

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

PRELIMINARY DECISION

Proposed Land Offering in the Fairbanks North Star Borough,

DMVA Tracts, ADL 420894

Proposed Public Access Easement, **ADL 421103**

Proposed Private Easement, **ADL 421088**

AS 38.05.035 (e), AS 38.05.045, AS 38.05.850

RELATED ACTION(S):

None Proposed

PUBLIC COMMENT PERIOD ENDS 5:00PM, WEDNESDAY, NOVEMBER 28, 2018

I. Proposed Action(s)

Preliminary Decision: DMVA Tracts - ADL 420894

Proposed Public Access Easement – ADL 421103

Proposed Private Easement – ADL 421088

Attachment A: Vicinity Map and Easements Map

Attachment B: Area Data Summary Table

Attachment C: Public Notice

Land Offering ADL 420894: 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), Land Sales Section (LSS) is to offer for sale State-owned land within the identified project area. If approved, parcels will be offered for sale.

Located within DNR's Northern Region, approximately one mile west of the Steese Highway and Goldstream Road intersection, the project area is within Section 35, Township 2 North, Range 1 West, Fairbanks Meridian, within the Fairbanks North Star Borough (FNSB). The project area consists of approximately 320 acres identified for disposal by this proposed action. See *Attachment A: Vicinity Map* for a depiction of the project area.

In accordance with the governing area plan and for the purposes of providing land for settlement, DNR proposes to sell land within the DMVA Tracts project area. In order to offer these lands for sale, if approved and deemed feasible, DNR may offer for sale no more than two parcels no smaller than 160 acres. DNR currently plans to offer the project area as a 320-acre parcel. This proposed project area is located within the FNSB. The project area may be offered in multiple stages.

If this proposed primary action is approved, the actual area offered for sale may consist of all or only a portion of the overall project area. After consideration of public comment, the size and boundaries of the project area will be described in a subsequent Final Finding and Decision, if the project proceeds to that step. Additional adjustments may be made prior to offering as needed to reserve areas for public use or minimize conflicts between uses. Although actions under this proposal are limited to the stated maximums, additional

Preliminary Decision

DMVA Tracts – ADL 420894

Proposed Public Access Easement – ADL 421103

Proposed Private Easement – ADL 421088

Page 2 of 18

offerings may be authorized under future proposals, which could increase the density of privately-owned parcels within, adjacent to, or near the project area.

Public Access Easement ADL 421103: DNR DMLW proposes to authorize a public access easement to the project area from Goldstream Road up to 100 feet in width within government lots 7 and 8, Section 2, Township 1 North, Range 1 West, Fairbanks Meridian. While the land offering project area has legal access via a section line easement to the southeast corner and direct access from Goldstream road to the southwest corner, the proposed easement would provide access options over land that improves viability of constructing access. See *Attachment A: Easements Map* for a depiction of Goldstream Road, the area of State land where the easement is proposed, and the land offering project area.

Public access easement ADL 421103 is proposed to facilitate development of the land offering project area. If approved, an entry authorization (EA) and draft easement will be created whereby a subsequent owner of the project area may submit an application consistent with the EA and draft easement documents for DNR DMLW adjudication. If approved, the applicant will receive an EA for construction and survey of access through the applicable portion of government lots 7 and 8. If created, the public access easement will be issued to DNR DMLW. This process will allow a subsequent purchaser of the property to identify and locate access to the property in a location which best suits their needs. Refer to the Access To, Within, and Beyond Project Area subsection for more information.

A developed road to the land offering project area and driveway onto Goldstream Road exist within government lot 7. The road and driveway have no current State authorizations. To provide legal access to the project area, the road requires DNR DMLW authorization and a driveway permit from the Northern Region of the Alaska Department of Transportation and Public Facilities.

Private Easement ADL 421088: DNR DMLW proposes to authorize a private easement to the DNR Office of History and Archaeology (OHA) for historic preservation, research, and monitoring of the Davidson Ditch within the project area. The proposed easement would:

- prohibit unauthorized disturbances, such as motorized uses, clearing, filling, placement of structures, removal or alteration of historic property, and activities that disturb the vegetative mat;
- allow OHA to conduct monitoring, documentation and research of the Davidson Ditch;
- an area 60 feet in width encompassing the existing road crossing of the Davidson Ditch will be excluded from the historic preservation, research and monitoring easement stipulations and will serve only to provide OHA continuity of access within the easement; and
- reserve DNR DMLW the right to authorize one additional 60 foot wide access corridor through this easement upon request by the landowner and after consultation with OHA on both location and development plan.

The easement as proposed will be 100 feet in width, approximately centered on the Davidson Ditch channel, encompassing the Davidson Ditch and a buffer area on either side

Preliminary Decision

DMVA Tracts – ADL 420894

Proposed Public Access Easement – ADL 421103

Proposed Private Easement – ADL 421088

Page 3 of 18

of the ditch channel. See *Attachment A: Easements Map* for a depiction of the approximate easement area.

Additionally, DNR DMLW intends to impose deed restrictions for the SE¼ of Section 35 to ensure that the grantee of proposed easement ADL 421088 is provided reasonable access to the Davidson Ditch.

Public Notice of Proposal: In accordance with *AS 38.05.945 Notice*, during a period of at least 30 consecutive days, the public will have the opportunity to submit written comment on the proposed land sale, public access easement, and private easement. Public notice is being conducted concurrently for the land offering and easements.

See **Section VIII. Submittal of Public Comments** at the end of this document and *Attachment C: Public Notice* for details on how to submit a comment for consideration. If, after consideration of timely, written comments, DNR DMLW moves forward with the proposal, a Final Finding and Decision will be issued.

II. Method of Sale

DNR DMLW proposes to offer for sale land within the project area as described herein, through a future offering under *AS 38.05.045 Generally*.

Parcels offered through this action are offered fee-simple for the surface estate only. For more information about the land sales program, please visit the website at <http://landsales.alaska.gov>.

III. Authority

DNR has the authority under *AS 38.05.045 Generally* 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, as required by *AS 38.05.035(e) Powers and Duties of the Director*. Article VIII, Section 1, of the Constitution of the State of Alaska states "It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest." In addition, if it is deemed appropriate, DNR has the authority to develop and offer parcels larger than 5 acres under the allowances listed in *AS 38.04.020(h) Land Disposal Bank*.

DNR DMLW has the authority under *AS 38.05.850 Permits* to issue easements on State land.

IV. Administrative Record

The project file for DMVA Tracts (ADL 420894), proposed public access easement ADL 421103, and proposed private easement ADL 421088 constitute the administrative record for this proposed action. Also incorporated by reference are:

- Eastern Tanana Area Plan for State Lands (ETAP, adopted August 2015) and associated land classification files;
- *Alaska Interagency Wildland Fire Management Plan (2017 Review)*;
- *Alaska Department of Fish and Game Catalog of Waters Important for the Spawning, Rearing, or Migration of Anadromous Fishes*;

Preliminary Decision

DMVA Tracts – ADL 420894

Proposed Public Access Easement – ADL 421103

Proposed Private Easement – ADL 421088

Page 4 of 18

- *USDA, Natural Resource Conservation Service Custom Soil Report for this project, dated October 2, 2017; and*
- DNR case files: interagency land management agreements ADL 420285 and ADL 420377.
- *Preliminary Geotechnical Investigations Report, Interior Alaska Veterans Cemetery, Goldstream Road Site – Fox, Alaska, prepared for the Alaska Department of Transportation & Public Facilities and Alaska Department of Military and Veterans Affairs by R&M Consultants, Inc., April 12, 2013.*

V. Scope of the Proposal

The scope of this proposal, under the statutes described in the preceding **Section III**.

Authority, is limited and specific to DNR DMLW's proposal to offer State-owned land within the defined project area for disposal, to authorize the public access easement, and to authorize a private easement as described herein. DNR DMLW intends to impose deed restrictions for the SE $\frac{1}{4}$ of Section 35 to ensure that the grantee of proposed easement ADL 421088 for the Davidson Ditch is provided reasonable access to the Davidson Ditch. The offering may be conducted in multiple stages.

VI. Description

Location: Within DNR's Northern Region, approximately one mile west of the Steese Highway and Goldstream Road intersection, the project area is within Section 35, Township 2 North, Range 1 West, Fairbanks Meridian, within the FNSB. See *Attachment A: Vicinity Map and Attachment B: Area Data Summary Table* for additional information.

Platting Authority: The project area is within the FNSB and subject to the borough's platting authority.

Native Regional and Village Corporations: The project area is within the boundaries of the Doyon regional corporation. There are no villages located within 25 miles of the project area.

Legal Description of the Land Offering: The NE $\frac{1}{4}$ and SE $\frac{1}{4}$ of Section 35 according to the official GLO plat of Township 2 North, Range 1 West, Fairbanks Meridian, Alaska accepted on December 22, 1913 by the Surveyor General, located within the Fairbanks Recording District, Fourth Judicial District, Alaska.

Legal Description of the Public Access Easement: Within government lots 7 and 8, Section 2, Township 1 North, Range 1 West, Fairbanks Meridian, Alaska, according to the BLM supplemental plat of Sections 1, 2, 11, and 12, accepted on September 21, 1970 by the BLM. Said easement will be located northerly of the Goldstream Road right-of-way.

Legal Description of the Private Easement: Within the SE $\frac{1}{4}$ of Section 35 according to the official GLO plat of Township 2 North, Range 1 West, Fairbanks Meridian, Alaska accepted on December 22, 1913 by the Surveyor General, located within the Fairbanks Recording District, Fourth Judicial District, Alaska.

Preliminary Decision

DMVA Tracts – ADL 420894

Proposed Public Access Easement – ADL 421103

Proposed Private Easement – ADL 421088

Page 5 of 18

Title: Information from Title Report No. 10202, current as of September 19, 2017 indicates the State of Alaska holds fee title to the land and mineral estate for the SE $\frac{1}{4}$ under a warranty deed, dated July 31, 2014 (recorded as document no. 2014-010776 in the Fairbanks Recording District). The title report indicates that the State of Alaska holds fee title to the land estate and the University of Alaska holds fee title to the mineral estate for the NE $\frac{1}{4}$; under warranty deed dated July 31, 2014 (recorded as document no. 2014-010775 in the Fairbanks Recording District). The applicable State case files are UNIV 15 and OSL 1553. The parcel is subject to the reservations, easements and exceptions contained in the warranty deeds dated July 31, 2014 and federal patents. Specific to the SE $\frac{1}{4}$, the parcel is subject to an easement for a highway right-of-way construction and maintenance (i.e. Goldstream Road), and an easement for the construction and maintenance of perforated drain pipe. Specific to the NE $\frac{1}{4}$, the parcel is subject to a public access easement on the bed and 25 feet upland of and along the ordinary high-water mark of unnamed tributaries of Silver Creek created by the University of Alaska in a deed recorded as document number 2003-025985-0 in the Fairbanks Recording District.

State Reservations of Title:

Retention of and Access to 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 retains ownership of the mineral estate that may be in or upon the land that it sells. This retention is for all minerals, including both locatable minerals (such as gold, copper and silver, etc.), and leasable minerals (such as oil, gas, coal, etc.).

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. Access reserved to these retained interests is superior to any and all surface uses. The State may also lease these retained 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 owner will be compensated for damages resulting from mineral exploration and development.

Navigable Waters: Per *AS 38.05.126 (b) Navigable and Public Waters*, "...the state has full power and control of all of the navigable or public water of the state, both meandered and unmeandered, and the state holds and controls all navigable or public water in trust for the use of the people of the state." This trust is in accordance with the principles of the Public Trust Doctrine, which are included in Article VIII, Section 14 of the Constitution of the State of Alaska and protected in the United States Constitution. It is vested in the title to this land, is not transferable, and the State's title to submerged lands under navigable waters cannot be relinquished by a transfer of the property. In holding with this concept, navigability determinations are made and access will be reserved per *AS 38.05.127 Access To and Along Public and Navigable Water*. For more information, see [Access To, Within, and Beyond Project Area](#) subsection of this document.

The Bureau of Land Management has not made a navigability determination for waters within the affected townships for title purposes.

Preliminary Decision

DMVA Tracts – ADL 420894

Proposed Public Access Easement – ADL 421103

Proposed Private Easement – ADL 421088

Page 6 of 18

Where they exist within the project area, State third-party interests will be described in land sales brochures.

Physical Characteristics and Hazards: Attachment B: Area Data Summary Table describes the project area's physical characteristics. Information about the project area is based on internal research, information received during agency review, and on-ground field inspections conducted on September 18 and 28, 2017. 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.

Soils: Soils within the project area covered by deciduous forest generally consist of well-drained silt loams that are highly susceptible to erosion if the vegetative mat covering the soil is removed. Some major limitations of these soils include potential for frost heaving, low load supporting capacity, and the steep slope. The portion of the project area dominated by spruce forest generally consists of peat underlain by poorly drained silt loam. These soil types appear to be primarily in the far western margin of SE $\frac{1}{4}$ Section 35 and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35. Some major limitations for this soil type include depth to permafrost and perched groundwater.

Contractors of the Alaska Department of Military and Veterans Affairs (DMVA) conducted a geotechnical exploration within the project area in late 2012. Three soil borings advanced in the western edge of SE $\frac{1}{4}$ Section 35 documented ice inclusions and lenses. Frozen ground underlying the active layer ranged from approximately 8.5 to 20 feet below the ground surface, and extended to the bottom of the soil borings (20 to 21.5 feet below the ground surface). Ten soil borings advanced in the central and eastern portions of SE $\frac{1}{4}$ Section 35 documented weathered schist bedrock 1.0 to 9.5 feet below the ground surface. No frozen ground beneath the active layer was documented in these borings. One soil boring advanced in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35 documented substantially similar soil and bedrock conditions to the aforementioned ten soil borings.

Wetlands: Wetlands exist within the western portion of the project area. The authorization of a public access easement (ADL 421103) through government lots 7 and 8 will assist in reducing impact to those wetlands.

Geologic Hazards: According to information provided by DNR Division of Geological and Geophysical Surveys (DGGS), the project area is within the zone of discontinuous permafrost. Lower slopes and valley bottoms tend to contain silt prone to intense frost heaving. The project area is within the Fairbanks seismic zone, which has been active within the last 150 years and has had earthquakes of magnitudes between 5 and 6. The nearby Salcha seismic zone has had the largest recorded seismic event within Interior Alaska (magnitude 7.3), which resulted in extensive ground failure near its epicenter. The risk posed by building within an active seismic zone should be accommodated by following appropriate construction best practices (e.g. International Building Code published by the International Code Council).

Preliminary Decision

DMVA Tracts – ADL 420894

Proposed Public Access Easement – ADL 421103

Proposed Private Easement – ADL 421088

Page 7 of 18

Fire Information: Pursuant to observations from the September 2017 field inspections, fire risk in the area is likely moderate to high within the western-central portion of the project area, due to dense black spruce. The fire risk is likely lower within northern and eastern portions due to the mature deciduous forest, and the southern portion due to the extensive vegetative clearing that occurred around 2003. There is no reported history of fires within the project area, but it appears that small spot fires have occurred within the vicinity. The project area is within the Chena-Goldstream Fire Service Area.

Potential for wildland fire is high in Interior Alaska. Landowners with structures are encouraged to follow the Alaska Wildland Fire Coordinating Group *Firewise Alaska* recommendations. Offering materials include information regarding wildland fire prevention.

Fire management options and policies for the area are identified in the Alaska Interagency Wildland Fire Management Plan available from DNR Division of Forestry. The current fire management option for the project area is “Critical.” The policy on areas with the “Critical” management option reads, “wildfires occurring in the Critical Management Option or that threaten critical sites are assigned the highest priority for suppression actions and assignment of available firefighting resources.” It also states that the designation of a fire management option does not ensure protection from wildfire, and that a protection response will be based on various factors. “Ultimately it is the personal responsibility of the [landowner] to mitigate and minimize risk to their property and structures and to be ‘Firewise’.”

Flood Hazard: The project area is within FEMA Flood Insurance Rate Map Community Panel number 025009 0075F. The project area is within Zone X, which is defined as outside the 500-year flood plain. There is potential for seasonal flooding and erosion of parcels adjacent to water bodies, especially in low-lying areas.

Water Resources: All surface and subsurface waters on all lands in Alaska are a public resource, subject to appropriation in accordance with the Alaska Water Use Act (AS 46.15). No water rights have been identified within a half-mile of the project area boundaries. There is no well information within the area. Water quality is unknown.

Two apparent water wells exist within the SE¼ of Section 35 immediately adjacent to the main trail within the project area. The top of the lower well is located at approximately 900 feet in elevation and consists of a capped steel pipe that protrudes approximately 18 inches above the ground surface. This pipe is contained within a larger diameter galvanized steel pipe. The top of the upper well is located at approximately 1,150 feet in elevation and near the eastern property boundary. This upper well extends several feet above the ground surface and is uncapped. This well appears to have a similar construction to the one lower on the hill based on what is visible. No documentation pertaining to these wells was found; it is unknown whether the wells access a water-bearing formation or fracture.

Background: The project area property was purchased by the State in 2014 as two quarter sections for the purpose of hosting the Interior Alaska Veterans Cemetery (IAVC). DNR DMLW issued interagency land management agreement (ILMA) ADL 420285 to DMVA for

Preliminary Decision

DMVA Tracts – ADL 420894

Proposed Public Access Easement – ADL 421103

Proposed Private Easement – ADL 421088

Page 8 of 18

the use of the property as the IAVC. In support of the IAVC development on State land between Goldstream Road and the project area, DNR DMLW issued ILMA ADL 420377 to DMVA for cemetery access, landscaping, and signage. After further site evaluation, the property was deemed by DMVA to be unsuitable for the planned cemetery. Selection and purchase of an alternative cemetery site is ongoing. The Alaska Legislature in 2017 appropriated the proceeds from the sale of the project area to DMVA for development of the IAVC. DNR DMLW and DMVA terminated the ILMA for the project area (ADL 420285) in 2017. The ILMA for cemetery access (ADL 420377) remains in place; DNR DMLW and DMVA will terminate this ILMA prior to land offering.

Because sale of the project area is a necessary component of the cemetery development elsewhere, DNR LSS proposes to sell the property as a 320-acre parcel. This provides DNR the flexibility of offering the land without taking further actions that would require substantial investment and delay the land sale, thereby impacting the IAVC project. Furthermore, the lack of practical access through the project area and steep topography complicate subdivision of the project area into typical residential parcel sizes. Such considerations allow DNR to offer parcels larger than five acres under AS 38.04.020(h).

Since being transferred from federal ownership, the property has been owned by mining companies, individuals, and State government entities. LSS knows of no prior use of the property subsequent to leaving federal ownership, beyond land clearing as part of a plan for developing a ski area and the site investigations for the IAVC development plan. The SE¼ of Section 35 has been owned by five mining-related companies. FNSB currently zones the property GU-1.

The historic Davidson Ditch runs through the south half of the project area within the portion that was cleared of vegetation circa 2003. The ditch follows an apparent isocontour line of approximately 1,050 feet in elevation and ends near the northern edge of the vegetative clearing. This is the western terminus of the approximately 90-mile long Davidson Ditch system. Immediately downgradient and west of the terminus is a substantial erosional scar that deepens and broadens as it extends to the west. This erosional feature is oriented approximately east-west and appears to extend for at least 2,000 feet based on aerial imagery. The portions of the erosional feature observed in September 2017 field inspections appeared to be stable and were covered with mature vegetation. A smaller erosional scar originates from a ditch drain east of the terminus. This erosional feature is apparent in aerial imagery as a southwest-sloped drainage feature of at least 1,000 feet in length.

During site assessment work for the IAVC development, DMVA conducted an archaeological inventory survey, identified elements of the Davidson Ditch on the property as eligible for listing on the National Register of Historic Places, and made treatment recommendations that were submitted to the DNR Office of History and Archaeology. For further information, see *Planning and Classification* within this section and **Section VII. DMLW and Agency Review.**

The erosional scar west of the Davidson Ditch terminus blocks practical access to most areas immediately north of it. Assuming no further disturbance of the Davison Ditch, this historical feature similarly blocks access to portions of the project area north and east of the ditch. The only practical access currently within the project area connecting the NE¼ and

Preliminary Decision

DMVA Tracts – ADL 420894

Proposed Public Access Easement – ADL 421103

Proposed Private Easement – ADL 421088

Page 9 of 18

SE $\frac{1}{4}$ of Section 35 is the trail built over the ditch immediately east of the terminus. Access from Goldstream Road to this ditch crossing is provided by two dirt trails. One trail originates from the southwest corner of the SE $\frac{1}{4}$, without a developed approach from Goldstream Road, and travels approximately northeast. This trail carries through soft, boggy terrain in the low elevations, and then up the steep hillside without switchbacks. This trail was in relatively good condition during the September 18, 2017 field inspection, but with some rutting in the steep sections. The other trail originates from a developed approach from Goldstream Road onto State land outside of the project area, then continues through the center of the SE $\frac{1}{4}$ where it travels up the steep hillside in three main switchback segments. The steepest portions of this trail are approximately 24% slope. This trail was in good condition on the relatively flat portions during the September 28, 2017 field inspection, but had severe rutting from drainage over the trail along the steep portions of the trail.

The trail through the center of the property crosses State land (government Lots 7 and 8) and connects to Goldstream Road. Because this access through government Lots 7 and 8 is the most practical access, DNR DMLW proposes to approve a draft easement (ADL 421103) across this area. Pursuant to submitting an easement development plan to DMLW, the subsequent purchaser of the property may be issued an EA to construct suitable access, survey the access route, and receive a public access easement which will be issued to DNR DMLW. This proposal includes the authorization of that draft EA.

The project area appears to receive incidental use for recreation. Aside from the historical features, vegetative clearing, trails, and potential water wells mentioned above, there are no known improvements on the property. A lookout tower, apparently used for hunting, exists north of the Davidson Ditch and along the edge of the vegetative clearing boundary. A few small areas of trash and debris exist within the southern half of the property.

No prior State land offerings have occurred within the project area. Immediately to the north of the project area is a 240-acre parcel sold by the State in the early 1980s. Immediately to the east of the project area is 320 acres of State land classified as settlement land (unit F-27, ETAP). The Trans-Alaskan Pipeline System (TAPS) runs through unit F-27. The property immediately to the west of the project area (western half of Section 35) is owned by the University of Alaska, and the land immediately to the south is State-owned land. The only known development in this vicinity is TAPS, Goldstream Road, access roads to adjacent properties, and trails. Electric utility lines currently extend to near the south boundary of the project area along Goldstream Road.

Planning and Classification: The general management intent of the area plan and management unit were reviewed for consistency with the proposed offering. The project area is within the Eastern Tanana Area Plan (ETAP, adopted August 28, 2015), Fairbanks Region, Unit F-27. The project area was not included in the ETAP at the time of adoption. The project area was added to the ETAP Unit F-27 pursuant to Determination NC-10-004-D04. Lands within this unit are currently designated Settlement, and classified Settlement Land under Determination NC-10-004-D04 and Land Classification Order No. NC-10-004 and. The project area consists of 320 acres of the 2,480 acre F-27 management unit.

Unit F-27 Considerations: The management intent for Unit F-27 states that the land is appropriate for disposal within the planning period if the land is not returned to the

Preliminary Decision

DMVA Tracts – ADL 420894

Proposed Public Access Easement – ADL 421103

Proposed Private Easement – ADL 421088

Page 10 of 18

School Trust. The project area was not affected by the former School Trust litigation, however, this is not reflected in the management intent since it was added to Unit F-27 by Determination NC-10-004-D04 subsequent to adoption of the ETAP.

Area-wide Considerations: LSS reviewed the area plan's guidelines in Chapter 2 Areawide Land Management Policies regarding Coordination and Public Notice, Cultural Resources, Public Access, and Settlement. These considerations will be incorporated into the design and development of the project. Specific area-wide management intent and management guidelines affecting this proposal are discussed below.

Coordination and Public Notice: Management Guidelines provide that public notice will be given for the disposal of land as required under *AS 38.05.945 Notice*, and recommends coordination with the borough and other land owners. Public notice is being issued for this proposed action in accordance with *AS 38.05.945*. Refer to Attachment C: Public notice and **Section VIII. Submittal of Public Comments** for more information

Cultural Resources: Management Guidelines provide for protection of significant cultural resources by OHA review of project proposals to determine the potential for adverse effects on heritage resources. Subdivision of State land may require the establishment of buffers around significant cultural resources. Agency review for this project included OHA, and OHA notified DMLW about the historical resources associated with the Davidson Ditch within the project area. DMLW, OHA, and DMVA coordinated to protect the Davidson Ditch within the project area through an easement to be issued to OHA prior to sale of the project area. The easement (proposed ADL 421088), if approved, will run with the land to protect the Davidson Ditch historical resources within the project area and preserve access for inspection and further cultural survey work.

Public Access: Management Guidelines provide that prior to disposal of State lands, public access will be reserved in accordance with the applicable regulations, and reasonable access across State land will be retained when lands are sold. The State will dedicate rights-of-way and reserve public access and/or utility easements as appropriate to maintain access through and within the project and retain utility corridors. As part of this decision, public access easement ADL 421103 will be authorized to provide more practical access from Goldstream Road across State land to the project area. DNR DMLW LSS is not proposing to reserve a specific access route through the project area to State land to the east since legal access already exists to this area via section line easements. An access route through the project area would not improve access quality because of limitations imposed by the proposed easement for protection of the Davidson Ditch (ADL 421088) and the steep terrain.

Settlement: Management Guidelines pertaining to settlement include planning and coordination with regard to local governments; local plans, and access; protection of life and property; and protection of resources such as sensitive areas, habitat, scenic features, and other resources. Management Guidelines also provide that design

Preliminary Decision

DMVA Tracts – ADL 420894

Proposed Public Access Easement – ADL 421103

Proposed Private Easement – ADL 421088

Page 11 of 18

should retain appropriate green belts, public-use corridors, riparian buffers, wildlife migration corridors, and provide an open space system designed to protect or maintain important uses and values.

This proposal has considered these guidelines as addressed throughout this document, and has taken into account site limitations such as slope, drainage, and soils. Review of the FNSB Comprehensive plan did not indicate any conflicts with proposed land disposal. DMLW will solicit coordination with local landowners through the public notice and public comment process. See the Coordination and Public Notice subsection for more information. The proposed land offering will not interfere with any critical recreation or environmental resources; known cultural resources within the project area are discussed in Cultural Resources subsection. There are no significant current uses of the project area to protect or maintain and LSS is not proposing to subdivide the project area, therefore no retained lands or buffers are proposed.

The proposed offering is consistent with area-wide land management policies and general management intent of the ETAP and specific management unit. The unit is designated Settlement and State-owned lands within the unit are appropriate for disposal, including sale, during the planning period.

Mineral Activity and Order(s): No mineral activity has been identified on these lands. The project area is closed to mineral entry under Mineral Order (closing) No. 1170 for the SE $\frac{1}{4}$ and Mineral Closing Order 239 for the NE $\frac{1}{4}$.

Mineral orders which close an area to mineral entry, close the applicable area to new exploration and development of locatable minerals. Such mineral orders do not apply to leasable minerals (such as: oil, gas, coal, etc.), 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 for locatable minerals 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.

Local Planning: The project area is within the FNSB and property purchased through this proposed offering will be subject to the applicable zoning, ordinances, and restrictions of the borough. The project area is within the boundary of the FNSB Comprehensive plan. Review of that plan did not indicate any conflicts with proposed land disposal.

Traditional Use Finding: The project area is located within the FNSB 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 **Section VIII. Submittal of Public Comments** at

Preliminary Decision

DMVA Tracts – ADL 420894

Proposed Public Access Easement – ADL 421103

Proposed Private Easement – ADL 421088

Page 12 of 18

the end of this document and *Attachment C: Public Notice* for details on how to submit comment.

Access To, Within, and Beyond Project Area: Legal access to the project area is directly from Goldstream Road through the southwest corner of the property and along the section line easement between Goldstream Road and the eastern property boundary. Additional access across State land between Goldstream Road and the project area is proposed as easement ADL 421103. Two well-developed trails exist within the southern half of the project area; a less developed trail continues into the northern half of the project area along the eastern boundary. DNR does not propose to reserve any additional access to lands beyond the project area and within the project area boundaries.

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 water body is navigable or public and establish easements or rights-of-way as necessary to ensure unobstructed access to and along the body of water. Regulations dictating the creation of easements or rights-of-way 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 waters 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 (21) *Definitions*.

DNR has not identified any public, navigable, or anadromous water bodies within the project area.

Easements, Setbacks, and Retained Lands: The land offering may include a variety of easements, setbacks, and retained lands, which will be identified on the record of survey and included in related documents as appropriate.

The project area will be subject to easements and reservations of record, including:

- a public access easement on the bed and 25 feet upland of and along the ordinary high-water mark of unnamed tributaries of Silver Creek created by the University of Alaska in a deed recorded as document number 2003-025985-0 in the Fairbanks Recording District;
- a perpetual right-of-way easement to the State for Goldstream Road occupying 2.23 acres within the SE¼ of Section 35 (recorded in Book 239, Page 104, Fairbanks Recording District); and
- a construction and maintenance easement to the State for the installation and maintenance of a perforated drain pipe occupying 0.334 acres within the SE¼ of Section 35 (recorded in Book 239, Page 103, Fairbanks Recording District).

Preliminary Decision

DMVA Tracts – ADL 420894

Proposed Public Access Easement – ADL 421103

Proposed Private Easement – ADL 421088

Page 13 of 18

The project area may be subject to other reservations or restrictions where appropriate, such as:

- a 50-foot-wide section line easement on each side of surveyed or protracted section lines on State-owned land in accordance with *AS 19.10.010 Dedication of Land for Public Highways* and *11 AAC 51.025 Section-line Easements*; section-line easements may be vacated under *AS 19.30.410 Vacation of Rights-of-Way* and *11 AAC 51.065 Vacation of Easements* as part of the subdivision development;
- a 5-foot survey easement from the nearest practical point on the property boundary to control monuments within the parcel and an easement with a 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;
- a private easement to be issued to OHA to protect the Davidson Ditch within the project area and allow OHA to conduct monitoring, documentation and research (ADL 421088); and
- a reservation in the State patent and contract for reasonable access to the Davidson Ditch.

Hazardous Materials and Potential Contaminants: During ground field inspections conducted on September 18 and 28, 2017, field staff did not observe any environmental hazards within the project area. There are no known environmental hazards present within the project area; however, the State makes no representations and no warranties, express or 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 future 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. This risk is no greater than when vacant private land undergoes development. Given that this land was specifically designated Settlement for transfer into private ownership, and given the high degree of interest from both the legislature and citizens in transferring State-owned land into private ownership, DNR is of the opinion that the benefits of offering the land outweigh the potential risks.

Survey, Platting, and Appraisal: After evaluation of public comment and conditions of the land, DNR will determine if it is in the State's best interest to offer the proposed project area. DNR is not proposing to subdivide the project area prior to offering.

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.

Preliminary Decision

DMVA Tracts – ADL 420894

Proposed Public Access Easement – ADL 421103

Proposed Private Easement – ADL 421088

Page 14 of 18

VII. DMLW and Agency Review

Information and comments received from multiple sections within DMLW prior to and during agency review have been considered and included in the preparation of this Preliminary Decision. Agency review was conducted from October 10, 2017 through October 24, 2017. Comments pertinent to this proposed action received during agency review have been considered and addressed below. Additional timely comments received during the Public Notice period will be considered and addressed in a subsequent Final Finding and Decision, if one is issued.

DNR DMLW LSS received brief comments of non-objection from the following agencies: DNR Division of Agriculture; Alaska Railroad; Alaska Department of Military and Veterans Affairs; DNR Division of Forestry; Mental Health Trust Land Office; and DNR Division of Parks and Outdoor Recreation Field Operations.

DNR DMLW LSS Response: Thank you for your review of and comment on this proposal.

DNR Division of Oil and Gas (DOG) Comment: DOG has no objection to the proposed land disposal; there are no applications or pending authorizations in the area. DOG requests that DMLW continue to make potential purchasers aware that the State retains the mineral estate and that mineral orders closing the land to locatable mineral resources do not apply to leasable mineral resources.

DNR DMLW LSS Response: LSS will continue to provide information about State reservations of title and the applicability of mineral orders on the mineral estate in decision documents and the sales materials if the proposed land offering proceeds.

DNR State Pipeline Coordinator's Section (SPCS) Comment: SPCS requests that DMLW provide information about the proposal to the Alyeska Pipeline Service Company because the Trans-Alaska Pipeline is located approximately one-quarter mile to the east of the proposed land sale area.

DNR DMLW LSS Response: LSS will include Alyeska Pipeline Service Company during public notice of this proposal.

DNR Division of Parks and Outdoor Recreation, Office of History and Archaeology Comment: OHA notes that the Davidson Ditch is a cultural resource within the proposed sale area that is eligible for listing on the National Register of Historic Places. The office requests consultation prior to sale of the property to explore options for avoidance, minimization, or mitigation measures for the feature such as a cultural easement, exclusion of the Davidson Ditch from sale, further archaeological documentation, and interpretative materials.

DNR DMLW LSS Response: LSS is coordinating with OHA in the development of this proposal. The private easement to OHA (ADL 421088) is proposed for authorization as part of this Preliminary Decision.

Preliminary Decision

DMVA Tracts – ADL 420894

Proposed Public Access Easement – ADL 421103

Proposed Private Easement – ADL 421088

Page 15 of 18

DNR DGGS Comment. DGGS summarized the geologic hazards posed by permafrost, frost heaving, and seismic activity (see **Section VI, Description, Physical Characteristics and Hazards** for more information).

DGGS has no Alaska Resource Data File (ARDF) mineral-occurrence records for the hill on which the DMVA Tracts property is located, but there are extensive placer mining workings in the immediate vicinity and approximately ten ARDF mineral localities within five miles of the property. The property is generally located within a broader regional belt of gold, arsenic, and antimony mineral occurrences, prospects, and mines. Limited data collected from drainages near the property provide little information about the mineral-resource potential within the property. DGGS can collect sediment samples from streams draining the hill to better inform decision making.

DNR DMLW LSS Response: LSS appreciates DGGS explanation of the mineral resources in the vicinity. Because LSS is tasked with selling the property on behalf of DMVA and is proposing to authorize an easement to protect the Davidson Ditch on the property, LSS won't be pursuing the collection of new data on the mineral resource potential within the property.

The following agencies or groups were included in the agency review but no comment was received:

- Department of Commerce, Community, and Economic Development;
- Department of Environmental Conservation;
- Department of Fish & Game;
- Department of Transportation and Public Facilities;
- DNR Office of Project Management and Permitting;
- Fairbanks Soil and Water Conservation District; and
- University of Alaska.

VIII. Submittal of Public Comments

See Attachment C: Public Notice for specific dates and conditions.

Pursuant to *AS 38.05.945 Notice*, DNR is issuing public notice inviting comment on this Preliminary Decision.

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 Commissioner (or representative) shall attend the hearing. The Commissioner has discretion whether or not to hold a public hearing.

LSS will consider all timely, written comments received. If analysis of such comments indicates the need for significant changes to the Preliminary Decision for the proposed land sale or proposed easements, additional public notice for the affected lands will be given. Reducing the amount of land offered and making minor changes to any of the proposals will not be considered significant changes requiring additional public notice.

Preliminary Decision

DMVA Tracts – ADL 420894

Proposed Public Access Easement – ADL 421103

Proposed Private Easement – ADL 421088

Page 16 of 18

If the proposals are approved and no significant change is required, the Preliminary Decision, including any deletions, minor changes, and summary of comments and LSS responses, will be issued as a subsequent Final Finding and Decision.

Only persons from whom DNR DMLW LSS 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 these actions, a copy of the decision will be made available online at <http://landsales.alaska.gov/> and sent with an explanation of the appeal process to any party who provides timely written comment.

DNR is prepared to accommodate individuals with disabilities by providing auxiliary aids, services, or special modifications in order to participate in this review. Individuals who may need such assistance should contact the Department's Public Information Center. For more information refer to *Attachment C: Public Notice*.

DEADLINE TO SUBMIT WRITTEN COMMENT IS 5:00 PM, WEDNESDAY, NOVEMBER 28, 2018

IX. Alternatives and Discussion

DNR DMLW is considering the following alternatives:

Alternative 1: (Preferred) Offer the project area as a 320-acre parcel, but no more than two parcels no smaller than 160 acres. The offering of these parcels may be completed in multiple stages. This proposal includes authorizing the proposed public access easement ADL 421103 and proposed private easement ADL 421088.

Alternative 2: Offer the project area as a 320-acre parcel, but no more than two parcels no smaller than 160 acres. Do not authorize alternative access to the project area from Goldstream Road via public access easement ADL 421103. Do not authorize the proposed private easement ADL 421088.

Alternative 3: (Status Quo) Do not offer this project area for private ownership and do not authorize alternative access from Goldstream Road. Retain the land in State ownership.

Article VIII, Section 1 of the Alaska Constitution states, "it is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest." Furthermore, *AS 38.05.045 Generally* has placed this charge with DNR, and the legislature has provided funding to administer the land sale program.

Alternative 1 provides a method for DNR to meet the obligations laid out in the Constitution and statute, and maximizes public interest. This offering provides an opportunity for the public to obtain land for settlement in a desirable area. This proposal, if approved in a subsequent Final Finding and Decision, will allow DNR DMLW to sell property purchased by the State for the IAVC. The proceeds from sale of the project area have been appropriated by the Alaska Legislature to fund development the IAVC project in an alternative location. Accordingly, DNR LSS proposes to sell the property in aliquot parts without subdivision or development that would

Preliminary Decision

DMVA Tracts – ADL 420894

Proposed Public Access Easement – ADL 421103

Proposed Private Easement – ADL 421088

Page 17 of 18

require additional investment and delay the land sale, thereby impacting the cemetery project. Additionally, alternative 1 would authorize a public access easement through other State land to the project area from Goldstream Road. The proposed public access easement would provide access options in areas where ground conditions improve construction viability. The proposed private easement ADL 421103 will allow for protection of that portion of the Davidson Ditch within the project area. Alternative 1 is preferred. If DNR DMLW does not approve the project, the proposed easements will not be processed.

Alternative 2 achieves the primary goal of selling the project area to help fund the development of the IAVC, but would complicate future property development by limiting access options from Goldstream Road to the project area. This would limit access to routes crossing wetlands on the western property boundary or directly uphill within a section line easement on the eastern property boundary. Furthermore, Alternative 2 would not provide protection for the Davidson Ditch within the project area, as has been requested by OHA. 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. Not offering the project area would remove a funding source for development of the IAVC and deny many Alaskans the opportunity to obtain land in an area suited for settlement.

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

Preliminary Decision

DMVA Tracts – ADL 420894

Proposed Public Access Easement – ADL 421103

Proposed Private Easement – ADL 421088

Page 18 of 18

X. Recommendation

This Preliminary Decision for the proposed disposal of State lands, public access easement ADL 421103, and proposed private easement ADL 421088 described throughout this document and its attachments are consistent with the overall management intent for State-owned land. Alternative 1 is the preferred alternative because it provides the maximum opportunity for offering State land to the public, helps meet the mission of the Land Sales program, helps fund development of the IAVC in an alternative location, provides protection for the Davidson Ditch within the project area, and improves construction viability for access to the project area. The Preliminary Decision described above, as represented by the preferred alternative, has been reviewed and considered. I find that the recommended action may be in the best interest of the State and that it is hereby approved to proceed to public notice.

This is a Preliminary Decision, and analysis of subsequent public review may result in changes to the preferred alternative of the proposed disposal of State lands and proposed easements.

/s/ Colin M. Craven

Prepared by: Colin Craven
Natural Resource Specialist
Land Sales Section
Division of Mining, Land, and Water
Department of Natural Resources
State of Alaska

October 22, 2018

Date

/s/ Kathryn Young

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

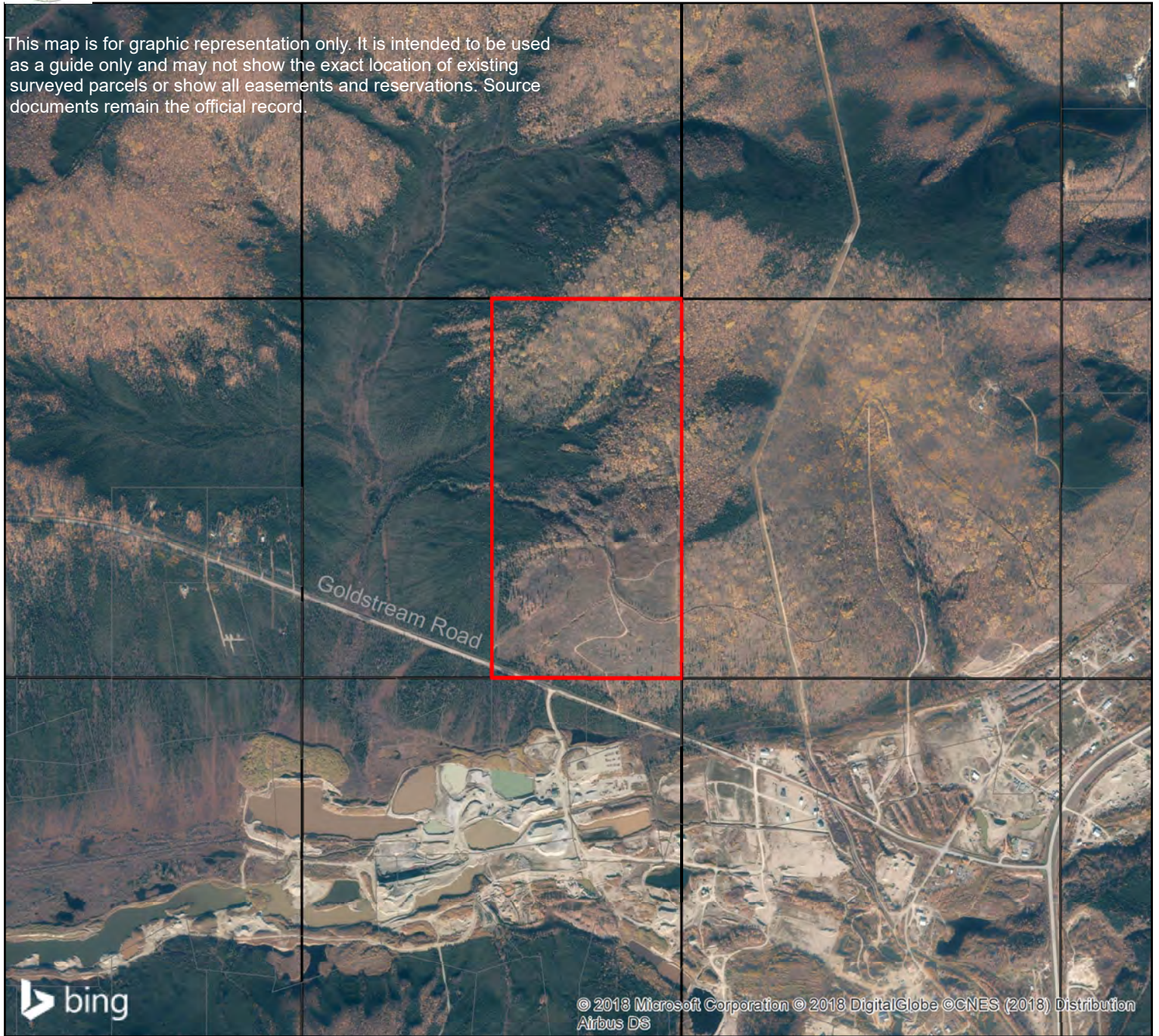
October 22, 2018

Date

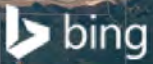



Attachment A: Vicinity Map DMVA Tracts, ADL 420894


This map is for graphic representation only. It is intended to be used as a guide only and may not show the exact location of existing surveyed parcels or show all easements and reservations. Source documents remain the official record.

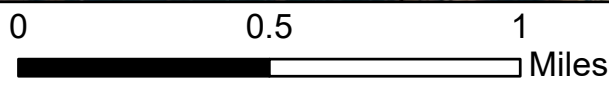


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 Project Area Boundary

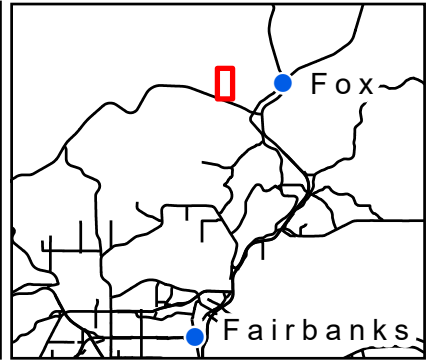
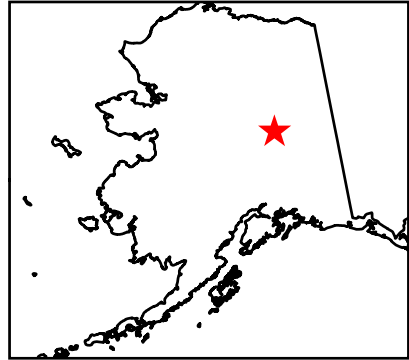
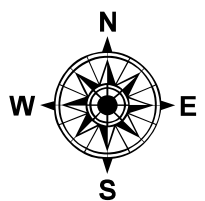
 Section Lines



CMC
Oct 12, 2018

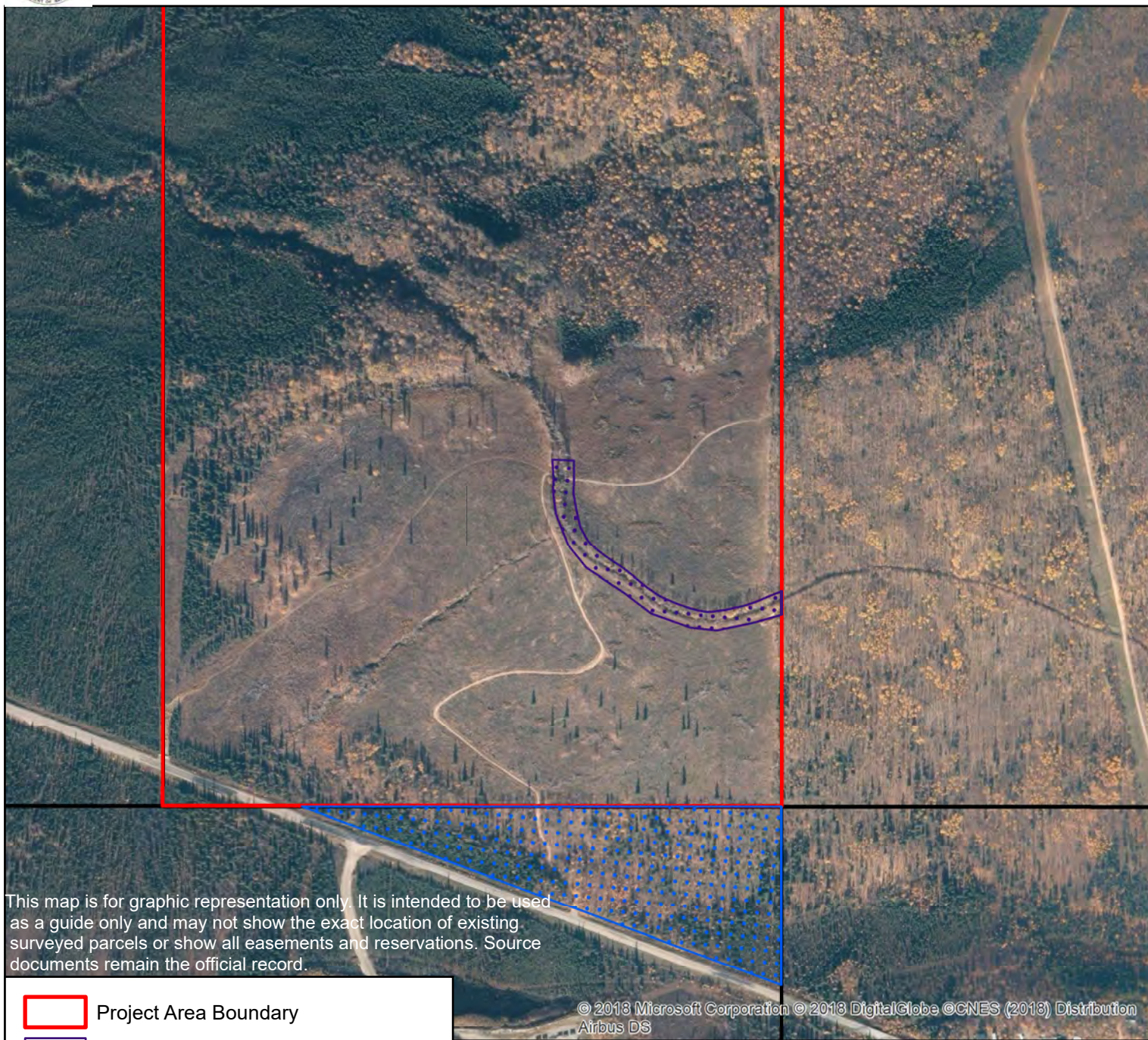
Township 2N Range 1W Section 35 Fairbanks Meridian

USGS Quad 1:63.360, Fairbanks D-2
Colin Craven
Department of Natural Resources
Division of Mining, Land, and Water
Land Sales Section
907-451-2730
land.development@alaska.gov









Attachment A: Easements Map DMVA Tracts, ADL 420894



This map is for graphic representation only. It is intended to be used as a guide only and may not show the exact location of existing surveyed parcels or show all easements and reservations. Source documents remain the official record.

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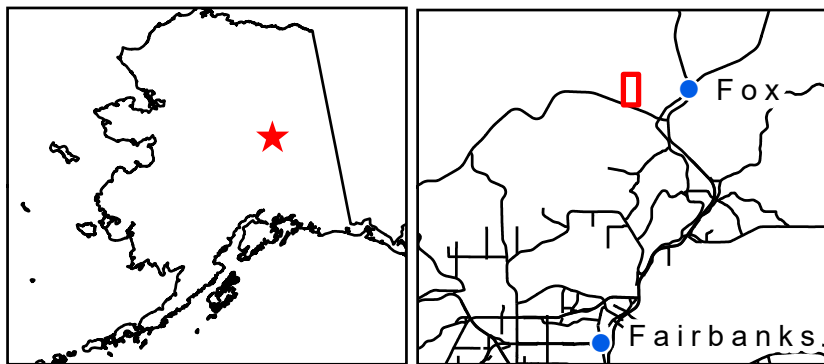
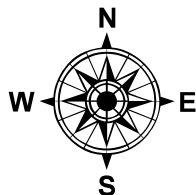
-  Project Area Boundary
-  Private Easement ADL 421088
-  Public Access Easement ADL 421103
-  Section Lines



CMC
Oct 17, 2018

Township 2N Range 1W Section 35 Fairbanks Meridian

USGS Quad 1:63.360, Fairbanks D-2
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Division of Mining, Land, and Water
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**STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND, AND WATER**

ATTACHMENT B: AREA DATA SUMMARY TABLE

to the
Preliminary Decision

for a
**Proposed Land Offering in the Fairbanks North Star Borough
DMVA Tracts – ADL 420894
Proposed Public Access Easement – ADL 421103
Proposed Private Easement – ADL 421088**

Offering Information	
Proposed Number of Parcels	DNR plans to offer the land as a single parcel; may offer as two parcels.
Proposed Parcel Size	Varying in size from 160 to 320 acres.
Proposed Related Actions	None.
Project Area	
Location	Approximately one mile west of the Steese Highway and north of Goldstream Road near Fox, Alaska.
Project Area Acreage	320 acres.
USGS Topography Map	USGS Quad Fairbanks D-2.
Legal Description	<p><u>Proposed land offering:</u> The NE$\frac{1}{4}$ and SE$\frac{1}{4}$ of Section 35 according to the official GLO plat of Township 2 North, Range 1 West, Fairbanks Meridian, Alaska accepted on December 22, 1913 by the Surveyor General, located within the Fairbanks Recording District, Fourth Judicial District, Alaska.</p> <p><u>Proposed public access easement:</u> Within government lots 7 and 8, Section 2, Township 1 North, Range 1 West, Fairbanks Meridian, Alaska, according to the BLM supplemental plat of Sections 1, 2, 11, and 12, accepted on September 21, 1970 by the BLM. Said easement will be located north of the Goldstream Road right-of-way.</p> <p><u>Legal Description of the Private Easement:</u> Within the SE$\frac{1}{4}$ of Section 35 according to the official GLO plat of Township 2 North, Range 1 West, Fairbanks Meridian, Alaska accepted on December 22, 1913 by the Surveyor General, located within the Fairbanks Recording District, Fourth Judicial District, Alaska</p>

Attachment B: Area Data Summary Table

for a Proposed Land Offering in the Fairbanks North Star Borough

DMVA Tracts – ADL 420894

Proposed Public Access Easement – ADL 421103

Proposed Private Easement – ADL 421088

Page 2 of 5

Title	The State received warranty deeds for the NE¼ and SE¼ sections in 2014 (document numbers 2014-010775 and 2014-010776, in the Fairbanks Recording District).
Area Plan and Classification	Included in the Eastern Tanana Area Plan (ETAP) (adopted August 2015), Management Unit F-27 by Determination NC-10-004-D04. Lands are designated Settlement and classified Settlement Land.
Mineral Orders	Closed to mineral entry by MCO 239 (NE¼) and MO 1170 (SE¼).
Physical Characteristics	
Access	To the project area from Goldstream Road. Two well-developed trails exist within the SE¼; a less developed trail continues into the SE portion of the NE¼. LSS proposes to authorize an access easement (ADL 421103) through government Lots 7 and 8 to the project area.
Terrain and Major Features	The terrain is often steep. Slopes along the trail system approach 25%. Most of the SE¼ has been cleared of vegetation approximately 15 years ago. The Davidson Ditch and associated erosion features cross through the SE¼ of Section 35.
View	Many areas within the SE¼ have views of the Goldstream Valley. Some of the highest elevations in the project area might have views of the Alaska Range.
Soils	Soils in areas with deciduous forest generally consist of well-drained silt loams that are highly susceptible to erosion if the vegetative mat is removed. Major soil limitations include frost heaving, low load supporting capacity, and the steep slopes. Soils in areas dominated by spruce forest generally consists of peat underlain by poorly drained silt loam. Major limitations include permafrost and perched groundwater. Known soil concerns will be described in the project file and offering materials where relevant.
Wetlands	Wetland areas exist within western central portion of the project area. Dredging or filling of wetlands may require a permit from the US Army Corps of Engineers.
Vegetation	Most of the project area consists of a mix of birch and poplar trees. Lower elevation portions are dominated by black spruce. Most of the vegetation within the SE¼ was cleared circa 2003.
Water Source	No known water sources. Two apparent water wells exist on the property, but without any documentation about their depth and functionality.
Anadromous Waters	None.
Local Management Information	
Fire Protection	Critical Fire Management Option. No records of any fires within the project area. The project area is within the Chena-Goldstream Fire Service Area.
Game Management Unit	20B

Attachment B: Area Data Summary Table

for a Proposed Land Offering in the Fairbanks North Star Borough

DMVA Tracts – ADL 420894

Proposed Public Access Easement – ADL 421103

Proposed Private Easement – ADL 421088

Page 3 of 5

Local Authority	The Fairbanks North Star Borough exercises authority for planning, platting, taxes, and zoning for the project area. The project area is currently zoned GU-1.
Flood Zone	The FEMA Flood Insurance Rate Map is community panel number 025009 0075F. The project area is within Zone X, which is defined as outside the 500-year flood plain.
Utilities	This area is currently served by the Golden Valley Electric Association.
Waste Disposal	Solid waste disposal is available at the Fox Transfer Station, less than 1-mile southeast of the project area. All on-site waste water disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation. A transfer station operated by the borough is less than a mile away along Goldstream Road.
Setbacks, Reserved Areas, Easements, and Conditions	
Building Setbacks	None identified.

Attachment B: Area Data Summary Table

for a Proposed Land Offering in the Fairbanks North Star Borough

DMVA Tracts – ADL 420894

Proposed Public Access Easement – ADL 421103

Proposed Private Easement – ADL 421088

Page 4 of 5

Public Access and Utility Easements	<p>The project area will be subject to easements and reservations of record, including:</p> <ul style="list-style-type: none"> • a public access easement on the bed and 25 feet upland of and along the ordinary high-water mark of unnamed tributaries of Silver Creek created by the University of Alaska in a deed recorded as document number 2003-025985-0 in the Fairbanks Recording District; • a perpetual right-of-way easement to the State for Goldstream Road occupying 2.23 acres within the SE¼ of Section 35 (recorded in Book 239, Page 104, Fairbanks Recording District); and • a construction and maintenance easement to the State for the installation and maintenance of a perforated drain pipe occupying 0.334 acres within the SE¼ of Section 35 (recorded in Book 239, Page 103, Fairbanks Recording District). <p>The project area may be subject to other reservations or restrictions where appropriate, such as:</p> <ul style="list-style-type: none"> • a 50-foot-wide section line easement on each side of surveyed or protracted section lines on State-owned land in accordance with <i>AS 19.10.010 Dedication of Land for Public Highways</i> and <i>11 AAC 51.025 Section-line Easements</i>; section-line easements may be vacated under <i>AS 19.30.410 Vacation of Rights-of-Way</i> and <i>11 AAC 51.065 Vacation of Easements</i> as part of the subdivision development; • a 5-foot survey easement from the nearest practical point on the property boundary to control monuments within the parcel and an easement with a 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; • a private easement to be issued to OHA to protect the Davidson Ditch within the project area and allow OHA to conduct monitoring, documentation and archaeological research (ADL 421088); and • a reservation in the State patent and contract for reasonable access to and along the Davidson Ditch.
Retained Lands	None identified.
Public or Navigable Water Bodies	None identified. If any water bodies are deemed public or navigable within the project area prior to platting, DNR DMLW will comply with statutory requirements to provide access to and along said water bodies.
Additional Information	
Native Regional Corporations	Doyon Regional Corporation.

Attachment B: Area Data Summary Table

for a Proposed Land Offering in the Fairbanks North Star Borough

DMVA Tracts – ADL 420894

Proposed Public Access Easement – ADL 421103

Proposed Private Easement – ADL 421088

Page 5 of 5

Villages and Tribal Councils	None within 25 miles.
Oil and Gas Activity	None known.
Mining Activity	None known.
Comments	<p>These parcels were acquired by the State through the Department of Military and Veterans Affairs (DMVA). Development of the parcels is no longer being pursued, and DMVA has requested they be sold.</p> <p>The Davidson Ditch runs through part of the SE¼ of Section 35. DNR Office of History and Archaeology (OHA) has determined that this portion of the Davidson Ditch is eligible for listing on the National Register of Historic Places. Based on consultations with OHA, LSS is proposing a private easement (ADL 421088) to be assigned to OHA for protection of the Davidson Ditch within the project area prior to sale. Access to easement ADL 421088 will be reserved by a deed restriction for the SE¼ of Section 35.</p>

ATTACHMENT C: PUBLIC NOTICE

STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES DIVISION OF MINING, LAND, & WATER, LAND SALES SECTION

PUBLIC NOTICE

Requesting Input for:

Proposed Land Offering, **DMVA Tracts, ADL 420894**

Proposed Public Access Easement, **ADL 421103**

Proposed Private Easement, **ADL 421088**

COMMENT PERIOD ENDS 5:00PM, WEDNESDAY, NOVEMBER 28, 2018

This proposed project includes offering for sale parcels in a future offering under the method and the two proposed easements as described in the Preliminary Decision document.

Located within DNR's Northern Region, approximately one mile west of the Steese Highway and Goldstream Road intersection, the project area is within Section 35, Township 2 North, Range 1 West, Fairbanks Meridian, within the Fairbanks North Star Borough (FNSB).

Project size: 320 acres proposed for sale.

The proceeds from sale of this State land have been appropriated by the Alaska Legislature to fund development of the Interior Alaska Veterans Cemetery by the Alaska Department of Military and Veterans Affairs.

To obtain the notice of the Preliminary Decision or instructions on submitting comment, go to <http://landsales.alaska.gov/> or <http://aws.state.ak.us/OnlinePublicNotices/>. For assistance in obtaining the documents by an alternative method, to request auxiliary aids, services, or special accommodations, 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 Office 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, Wednesday, November 21, 2018.

Pursuant to *AS 38.05.945 Notice*, the public is invited to submit comment the Preliminary Decision. **The deadline for public comment is 5:00PM, WEDNESDAY, NOVEMBER 28, 2018.** Only persons from whom DNR DMLW LSS 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 Colin Craven, DNR Land Sales, 3700 Airport Way, Fairbanks, AK 99709, fax # 907.451.2751, land.development@alaska.gov. If you have questions, call Colin Craven at 907.451.2730.

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

Attachment C: Public Notice

for a Proposed Land Offering in the Fairbanks North Star Borough

DMVA Tracts – ADL 420894

Proposed Public Access Easement – ADL 421103

Proposed Private Easement – ADL 421088

Page 2 of 2

further notice. A copy of the Final Finding and Decision will be sent to any persons who commented timely on the Preliminary Decision.

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