.

*Access To and Along Public or Navigable Waters:* In accordance with AS 38.05.127 Access To Navigable or Public Water, DNR will determine if a body of water or waterway is a

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navigable or public waterway and will establish easements or right-of-ways as necessary to ensure unobstructed access to and along the body of water. Regulations dictating the creation of easements or right-of-ways under this statute include 11 AAC 51.035 Determination of Navigable and Public Water and 11 AAC 51.045 Easements To and Along Navigable and Public Water.

For the purposes of AS 38.05.127:

- navigable water are generally lakes larger than 50 acres in size or streams larger than 50 feet in average width;
- public waters are generally lakes larger than 10 acres in size or streams larger than 10 feet in average width; and
- waters may be determined public or navigable consistent with AS 38.05.965 (18) Definitions.

For the purposes of reserving access to public or navigable water under the aforementioned statutes and regulations, if a water body is determined to be public or navigable prior to disposal, a continuous easement extending upland from the ordinary high water mark will be reserved within parcels located along said waters. An alternate upland access route may be reserved if topography or obstructions prevent or make a continuous easement difficult. If a water body determined to be public is located entirely within a parcel, a public use access easement from the parcel boundary to and along the water body will be reserved and dedicated at the time of field survey. Refer to the Easements, Setbacks, and Retained Lands and Agency Comments sections for additional information.

There are no known navigable or anadromous water bodies within this project area. There are two unnamed lakes within the project area that are public waters. If additional water bodies are deemed public or navigable, DNR DMLW will comply with statutory requirements to provide access to and along said water bodies.

*Building Setbacks From Public or Navigable Water:* If subdivision is deemed feasible, DNR DMLW proposes to place a note on the final survey plat describing a building setback upland from the ordinary high water (OHW) mark of public and navigable water to protect access, fish and wildlife habitat, and personal property. Except for utilities, water-dependent structures whose purpose is access to or across the stream or lake, or minor accessory structures for uses that must be in or adjacent to the water body in order to function, structures and subsurface sewage disposal systems will not be permitted within the building setback. We will continue to develop and apply criteria as needed and the public is invited to comment. Refer to the Easements, Setbacks, and Retained Lands and Agency Comments sections of this document for additional information.

*Easements, Setbacks, and Retained Lands:* Parcels may be subject to a variety of easements, setbacks, and retained lands. Easements, setbacks, and retained lands will be identified on the subdivision plat and included in related informational documents. Approval of platting actions will require separate processes and public notices through the Matanuska-Susitna Borough. Final width and location of easements and reservations will be determined as part of the platting process.

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Previous site visits have revealed several unauthorized trails running north to south in the project area. Where feasible in subdivision design, existing trails may be depicted on the plat. In addition, a pre-application meeting with the Mat-Su Borough, held on January 22, 2010, indicated that this region is crisscrossed by trails used by Ahtna and Dena'ina and later Euro-Americans. Consequently, the borough requested a thorough cultural resource survey be conducted prior to any development activities within the subdivision. A cultural resource survey will be conducted, and if any cultural resources are found, mitigation factors will be incorporated into the subdivision design.

Parcels and subdivision design may be subject to a variety of reservations where appropriate, such as:

- a 50' public access easement on each side of surveyed or protracted section lines on state-owned land, unless vacated under AS 19.30.410 and 11 AAC 51.065;
- a 50' continuous easement is commonly required upland from the ordinary high water mark of public or navigable water bodies (AS 38.05.127);
- anticipated 60' subdivision rights-of-way (ROW) or public access easements in accordance with MSB local platting authority requirements;
- a 300' buffer south of and adjacent to the edge of the Glenn Highway ROW;
- a 5' survey easement from the nearest practical point on the property boundary to control monuments within the parcel and an easement with a 5' radius around the control monument, and as applicable, a 5' direct line-of-sight easement from the control station to an azimuth mark or other control monument (typical plat note);
- SMAP easements and buffers required along trails, roads, waterbodies, wetlands, and related environmental features are found in Chapter 2, pages 2-40 through 2-45, 2-54 and 2-55, Table 2-1 at pages 2-46 through 2-47, and Chapter 3, Resource Allocation Table. For this project, the following will be used:
  - 75' building setback adjacent to all waterbodies and sensitive environmental features;
  - minimum 25' pedestrian and 40' motorized trails and easements within developed or developing areas. Trails or other access facilities of statewide or regional significance- minimum 100'; (50' either side of centerline) (page 2-54 and 2-55).
- A-062297, a transmission line for the Copper Valley Electric Association, within N ½N ½, Sec. 1, T2N, R10W, CRM;
- An easement across a strip of land fifty (50) feet in width, lying twenty-five (25) feet on each side of the centerline of the Alaska Communications System's open wire or pole line and/or buried communication cableline, within N1/2, Sec. 1, T2N, R10W, CRM;
- ADL 230669 – easement application for a proposed fiber optic cable line;

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- Pending a cultural resource survey, mitigation factors will be incorporated into the subdivision design, if necessary.

Where appropriate, reservations and restrictions will be depicted on the plat and described in plat notes.

Survey, Platting, and Appraisal: Depending on agency and public commentary, physical conditions of the land, and access issues, DNR DMLW may survey and subdivide the project area as discussed herein to prepare and offer the property for sale if deemed feasible. This proposed project area is located within MSB and therefore survey and platting will be completed to the relevant Borough subdivision standards.

In accordance with AS 38.05.840 Appraisal, an appraisal meeting DNR DMLW standards will be required within two years of the date fixed for the sale of any parcel developed under this proposed action.

## **VII. Agency Comments**

Agency review was conducted from August 27, 2009 to September 29, 2009. Comments pertinent to this proposed action received during agency review have been considered and addressed in the following paragraphs. Additional timely comments received during the Public Notice period will be considered and addressed in the Final Finding and Decision if the proposal proceeds to that step.

### DNR Division of Geological & Geophysical Surveys Comment (summarized)

There are potential flooding issues for lots adjacent to lakes in Sections 1 and 12. Lake basins were largely dry on older maps, but recent satellite imagery shows that the lakes have expanded as small local basins and have filled with water. Data are insufficient to predict if the lakes will continue to grow and by what amount, although the local topography and geologic setting suggest they may be at or near their maximum size. Glacial outburst floods are known to travel down the Nelchina River adjacent to this proposed subdivision (Post and Mayo, 1971). The distance from the river (approximately one mile) and elevation above stream level (approximately 100 feet) are probably sufficient to make flooding in the subdivision from such an event unlikely (though not impossible).

### DNR DMLW Response

DMLW recognizes the terrain and lake basins mentioned in Sections 1 and 12. The final design of the subdivision, while dependent on many factors, will incorporate a method for addressing the expansion of the lakes and the impacts they may have on home sites. Possible methods for addressing this issue are building setbacks, designing larger parcel sizes, or retaining land along significant water bodies.

### Alaska Department of Fish and Game Comment

Any existing ATV and snow machine trails that are found within this parcel should also be considered in the subdivision design so traditional access means are maintained. The Susitna Area Plan also recommends that land directly adjacent to the highway not be offered unless there is adequate screening by vegetation or topography to protect the visual quality of the area and should then be designed to minimize impacts on scenic vistas. From the maps provided

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and aerial photographs of the area there appears to be three small lakes. Building setbacks should be implemented to protect the vegetation and water quality of these water bodies.

### DNR DMLW Response

It is DMLW's intention to design the subdivision in a manner that allows for the continuation of current use and provides for future recreational use of the area. Existing trails may be incorporated into the final subdivision design. In addition, platted roads will create alternative access through project area.

The Susitna Matanuska Area Plan recommends that a visual buffer be maintained along the Glenn Highway, and as part of the subdivision design DMLW will seek to minimize visual impacts from the development. The area plan does not specify a width, so a width of 300' will be used, which is the same buffer that was used for the Glenn Highway in the nearby Ridgeview Subdivision and the buffer required in SMAP for the Parks Highway, a highway of similar status.

There are wetlands and several small lakes within the project area. Building setbacks will be used to protect wetlands and lake shore. See pages 8 and 9.

## **VIII. Alternatives and Discussion**

DNR DMLW is considering the following alternatives:

- Alternative 1: (Preferred) Survey and plat a subdivision consisting of up to 430 parcels varying in size, and offer those parcels for sale. The development and offering of these parcels may be phased.
- Alternative 2: Do not subdivide the project area prior to offering. Offer the project area as a single, 3,570-acre parcel.
- Alternative 3: (Status Quo) Do not offer this project area for private ownership. Retain the land in State ownership.

Article VIII, Section 1 of the Alaska Constitution states, in part, that. "it is the policy of the State to encourage the settlement of its land..." Furthermore, AS 38.05.045 Generally [Sale of Land] has placed this charge with DNR. Alternative 1 provides a method for DNR to help meet the obligations laid out in the Constitution and statute. Alternative 1 maximizes public interest. This offering provides an opportunity for the public to obtain land for settlement in a desirable area. The subdivision as described will allow DNR DMLW to create a design that will maximize use of the land and provide the public a greater opportunity to purchase land within this area.

Alternative 2 does not maximize public interest and is not preferred. Due to the unique amenities of the area, location relative to the communities of Eureka and Nelchina, and the size of the project area, the project area is better suited to subdivision prior to offering. Subdividing the project area prior to offering will maximize the opportunity for conveyance to private ownership. Alternative 2 is not preferred.

Alternative 3 is not preferred. The Legislature and the public have indicated a desire for DNR DMLW to offer State-owned land for private ownership. Retention of this land would inhibit DNR

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DMLW from meeting its Constitutional and legislative obligations. Not offering the project area would deny many Alaskans the opportunity to obtain land in an area that is suited to settlement.

For the aforementioned reasons, Alternative 1 is the preferred alternative. Recommendation follows.

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**IX. Recommendation**

This Preliminary Decision for the proposed primary and any related actions described throughout this document and its attachments are consistent with the overall management intent for State-owned land; potential changes to public resources and the public interest as a result of the proposal are acceptable; and this proposed action appear to be in the best interest of the State. It is hereby recommended to proceed to public notice.

This is a Preliminary Decision and subsequent public review may result in changes to the preferred alternative or disapproval of the proposed primary action and the accompanying related action altogether. If the decision is approved, the related action will accompany and precede the Final Finding and Decision.

/s/

Prepared by Lauren Rouen  
Natural Resource Specialist II  
Land Sales and Contract Administration Section  
Division of Mining, Land, and Water  
Department of Natural Resources  
State of Alaska

March 8, 2013

Date

/s/

Approved by Kathryn Young  
Section Manager  
Land Sales and Contract Administration Section  
Division of Mining, Land, and Water  
Department of Natural Resources  
State of Alaska

March 26, 2013

Date

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### **X. Submittal of Public Comments**

**See Attachment C: Public Notice for specific dates and conditions.** Pursuant to AS 38.05.945 Notice, a public notice inviting comment on this Preliminary Decision will be posted on the State of Alaska Public Notice website at <http://aws.state.ak.us/OnlinePublicNotices/>. Notices will also be published in newspapers in statewide circulation and newspapers of general circulation in the vicinity of the land offering. In addition, notices will be mailed to parties known or likely to be affected by the action; relevant postmasters of permanent settlements; relevant municipalities if the land is within the boundaries of a municipality; relevant regional corporations if the land is within their corporation boundary; relevant village corporations if the land is within 25 miles of the village for which the corporation was established; and relevant soil and water conservation districts.

In accordance with AS 38.05.946 (a) Hearings, a municipality or corporation entitled to receive notice under AS 38.05.945 (c) may hold a hearing within 30 days after receipt of the notice. If a hearing is held, the Department Commissioner (or representative) shall attend the hearing. The Commissioner has discretion whether or not to hold a public hearing.

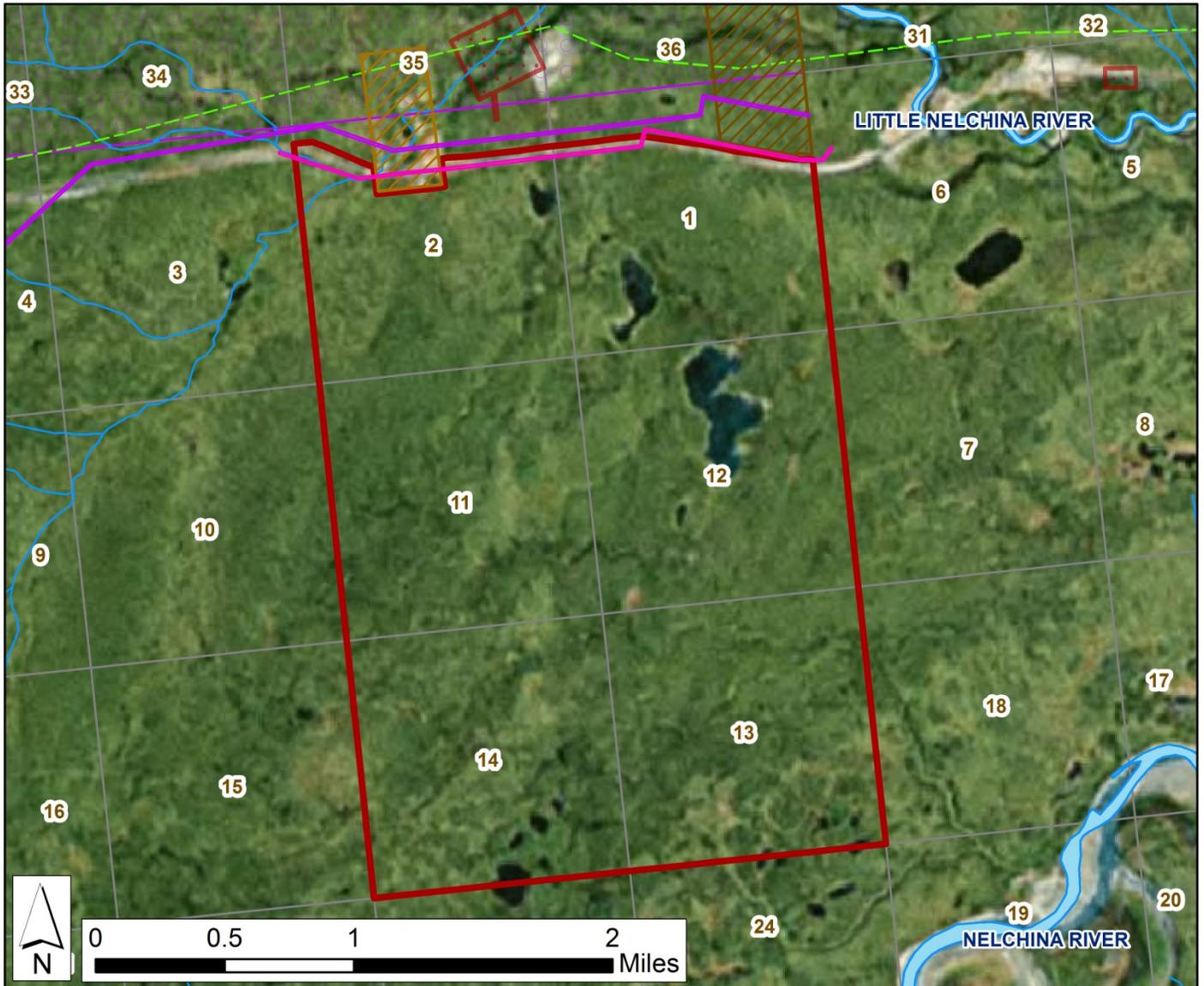
DNR DMLW will consider all timely comments. If timely, written comments received in response to this notice indicate the need for significant changes to the Preliminary Decision, additional public notice for the affected lands will be given. Reducing the amount of land offered and making minor changes to the proposed action will not be considered significant changes requiring additional public notice.

If the proposed action is approved and no significant change is required, the Preliminary Decision, including any deletions, minor changes, and summary of comments and Division responses, will be issued as a subsequent Final Finding and Decision without further notice. Only persons from whom the Department receives timely, written comment during the identified comment period will be eligible to file an appeal of the Final Finding and Decision. Upon approval and issuance of a Final Finding and Decision, a copy of the decision will be made available online at <http://dnr.alaska.gov/mlw/landsale/> and will be sent to any party from whom DNR DMLW LSCAS receives timely, written comment.



# Attachment A

## One Thousand Skies Subdivision ADL 229494



Copper River Meridian, Township 2 North, Range 10 West

LF 1/8/2013

- Proposed easement ADL 230669
- CVEA easement A-62297
- USS 9360 Native Allotment
- USS 5634
- ANGDA Lease ADL 229297
- Project area
- Material sale
- Nelchina Public Use Area (LDA)
- Section

### USGS QUAD 1:63,360

Valdez D-8

For more information contact:

Lauren Rouen

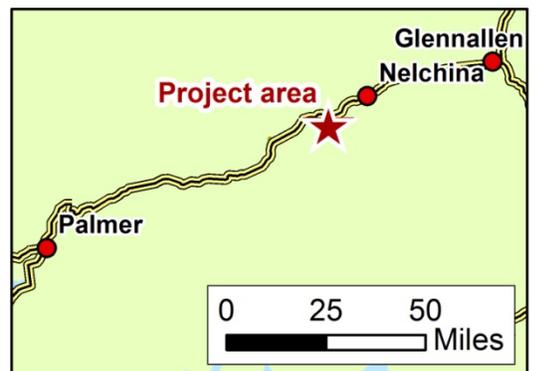
Department of Natural Resources  
Division of Mining, Land and Water

Land Sales & Contract Administration Section

Phone 907.269.8851

Fax 907.269.8916

Email [subdivision.sales@alaska.gov](mailto:subdivision.sales@alaska.gov)



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

**ATTACHMENT B: AREA DATA SUMMARY TABLE**

to the  
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for a  
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One Thousand Skies Subdivision – ADL 229494**

<b>Project Area Acreage</b>	3,570 acres
<b>Proposed Number of Parcels, Acres per Parcel</b>	Up to 430 parcels, varying in size from nominal 5 to 20 acres
<b>Location</b>	14 miles west of Nelchina and 112 miles northeast of Anchorage
<b>Area Access</b>	Primarily via the Glenn Highway, there will most likely be two access points to the subdivision from the Glenn Highway. Individual lots would be accessible via platted internal easements.
<b>Native Regional &amp; Village Corporations within 25 miles</b>	Ahtna, Inc.
<b>Platting Authority, Coastal Issues, &amp; Local Planning Considerations</b>	The Matanuska-Susitna Borough, local communities, and villages will receive public notice and an opportunity to comment. The Matanuska-Susitna Borough also has platting authority. The project area is not within the zone of coastal influence.
<b>Title</b>	All land within the project area was patented to the State (Patent #50-89-0654), all under General Grant (GS 2039)
<b>Legal Description</b>	The portion of Lot 1 lying south of the Glenn Highway, Section 1, the portions of Lots 1 and 2 and E1/2NE1/4 lying south of the Glenn Highway, Lots 3 and 4, SW1/4NW1/4, and S1/2 of Section 2, excluding USS 5634, and Sections 11-14, all, Township 2 North, Range 10 West, Copper River Meridian
<b>Area Plan</b>	Susitna-Matanuska Area Plan (SMAP) (adopted 2011), Management Unit G-2/Glenn Highway Region
<b>Classification</b>	Settlement (Se), CL SC-09-002
<b>Mineral Order</b>	The project area is presently open to mineral entry; the project area will be closed to new claims prior to sale.

**Preliminary Decision**

Proposed Land Offering in an Organized Borough

Attachment B: Area Data Summary Table

One Thousand Skies Subdivision – ADL 229494

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<b>Topographic Map</b>	USGS Quads Valdez D-8, Valdez D-1 Several ridges with corresponding lower lying areas 2300 feet (at southeast corner) to 2900 feet (at northwest corner) above sea level
<b>Geologic Hazards</b>	There are no known geologic hazards. Should any additional geologic hazards be discovered in the future, they will be considered in the project's design and described in the project file and offering materials.
<b>Soils</b>	Soils seem to be well-drained per site visit, but there are some wet low-lying areas. Known soil concerns will influence the project's design and feasibility and such features will be described in the project file and offering materials where relevant.
<b>Vegetation</b>	Site visits indicate that vegetation is comprised mostly of a variety of willow with scattered black spruce. There is also dwarf birch, alder, white spruce, and scattered stands of aspen.
<b>Fire Hazards</b>	Full Fire Management Area. No information available on most recent burn.
<b>Navigable Waters</b>	NONE
<b>Public Waters</b>	Two small, unnamed lakes within the project area are public waters.
<b>Anadromous Streams</b>	None. Should additional streams be identified throughout the design phase, DNR DMLW will evaluate the appropriateness of buffers for such water bodies.
<b>Flood Zone</b>	Within Flood Zone D. Flood Zone D is defined as possible but undetermined flood hazards. The relevant Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map is Community Panel Number 020021. – Undetermined Flood Zone.
<b>Comments, Questions, or Known Concerns</b>	Cultural resource survey to be conducted prior to offering. Mitigation will occur if any historic or archaeological resources are found.

## **ATTACHMENT C: PUBLIC NOTICE**

### **STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES DIVISION OF MINING, LAND, & WATER LAND SALES & CONTRACT ADMINISTRATION SECTION**

#### **PUBLIC NOTICE**

for a Preliminary Decision of a Proposed Land Offering:  
**One Thousand Skies Subdivision – ADL 229494**  
and its Proposed Related Action:  
Mineral Order (Closing)

**COMMENT PERIOD ENDS 5:00PM, THURSDAY, MAY 9, 2013**

This proposed project includes offering for sale surveyed parcels in a future offering under the method and the related actions as described in the Preliminary Decision document. The project may be subdivided and offered in phases.

Located within the Department's Southcentral Region, approximately 14 miles west of Nelchina and 112 miles northeast of Anchorage, the project area is within the portion of Lot 1 lying south of the Glenn Highway, Section 1; the portions of Lots 1 and 2 and E1/2NE1/4 lying south of the Glenn Highway, Lots 3 and 4, SW1/4NW1/4, and S1/2 of Section 2, excluding USS 5634; and Sections 11-14, all, Township 2 North, Range 10 West, Copper River Meridian.

Project size: 3,570 acres proposed development area, up to 430 parcels sized from nominal 5 to 20 acres.

There is one related action with this proposal: a Mineral Order closing the project area to new mineral entry. If approved after consideration of public comment, these related actions will be developed as separate actions, accompany the Final Finding and Decision, and be approved prior to approval of the Final Finding and Decision. Public notice is being conducted concurrently with the primary action's Preliminary Decision.

To obtain the notice, Preliminary Decision, or instructions on submitting comment, or to request auxiliary aids, services, or special accommodations, go to <http://aws.state.ak.us/OnlinePublicNotices/> or <http://dnr.alaska.gov/mlw/landsale/>. For assistance in obtaining the documents by an alternative method, contact DNR's Public Information Centers on State work days, Monday through Friday, between 10AM and 5PM in Anchorage at 907.269.8400 (TDD for the hearing impaired: 907.269.8411) or Fairbanks at 907.451.2705 (TDD for the hearing impaired: 907.451.2770), or the Southeast Land Section in Juneau at 907.465.3400 (TDD for the hearing impaired: 907.465.3888), or go to <http://dnr.alaska.gov/commis/pic/> for additional contact information. Individuals who require special assistance must request assistance from the Public Information Center in Anchorage no later than 4:00 PM, Thursday, May 2, 2013.

Pursuant to AS 38.05.945 Notice, the public is invited to submit comment on these proposed actions for which notice is being conducted concurrently. If commenting on more than one

## **Preliminary Decision**

Proposed Land Offering in an Organized Borough

Attachment C: Public Notice

One Thousand Skies Subdivision – ADL 229494

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proposed action, separate comments should be submitted for each. **The deadline for public comment is 5:00PM, THURSDAY, MAY 9, 2013.** Only persons from whom DNR DMLW LSCAS receives timely, written comment during the identified comment period will be eligible to file an appeal of the Final Finding and Decision. Written comment may be received by fax, email or postal mail. To submit comments or for direct inquiries, contact Lauren Rouen, 550 W. 7<sup>th</sup> Avenue, Suite 640, Anchorage, AK 99502; fax at 907.269.8916; or electronic mail at [subdivision.sales@alaska.gov](mailto:subdivision.sales@alaska.gov). If you have questions, call Lauren Rouen at 907.269.8851.

If no significant change is required, the preliminary decision, including any minor changes and a summary of comments and responses, will be issued as the final finding and decision without further notice. A copy of the final finding and decision will be sent to any persons who comments and the preliminary decision.

DNR reserves the right to waive technical defects in this notice.