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

PRELIMINARY DECISION

of a
Proposed Reoffer of a Remote Recreational Cabin Sites Project Area
Mt. Ryan – ADL 417817
AS 38.05.035(e), AS 38.05.045, and AS 38.05.600

COMMENT PERIOD ENDS 5:00 PM, THURSDAY, MARCH 16TH

I. Proposed Action

Primary Proposed Action: The State of Alaska, Department of Natural Resources (DNR), Division of Mining, Land, and Water (DMLW), Land Sales Section (LSS) issues this Preliminary Decision as an update and complement to the prior Final Finding and Decision that originally authorized the sale of the Mt. Ryan Remote Recreational Cabin Sites (RRCS) project area. This document and the following attachments describe the details of the project area and this proposal, with supporting documentation retained in the case file.

Attachment A: Vicinity Map
Attachment B: Area Data Summary Table
Attachment C: Public Notice

Located within the Department's Northern Region approximately 50 miles northeast of Fairbanks, and approximately 1.5 miles southwest of the Twelvemile Summit Wayside on the Steese Highway, the Mt. Ryan project area encompasses approximately 35,700 acres within Township 6 North Range 7 East; Township 6 North Range 8 East; and Township 5 North Range 8 East; Fairbanks Meridian. Approximately 18,800 acres, within the northwest and southwest portions of the project area, are within the Fairbanks North Star Borough. The remaining eastern portion, (approximately 16,900 acres), of the project area is within the Unorganized Borough. See *Attachment A: Vicinity Map* for a graphic depiction of the approximate location of the project area.

A Final Finding and Decision approving the offering of this project area was issued January 11, 2009. Pursuant to the management intent contained within the Eastern Tanana Area Plan, Tanana Basin Area Plan, and related Classification Orders, DMLW proposes to reoffer this project area for authorizations to stake up to 30 parcels ranging from 5 to 20 acres, for a maximum of 600 acres sold through this offering under *AS 38.05.600 Remote Recreational Cabin S*ites. The total number of parcels authorized under this proposal in addition to the number of parcels surveyed under the 2009 offering will not exceed the maximum of 60 stated in the Final Finding and Decision issued in 2009. In the initial offering 30 parcels totaling approximately 350 acres were staked. Of the original 60 parcels authorized, 30 parcels and 850 acres remain. LSS is reducing the maximum conveyable acreage of this reoffer to 600 acres.

Additional offerings that could increase the density of privately-owned parcels within or near the project area may be authorized through separate future proposals. As such, DMLW makes no

guarantees that the project area will remain remote or that settlement will be dispersed indefinitely and purchasing a parcel created through this offering does not provide any rights to the buyers to deny future disposals and developments.

After the staking period closes, DMLW may also identify and survey additional parcels in a staking area known as administrative parcels. Administrative parcels are not restricted to the size requirement for staked parcels. Parcels that are staked but later relinquished, terminated, or expired before converting to sale, and parcels administratively created by DMLW, will be offered at public auction or by another method under *AS 38.05.045 Generally*. The total number of acres and total number of parcels will not exceed the maximum number specified for sale by this proposal.

If this proposed primary action is approved, the actual staking area may consist of all or only a portion of the overall project area. After consideration of public comment, the size and boundaries of the staking area will be described in a subsequent Final Finding and Decision, if the project proceeds to that step. Additional adjustments may be made up to or throughout the staking period, as needed to reserve areas for public use, minimize conflicts between uses, or ensure compliance with platting requirements. Although actions under this proposal are limited to the stated maximums, additional offerings may be authorized under future proposals, which could increase the density of privately-owned parcels within or near the project area.

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 this proposal.

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, DMLW moves forward with the proposal, a Final Finding and Decision will be issued.

II. Method of Sale

AS 38.05.600 Remote Recreational Cabin Sites authorizes the Department to conduct leasing and sale of land for Remote Recreational Cabin Sites. *11 AAC 67.800 - 11 AAC 67.845 Remote Recreational Cabin Sites* and other related regulations describe how DMLW offers authorizations to select and stake Remote Recreational Cabin Sites in designated areas during the specified offering period.

After approval of a Remote Recreational Cabin Sites disposal through a Best Interest Finding process such as this, DMLW plans a future announcement of an offering of staking authorizations and the availability of offering brochures pursuant to *AS 38.05.945 Notice*. The brochures generally describe simultaneous offerings of multiple areas; the relevant application period; and the related procedures, conditions, and eligibility requirements. Participants submit applications and DMLW conducts a drawing, a method of sale that offers all eligible parties an equal chance at acquiring a staking authorization for an area. Authorizations to stake a parcel of State-owned land within a designated project area during a specified period are awarded to applicants drawn first. Authorized stakers are then issued a staking packet that includes instructions for properly staking a parcel and other information pertaining to the program and specific staking area. Authorized stakers then enter onto the land, stake a parcel of their choice in compliance with the staking instructions, and file a lease application. If approved, a short-term lease is issued and the lessee makes quarterly, prorated payments to cover associated

development costs and an annual lease fee. While under lease, the parcel is then surveyed, platted, and appraised, typically over a three- to four-year period. Upon successful completion of the lease terms and upon completion of the survey, platting, and appraisal, the lessee is given the option to convert from lease to sale at a purchase price based on the appraised value, plus associated fees, with credits given for the survey and platting deposits collected while the parcel is under lease. The lessee's other option is to renew the lease for a second term at the cost listed in regulation, which does not contribute to paying down the purchase price. A lessee in good standing can opt to purchase the parcel at any time during this optional renewal term, but if the lessee does not purchase the parcel by the time the renewed lease term expires, their interest expires.

After the staking period closes and lease applications have been received from authorized stakers, DMLW may identify and survey additional administrative parcels in a project area. Additionally, DMLW may opt to complete the survey on staked parcels relinquished, terminated, or expired before converting to sale. Such administrative parcels would generally be surveyed for future offering under *AS 38.05.045 Generally*. Although administrative parcels are not restricted to the size requirements stated for staked parcels, the total number of acres and parcels will not exceed the maximum number specified for disposal under this proposal.

Offering administrative parcels under *AS 38.05.045 Generally* allows DMLW to offer its surveyed parcels under a uniform set of statutes, administrative regulations, and policies, usually in a statewide offering of varied parcels to increase administrative efficiencies and improve the effectiveness of marketing efforts. Successful buyers may purchase the properties by highest sealed bid or by application at prices based on their appraised value. Appraised values account for the benefits of the surveying and platting. Without the inclusion of this additional method of sale in this proposal, sales of parcels initially developed under *AS 38.05.600 Remote Recreational Cabin Sites* and *11 AAC 67.815 (b) Offering Remote Recreational Cabin Sites* would require purchasers to reimburse DMLW for the cost of surveying, platting, and appraising the site within 30 days of being notified of a successful purchase, in addition to the usual minimum down payment. That is to say, that the State would not finance the reimbursable survey, platting, and appraisal costs. To maintain this requirement without allowing for the differing method of sale of subdivided parcels under *AS 38.05.045* would create an unrealistic burden upon purchasers, hinder the marketability of the property, create confusion with the public, and be an inefficient use of staff time and resources.

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 38.05.600 Remote Recreational Cabin Sites* and *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 to *AS 38.05.600 Remote Recreational Cabin Sites*, *11 AAC 67.805 Designating Areas for Remote Recreational Cabin Sites*, and *11 AAC 67.815 Offering Remote Recreational Cabin Sites* apply.

DMLW is in process of updating regulations pertaining to the Remote Recreational Cabin Sites program. If the applicable regulations change prior to the offering, staking, or lease issuance of this proposed project, the new regulations may apply.

IV. Administrative Record

The project files for the Mt Ryan project area, ADL 417817 constitute the administrative record for this action. Also incorporated by reference are:

- *Eastern Tanana Area Plan (adopted 2015)*, and associated land classification files;
- *Tanana Basin Area Plan (adopted 1985, updated 1991),* and associated land classification files;
- Alaska Interagency Wildland Fire Management Plan, amended June 2016;
- Alaska Department of Fish and Game, Catalog of Waters Important for the Spawning, Rearing, or Migration of Anadromous Fishes;
- 1979 *Exploratory Soil Survey of Alaska*;
- FNSB Comprehensive Trails plan rev. 2003;
- DNR easement case files: ADL 408830, ADL 418498, RST 237, and RST 280;
- Leasehold Locations, ADL 619284 and ADL 619285;
- SNOTEL site, DNR casefile ADL 419859; and
- Trespass Cabin, case file ADL 418505

V. Scope of the Decision

The scope of this proposal, under the statutes and regulations described in the preceding **Section III. Authority**, is limited and specific to DMLW's proposal to reoffer State-owned land within the defined project area for disposal as described herein. The scope of this proposal does not include the control of post-patent use and DMLW does not intend to impose deed restrictions for this purpose. The development and offering of the project area may be completed in multiple stages.

For the proposed action, the staking area in this proposal has previously been through a complete decision process that included public notice and review. The Mt Ryan staking area was first offered for staking in 2009, wherein 60 authorizations within the project area were offered, for a maximum of 1,200 acres possible for disposal. In the initial offering 30 parcels totaling approximately 350 acres were staked. Of the original 60 parcels authorized, 30 parcels and 850 acres remain. LSS is reducing the maximum conveyable acreage of this reoffer to 600 acres.

VI. Description

Location: The Mount Ryan staking area is approximately 50 miles northeast of Fairbanks, south of the Steese Highway. The entirety of the project area lies south and west of the Twelve Mile Summit Wayside and the Pinnell Mountain trailhead. See *Attachment A: Vicinity Map* for a graphic depiction of the approximate location of the project area.

> *Borough/Municipality*: The Fairbanks North Star Borough boundary runs generally north and south through the project area. Approximately 18,800 acres, within the northwest and southwest portions of the project area, are within the Fairbanks North Star Borough.

The remaining eastern portion, (approximately 16,900 acres), of the project area is within the Unorganized Borough.

Native Regional and Village Corporations: Doyon, Limited is the Regional Native Corporation for this area. There are no Village Corporations or federally recognized tribes within 25 miles of the project area.

Legal Description: The Mount Ryan project area, depicted in *Attachment A: Vicinity Map,* encompasses approximately 35,600 gross acres within the Fairbanks Recording District, Fourth Judicial District, Alaska:

- Township 6 North, Range 7 East, Fairbanks Meridian
  - those portions of sections 13, 23, 24, and the north ½ of section 26 south and east of the Chatanika River Corridor (lands within 1320 feet of the Chatanika River and McManus Creek); and
  - the north ½ of section 25;
- Township 6 North, Range 8 East, Fairbanks Meridian
  - those portions of sections 1, 2, 10-12, and 15-18 south and east of the Chatanika River Corridor (lands within 1320 feet of the Chatanika River and McManus Creek);
  - the north ½ and that portion of the south ½ of section 29 north and east of the top of the hydrographic divide for the Pool Creek drainage;
  - the north ½ of section 30;
  - those portions of sections 32 and 33 north and east of the top of the hydrographic divide for the Pool Creek drainage; and
  - sections 13, 14, 19-28, and 34-36 ALL;
- Township 5 North, Range 8 East, Fairbanks Meridian
  - sections 1-3, 10-16 and 19-36 ALL; and
  - those portions of sections 4, 8, 9, 17, and 18 south and east of the top of the divide for the Pool Creek drainage;

excluding ASLS 2009-45.

Title: Information from Title Report Nos. RPT-9386, RPT-9388, and RPT-9389, current as of December 29, 2016, December 30, 2016, and January 6, 2017 (respectively), indicate the State of Alaska holds fee title (via patent 50-89-0103, dated December 23,1988), to that portion of the project area within Township 6 North, Range 8 East; and Township 5 North, Range 8 East. The State of Alaska holds tentative approval, dated September 28, 1979 and December 23, 1988, to that portion of the project area within Township 6 North, Range 7 East. The applicable State case file is GS 1952. The land is subject to the reservations, easements and exceptions contained in the federal patent.

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*, 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 administratively determined that these townships contain no navigable waters.

Where they exist within the project area, private parcels and State third-party interests will be described in land sales brochures and information included in staking packets distributed to authorized stakers.

Physical Characteristics and Hazards: File research and agency review were conducted to obtain this information. In addition, field inspection of the project area was conducted in 2006, 2008, and 2009.

Geologic Hazards: Analysis provided by DGGS indicate that earthquake hazard is present in the area but likely low. The project area is 40-50 miles from the Fairbanks and Salcha seismic zones, and approximately 30 miles from the Preacher fault.

Fire Hazards: This project area is subject to periodic wildfires. A portion of the project area was affected by the Boundary fire in 2004. The 2004 Boundary fire perimeter crosses into the project area in several locations along the westerly and northerly boundaries. 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. LSS provides all entrants with information regarding wildland fire prevention and encourages them to locate parcels in defensible areas such as hardwood stands with access to water.

Fire management options and policies for the area are identified in the Alaska Interagency Wildfire Management Plan available from DNR Division of Forestry. The current fire management option for majority of the project area is "Limited." The Operational Guidelines for areas with the "Limited" management option reads, "Limited Management option fires are assigned the lowest resource allocation priority." A small portion of the project area, near mileposts 72 and 73 of the Steese Highway, is also designated as "Full." The Operational Guidelines for areas with the "Full" management option reads, "Wildfires occurring in the Full Management option are assigned a high

priority for suppression actions and assignment of available firefighting resources, but are below wildfires within or threatening a Critical Management option area or site." The plan also states that there is no guarantee of protection from wildfire in any management option, that response to a wildfire will be based on various factors, and that "Ultimately it is the responsibility of the [landowner] to mitigate and minimize risk to their property before it becomes threatened by a wildfire."

Flood Hazard: The Mt Ryan project area is designated as Zone X, outside of the 500-year flood plain. Flood Insurance Rate Map for the area is Community Panel 0250090050E. There is potential for seasonal flooding and erosion of parcels adjacent to water bodies, especially in low-lying areas. Interested parties are encouraged to research this issue and inspect the project area prior to applying. We will continue to investigate and consider reserving areas prone to excessive flooding from staking.

Background: The Mt Ryan project area has been previously offered under the Remote Recreational Cabin Sites program. The original decision for this project area provided for 60 staking authorizations. The offering authorized up to 60 authorizations, and 30 parcels totaling approximately 350 acres were staked. Of the original 60 parcels authorized, 30 parcels and 850 acres remain, which led to the proposal to reoffer this area. LSS is reducing the maximum conveyable acreage of this reoffer to 600 acres. If this offering is approved, the maximum of 600 acres proposed combined with the 350 acres conveyed in the original offering could result in a maximum potential density of private property of less than 3% of the total acreage of the project area.

There are several third party interests in the project area. Two leasehold locations (ADL 619284 and ADL 619285) exist in the project area. These leasehold areas will be reserved from staking. For location of these, please see *Attachment A: Vicinity Map*. In addition, a SNOTEL site (ADL 419859) is in the SW portion of the project in Section 20, Township 5 North, Range 8 East. LSS will impose a reserved area 300-feet around the Snotel site. A trespass cabin (ADL 418505) is located in the central portion of the project area. LSS proposes a reserved area 330-foot in radius around the trespass cabin. LSS has received information that the trespass cabin has been removed. Staff will verify this information at the next inspection of the project area, and if this is the case, the reserved around placed around the trespass cabin will be removed. For more information, see *Attachment A: Vicinity Map*.

The Fairbanks North Star Borough (FNSB) boundary runs through the project area from the Northeast corner of the project area along the divide of the headwaters of Harrington and Crooked Creeks, and the divide Boulder Creek and the North Fork Chena River exiting the project area north of its SE corner. The two main trails through the project area (ADL 408330 and ADL 418498) are located generally but not entirely on the FNSB boundary. LSS will impose reserved areas where the FNSB boundary does not run directly along the ADL 408330 or ADL 418498, or where the trail is not locatable along the ridgeline. Staking will not be permitted over the FNSB boundary

Prior to the 2009 offering of the Mt. Ryan area, LSS applied for easement applications for multiple trails within the area. Applications for easements ADL 418499, ADL 418500, and ADL 418506 were later closed. Although these easement applications are closed, LSS will retain access along these trails through a 150-foot staking setback from the trails, consistent with the 2009 offering. In addition, LSS will impose a reserved area approximately 300-foot either side of the identified ridgelines, as opposed to a 300-foot staking setback in the 2009 offering. This will

remove the requirement to locate parcels up-to or 330-foot from the setback, while maintaining the original intent of the setback.

In the 2009 offering all water bodies depicted on the 1:63,360 topography map were determined public for the purpose of the offering. Many of these water bodies are ephemeral streams and drainages, and do not generally qualify as public for the purposes of *AS 38.05.127.* For this proposed reoffer of the project area LSS has reduced the public water body determination to only those streams which appear to be 10-feet wide or wider. Refer to the *Access To and Along Public or Navigable Waters* and *Attachment A: Vicinity Map* for more information.

The prior offering was conducted under the management intent of the Tanana Basin Area Plan (TBAP). The TBAP was updated and divided into the Eastern Tanana Area Plan (ETAP), adopted 2015; and the Yukon Tanana Area Plan. The western portion of the project area, within the FNSB, is within the bounds of the ETAP. That portion of the project area within the Unorganized Borough remains within the TBAP. Although the area plan has changed for a portion of the project area, the project area remains classified Settlement, and management intent is still appropriate for a RRCS offering. For more information, see the Planning and Classification section.

Planning and Classification: The general management intent of the ETAP and TBAP were reviewed for consistency with the proposed offering.

The western portion of the project area, within the FNSB, is within the bounds of the ETAP (adopted 2015), Management Unit F-66, classified Settlement, CL NC-10-004. Management intent provides that land disposal during the planning period is appropriate.

The eastern portion of the project area (within the Unorganized Borough), remains within the Tanana Basin Area Plan, subunit 1U3e, classified Settlement, CL NC-90-002A53. Management guidelines allow for up to 3000 acres to be offered for private ownership within subunit 1U3e. The entirety of the 2009 offering of the project area (including those areas now within Unit F-66 of the ETAP) used approximately 350 acres of the total allowable acreage.

> Area-wide Considerations: LSS reviewed the area plans' guidelines in Chapter 2 Areawide Land Management Policies of both the TBAP and ETAP. These considerations have been incorporated into the design and development of the project. Lands to be retained in public ownership, conditions, and reservations will be included on the plat and in offering materials as appropriate.
>
> The proposed offering is consistent with area-wide land management policies and general management intent of the TBAP and ETAP as well as the relevant management units. The project area is designated Settlement and State-owned and tentatively approved lands within the unit are appropriate for disposal, including sale, during the planning period.

Mineral Order: Mineral activity has been identified on these lands. There are two leasehold locations (ADLs 619284 and 619285), within section 20 Township 6 North, Range 8 East. See *Attachment A: Vicinity Map* for the approximate location of these activities. These areas will be reserved from offering. The mineral estate within the Mt. Ryan project area is restricted to mineral leasing through Leasehold Location Order (LLO) No. 30, in accordance with *AS 38.05.185* for a land disposal.

Leasehold Location Orders where they have been established allow for the staking of a leasehold location as opposed to a mining claim. The holder of the leasehold location may apply for a mining lease, and commercial production may not occur until an upland mining lease is issued. Prior to issuing the mining lease, the Department may place restrictions upon the lease which aid in the reduction of conflicts between multiple estate uses. Leasehold Location Orders do not close an area to mineral exploration and development and apply solely to locatable minerals. LLO's 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.

Local Planning: Approximately half of the Mount Ryan staking area is within FNSB and parcels staked within these areas will be subject to the applicable zoning, ordinances, and restrictions of the borough. The remaining portion of the Mt. Ryan project area is located in the Unorganized Borough and the State does not pursue zoning of private lands.

Traditional Use Finding: A portion of the project area is within the Unorganized Borough, and a traditional use finding is therefore required under *AS 38.05.830 Land Disposal in the Unorganized Borough*. Information obtained from the ETAP, TBAP, research, Agency Review, and site inspection indicates that the project area has been used for transportation, hunting, trapping, mineral exploration, and mining. There are no anticipated significant changes to traditional uses of the land and resources of this area as a result of the proposed action, other than a possible increase in the various traditional activities which may be practiced by private-property owners. Impacts on existing resource users will be minimized by limiting the number of parcels, by protecting public access along the Circle – Fairbanks Trail (ADL 408830) and other existing trails and/or easements, consolidating access points across the McManus Creek and Chatanika River, and by protecting riparian habitat via building setbacks from public or navigable water bodies. Additional information on traditional use is welcome during the public comment period and if this proposal is approved, LSS will address the information received in a subsequent Final Finding and Decision, if one is issued. See the **Section VIII Submittal of Public Comments** at the end of this documents and *Attachment C:* Public Notice for details on how to submit comment.

Access To, Within, and Beyond Project Area: Primarily access to the project area is via the Steese Highway to Twelvemile Summit at approximately milepost 85; then via ADL 408830 into the project area. ADL 408830 is associated with the Circle-Fairbanks Trail (RST 237), and begins at the Circle-Fairbanks Trail trailhead at Twelvemile Summit. Access within and through the project area is by ATV in summer and by snowmobile in winter via ADL 408830 and other existing trails within the project area. Pedestrian access is available year-round. ADL 418498 intersects ADL 408830 in the northern portion of the project area and continues south through the project area, generally following the FNSB boundary, exiting to the Steese National Conservation Area near the southeast corner of the project area. Additional access to the project area on the Chatanika – Twelvemile Summit Trail (RST 280) may be possible via snowmobile in winter along the Chatanika River and McManus Creek, then across unreserved state land to the project area. Parcels within the project area will be accessed by generally allowed uses on State lands.

In order to consolidate access across McManus Creek, for the purposes of the 2009 offering access across unreserved land to the northern boundary of the project area was restricted to an

existing trail from Mile 80 Steese Highway near Montana Creek. Access from other points along the Steese Highway near the project may not be practical due to steep slopes down to the creek from the road bed. However, prior to the offering LSS may identify an additional suitable access location across McManus Creek.

Primary access within the project area is via locatable trails and across open areas with scant vegetation along ridgelines and hilltops. To prevent access conflicts and preserve the recreational values of the area, LSS will reserve from staking areas along hilltops, ridgelines, and/or hydrographic divides where access is most common. Additional legal access to, within, and through the project area is via travel across unreserved State-owned land, along section line easements, or other easements reserved in conveyances to third parties. Access across unreserved State-owned land without a permit, along with pertinent restrictions, is governed by *11 AAC 96 Provisions for General Land Use Activity*.

RST 237 (the Circle-Fairbanks Trail) crosses through the project area, and is generally associated with ADL 408830. A portion of RST 237 appears to be outside of ADL 408830, but was not locatable in the field. Consistent with the prior offering, LSS does not propose a staking setback from this non-locatable portion of RST 237. However, if a parcel is determined to be staked across this trail, the parcels will be subject to a 100-foot easement centered on RST 237.

DMLW will, at its discretion, reserve an easement centered on existing trails that have not been assigned an ADL or RST number, or otherwise serialized, through or along any staked sites. Section line easements will be reserved on each side of surveyed or protracted section lines that are within or along staked sites. Stakers will be instructed not to stake across surveyed section or township lines, across trail easements that have been assigned an ADL or RST number, or other trails or access routes identified within the staking area. Easements along interior parcel lines will also be reserved in order to ensure access between staked parcels. Additioanlly, a survey easement will be reserved to control monuments within parcels in order to allow for access to recover monuments of record for the purposes of surveying and establishing property boundaries in the vicinity of a parcel.

Project design will take into account topography and access to lands beyond the project area boundaries. The project area is subject to the platting authority of the FNSB. Approval of platting actions and dedication of rights-of-way will require separate processes and an additional opportunity for public participation through the 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 water body is navigable or public and 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*. In general, a continuous easement extending upland from the ordinary high water mark will be reserved within parcels along waters determined to be public or navigable. An alternate upland access route may be reserved if topography or obstructions prevent or make a continuous easement difficult.

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 (18) Definitions*.

Parcels will be subject to access reservations in accordance with *AS 38.05.127 Access to Public or Navigable Water* and a 100-foot building setback from the OHW of the water bodies described, as well as any additional water bodies identified as public or navigable prior to completion of survey.

Attachment A: Vicinity Map identifies water bodies determined to be public or navigable for the purposes of this proposal. If, at the time of survey, a water body not identified as public on *Attachment A* is determined to be public or navigable and is located within or along a staked parcel, a public access easement will be reserved upland from the ordinary high water mark, in accordance with *AS 38.05.127 Access to Navigable or Public Water* and *11 AAC 51.035 Determination of Navigable and Public Water*. 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. This is unlikely to occur given that staked parcels can only be up to 20 acres in size. However, as administrative parcels may be larger than 20 acres and water bodies smaller than 10 acres in size may be administratively determined public if they contain important public resources, it is possible that this type of public use access easement may be reserved.

If at the time of survey, a water body identified as public on *Attachment A* is determined to not be public or navigable, the public access will be extinguished. However, if public access is required, a public access easement in accordance with *11 AAC 51.015 Standards for Public Easements* will be imposed on or adjacent to the water body. Refer to the Setbacks, Reserved Areas and Easements subsection for additional information.

The public is invited to comment on use of water resources in the project area to aid in making the navigable and public water determination.

Setbacks, Reserved Areas, and Easements: The project area may include a variety of easements, setbacks, and reserved areas, which will be identified in offering materials, staking instructions, and related informational documents. DMLW will continue to research and identify easements, setbacks, or reservations throughout the staking and survey period as necessary to protect resources, third party interests, public use, or access. Of note, staking setbacks differ from building setbacks in that staking setbacks leave an area of land retained in State ownership, while building setbacks and easements are on land conveyed to the staker and place development restrictions thereon. Restrictions and encumbrances will be identified in the staking instructions, depicted on staking maps, and noted in the brochure, where possible. Final width and location of easements and reservations will be determined as part of the local platting process for that portion of the project area within the Fairbanks North Star Borough.

Building Setbacks From Public or Navigable Water: If the offering is deemed feasible, DNR DMLW proposes to place a note on the final survey plat describing a building setback upland from the OHW of public or 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. Parcels under lease will also be subject to this building setback. The following building setback will apply to parcels created as a result of this offering:

- 100-foot building setback from the OHW of all public or navigable water bodies.

Staking Setbacks and Reserved Areas: Reserved areas and staking setbacks may be designated for public use, access, or to protect valuable resources. Staking will not be allowed within these areas. Staking setbacks and reserved areas will be described in offering information and staking instructions. DMLW may identify additional staking setbacks and reserved areas as necessary throughout the staking. The following staking setbacks and reserved areas will apply to this offering:

- a 300-foot staking setback from the centerline of existing trails ADL 408830 and ADL 418498;
- a 150-foot staking setback from other trails indicated on the staking map;
- a reserved area approximately 300-foot either side of ridgelines identified on the staking map;
- reserved areas where the FNSB boundary does not run directly along the trail (ADL 408330 and ADL 418498), or where the trail is not locatable along the ridgeline. Staking will not be permitted over the FNSB boundary;
- a reserved area overlying Leasehold Locations ADL 619284 and ADL 619285
- a reserved area 300-feet around Snotel site ADL 419859; and
- a reserved area 330-feet around the trespass cabin within section 9, Township 5 North Range 8 East (ADL 418505). If field inspection verifies this structure has been removed this reserved are will no longer apply.

Easements: Parcels may be subject to a variety of easements, both during the lease period and after sale. This may include, but is not limited to, existing trails (with or without assigned ADL numbers), rights-of-way, section line easements, and public access and utility easements. Throughout the staking period and survey process, DMLW will continue to research the status, location, and condition of access routes, and additional easements may be identified. Final width and location of easements and reservations will be determined as part of the platting process. Easements will be noted on the plat. Parcels created through this offering will be subject to the following easements, which represents no change from the previous offering:

- a public access and utility easement along parcel boundaries;
- an easement centered on existing trails through or along staked parcels;
- 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*;

- a 50-foot continuous easement upland from the OHW of public or navigable water bodies in accordance with *AS 38.05.127 Access To Navigable or Public Water*;
- a minimum 100 foot building setback from the OHW of public or navigable water bodies;
- 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; and
- additional reservations and/or restrictions required through the local platting authority;

Hazardous Materials and Potential Contaminants: During on-the-ground field inspections conducted in 2006, 2008, and 2009 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 then 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, the Department 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. Survey, platting, and appraisal of staked parcels will be completed prior to sale. DMLW proposes to issue survey contracts to conduct the survey, and the survey costs will be prorated by acreage for each parcel. DMLW may also identify and survey additional parcels in a project area to be sold under *AS 38.05.045 Generally*. The number of staked and additional surveyed parcels will not exceed either the total number of parcels offered or total number of acres to be sold.

This proposed project area is located partially within the Fairbanks North Star Borough, and therefore survey and platting within that portion of the project will be subject to the relevant subdivision standards. The borough's platting requirements provide for separate public notice periods and processes for platting actions. These additional opportunities for public involvement occur after approval of the Final Finding and Decision, if one is issued. In

accordance with *11 AAC 67.810 Local Review of Staking Areas*, the platting authority may review the proposed offering, and may modify the plat review process as necessary for this action.

That portion of the project area located within the Unorganized Borough is subject to State of Alaska 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 of entry of any parcel developed under this proposed action.

In accordance with *11 AAC 67.825 Lease Application: Priority and 11 AAC 67.835 Lease Conditions,* lessees will be required to make payments during the lease period toward the cost of survey, platting, and appraisal.

Staking Instructions and Lease: The Remote Recreational Cabin Sites program authorizes winning applicants to stake a parcel within a project area and issue leases to successful applicants while the parcels are surveyed, platted, and appraised, in accordance with *11 AAC 67.800 - 11 AAC 67.845 Remote Recreational Cabin Sites.* Letters awarding staking authorizations to enter onto the land and staking instructions will be issued in accordance with *11 AAC 67.820 Staking Instructions.* These staking instructions will include general requirements for staking a parcel of land, specific requirements for individual staking areas, and staking maps depicting existing parcels, reserved areas, staking setbacks, and access routes, where known and practical.

To preserve their interest in the staked parcels and continue in the process to eventual ownership, stakers must apply for a lease after staking a parcel. Upon issuance, the lease authorizes the lessee to enter and enjoy exclusive, private, recreational use of the property between staking and purchase while the survey, platting, and appraisal are completed. During the term of the lease the leasehold may not be used for commercial purposes or as a permanent residence. Lessees will be allowed to construct buildings on the property, but will be warned of the risks of constructing prior to survey completion solidifying the location of the property boundaries. Noncompliance with zoning requirements (if there are any) or mislocation of the parcel or improvements does not vest any preference right to the land improperly entered.

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 27, 2016 through Nov 14, 2016. 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.

Department of Fish and Game (ADF&G) Comment: ADF&G noted that the area is highly utilized by moose and caribou hunters, as well as a popular site for trapping activity. ADF&G is concerned about new parcels interfering with these uses, and the potential trespass from the hunting and trapping activities onto privately owned parcels. In order to protect the current uses, ADF&G recommends that fewer parcels be offered, that all trails have a 300-foot staking

setback, and that stakers be encouraged to stake near the highway in order to retain the remote nature of the area.

> *DNR DMLW LSS Response*: LSS appreciates your review of our proposal. Pursuant to the comment, LSS had further consultation with ADF&G after the Agency Review period. ADF&G recognizes the desire to maintain consistency between offerings, and the overall low density of the project area.
>
> Known trails will be identified and reserved prior to staking. Additional trails through or along staked parcels will be reserved during the survey process, and DNR will work to ensure that legal and practical access to the project area is retained. LSS has proposed a 300-foot staking setback on the main trails (ADL 408830 and 418498), but a smaller 150-foot setback on the other trails in the project area in order to retain consistency between the 2009 offering and this re-offer decision. Although LSS recognizes the concerns for impact on the hunting and trapping activities in this area, the low density nature of the RRCS offerings minimizes the conflict with current recreation, hunting, and trapping activity. DNR feels that the potential for up to 30 additional parcels is appropriate for this area. The total number of parcels or acreage offered will not exceed the limits set in the 2009 offering decision. LSS is reducing the maximum conveyable acreage of this reoffer from the 850 acres remaining, to 600 acres. If this offering is approved, the maximum of 600 acres proposed combined with the 350 acres conveyed in the original offering could result in a maximum potential density of private property of less than 3% of the total acreage of the project area. McManus Creek is located along the northerly boundary of the project area between the project area and the Steese Highway, and is part of the headwaters of the Chatanika River. In order to consolidate access across McManus Creek and protect the riparian area, the 2009 offering restricted access across McManus Creek to a single location near milepost 80 of the Steese Highway. Prior to the offering LSS may identify an additional suitable access location across McManus Creek. Given the low density of the project area, and the limited access across Mc Manus Creek, DNR will not recommend to stakers to select areas in closer proximity to the highway. DNR will make applicants aware of the hunting, trapping, and recreation activity in this area. In addition, DNR will note easements, trails, reserved areas, and staking setbacks on staking materials and will include information for stakers on how to obtain legal access to their parcel.

Division of Geological & Geophysical Surveys(DGGS) Comment: DGGS noted that the area is in an active placer mining district, with mining activity north of the project area across the Steese Highway. There is interest in the surrounding district and possibly within the proposed project area, and potential Stakers should be informed of the active mining claims and possibility for increased mining activity in the future. The area has low earthquake potential and is located approximately 40-50 miles from the Fairbanks and Salcha seismic zones, and 30 miles from the Preacher Fault.

> *DNR DMLW LSS Response:* LSS appreciates your review of our proposal. The Mt. Ryan project area was included in a geochemical survey in 2007: “MAJOR-OXIDE, MINOR-OXIDE, AND TRACE-ELEMENT GEOCHEMICAL DATA FROM ROCKS AND STREAM SEDIMENTS COLLECTED IN THE NORTHERN FAIRBANKS MINING DISTRICT, CIRCLE QUADRANGLE, ALASKA IN 2007.” This report was published in January 2008, and is available from DGGS as RDF 208-1 v. 1.0.1. Pursuant to review of the project in 2008, DGGS determined the Mt. Ryan project area contained limited

mineral potential. However, due to mining interest in the area, DNR restricted the mineral estate to leasing through LLO 30 rather than close the area to mineral entry. Offering materials will include information regarding current and potential mining activity in the area.

Division of Parks and Outdoor Recreation Office of History and Archeology(OHA) comment: OHA noted that there is one known cultural resource, the Gold Rush Trail (RST 2477 Trail No. 237), but does not believe the trail would be adversely affected given the setbacks listed. In addition, if any cultural resource sites discovered in the area during the project, OHA should be notified in order to evaluate preservation.

DNR DMLW LSS Response: LSS appreciates your review of our proposal. LSS is aware that only a portion of the state has been surveyed for cultural resources. Should any such sites be discovered by LSS during the development of the project, OHA will be notified. LSS will make information known to the public during offerings that should there be inadvertent discoveries of cultural resources, OHA offices should be notified.

Division of Oil and Gas(DOG) comment: DOG has no objections and no applications or pending authorizations. DOG recommends that DMLW continue to make applicants aware of state reservation of subsurface estate.

DNR DMLW LSS Response: LSS appreciates your review of our proposal. Information will be included in the RRCS brochures and in future offering and auctions to inform potential applicants and bidders that the state reserves the subsurface estate.

Division of Forestry(DOF) comment: DOF noted the numerous fire burn scars, and increased fire activity over the past 10 years. DOF noted that due to the RRCS parcels being leased instead of purchased, fire suppression efforts that use FNSB land parcel database will not show private land ownership until the land is purchased. Neighboring BLM lands have a nearby area of critical environmental concern in their recent Resource Management Plan. A final recommendation is for DMLW to allow DOF to give Firewise/fire prevention presentations to potential stakers.

DNR DMLW LSS Response: LSS appreciates your review of our proposal. Leased parcels are subject to taxation within the FNSB. As such, LSS provides lease parcel information and shapefiles to the FNSB. Typically leased parcels do appear on the FNSB parcel database. LSS is happy to assist with providing geographic information for parcels. Information will be included in the RRCS brochures and in future offering and auctions to inform potential applicants and bidders of the wildfire risks. Firewise information is typically provided to authorized stakers with staking materials and stakers are encouraged to locate parcels in defensible areas and practice Firewise principles. In prior years DOF has been invited to give a Firewise presentation at staking workshops. LSS will consider this again for this offering, depending on timing and staff availability.

Mental Health Trust Land Office comment: The proposal for ADL 417817 Mt Ryan Remote Recreational Cabin Sites does not impact Alaska Mental Health Trust lands, therefore the Alaska Mental Health Trust Land Office has no comment to the proposal.

DNR DMLW LSS Response: LSS appreciates your review of our proposal.

The following agencies or groups were included in the agency review but did not submit comments:

- Department of Natural Resources;
  - Division of Agriculture;
  - Office of Project Management and Permitting;
- Department of Environmental Conservation;
- Department of Transportation and Public Facilities;
- Department of Commerce, Community, and Economic Development;
- Alaska Railroad Corporation;
- University of Alaska;
- Alaska Soil and Water Conservation District; and
- Fairbanks Soil and Water Conservation District.

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, additional public notice for the affected lands will be given. Reducing the amount of land offered and making minor changes to the proposal will not be considered significant changes requiring additional public notice.

If the proposal is 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 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://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, THURSDAY, MARCH 16, 2017

IX. Alternatives and Discussion

The DMLW is considering the following alternatives:

1. Approve the proposed action. (Preferred)
2. Do not approve the proposed action.

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* and *AS 38.05.600 Remote Recreational Cabin Sites* has placed this charge with DNR, and the legislature has provided funding to administer the land sale program. Alternative 1 provides an equitable method for DNR to help meet the obligations laid out in the Constitution and statute. The project area affected by this decision has been deemed appropriate for settlement through a previous best interest finding with related public process, wherein this area was previously identified as appropriate for an offering. DMLW is now conducting a new notice to the public under this proposal to amend the Final Finding and Decision for uniformity and compliance with current law. Alternative 2 may not allow the reoffering of these lands due to changes in statutes, regulations, and policies and thus the lands would be retained. Retention of this project area would be contrary to the previous processes that identified these lands as appropriate for disposal and would inhibit DNR from meeting its Constitutional and legislative obligations. For the aforementioned reasons, Alternative 1 is the preferred alternative.

Recommendation follows.

X. Recommendation

This Preliminary Decision for the proposed disposal of state lands described throughout this document and its attachments is 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, and helps meet the mission of the land sales program. 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.

/s/ February 10, 2017

Tim Shilling
Natural Resource Manager II
Land Sales Section
Division of Mining, Land, and Water
Department of Natural Resources
State of Alaska

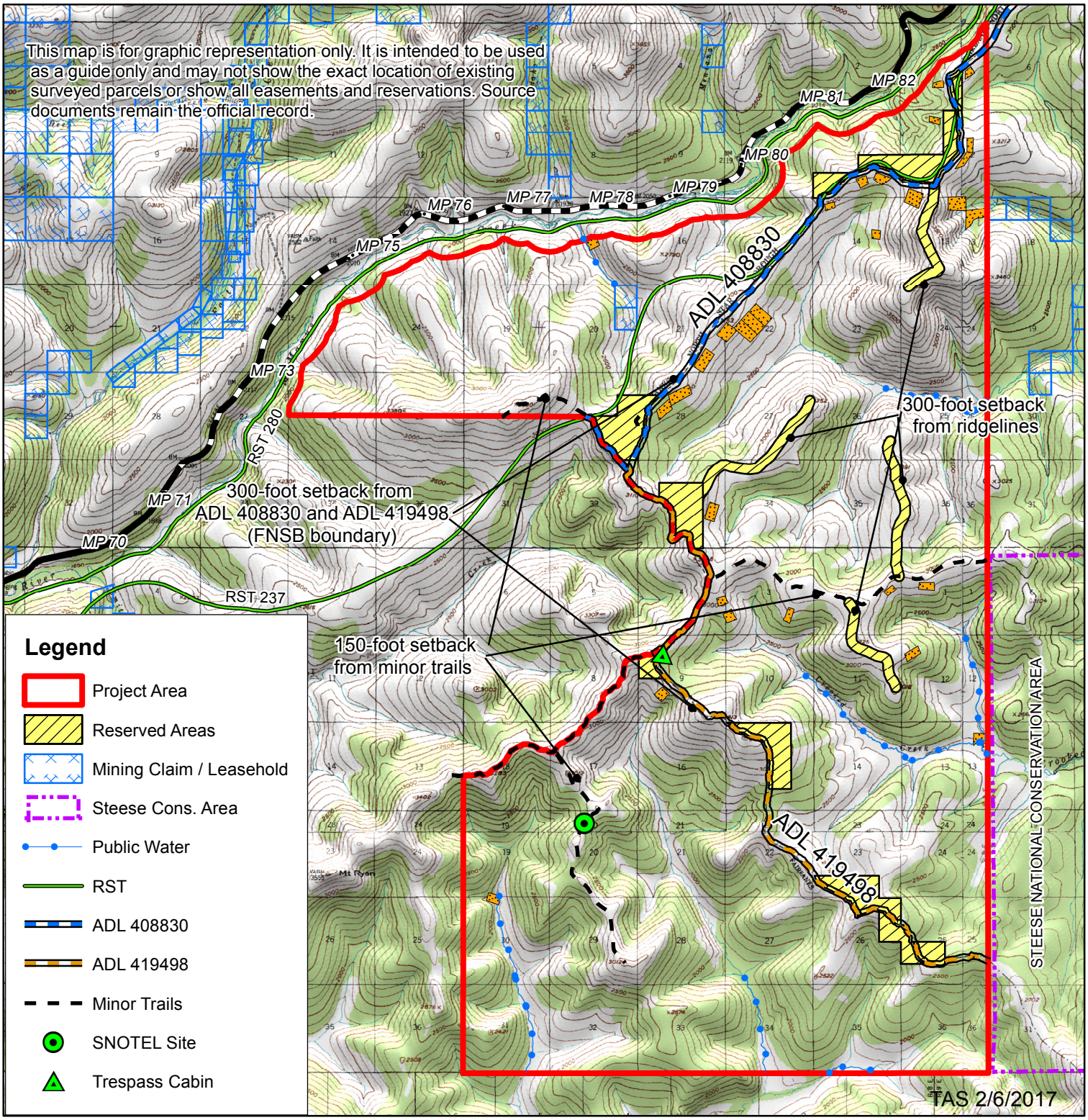
Date

/s/ February 10, 2017

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

Date

Mount Ryan RRCS - ADL 417817



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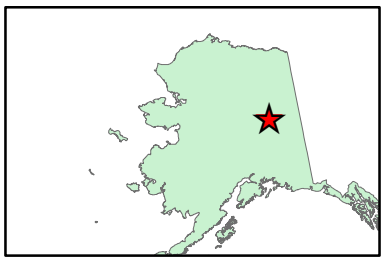

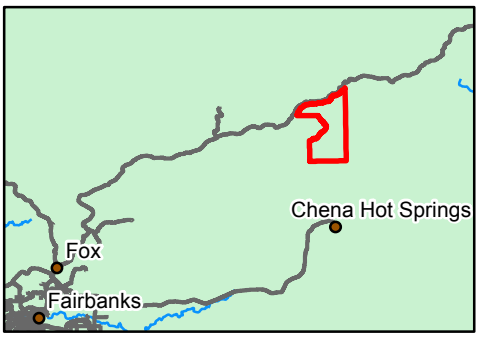

USGS QUAD 1:63,360

Circle A-4, A-5, B-4, B-5

For more information contact:
Tim Shilling
Department of Natural Resources
Division of Mining, Land, and Water
Land Sales Section
Phone 907.451.2734
Fax 907.451.2751
Email: land.development@alaska.gov

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

Attachment B: AREA DATA SUMMARY TABLE

Proposed Land Offering in the Fairbanks North Star Borough
Mt Ryan Remote Recreational Cabin Sites – ADL 417817

Offering Information	
Proposed Number of Parcels	Up to 30
Proposed Parcel Size	5 to 20 acres
Net Offering	Up to 600 acres
Proposed Related Actions	None
Project Area	
Location	Approximately 50 miles northeast of Fairbanks and 1.5 miles southwest of the Twelvemile Summit Wayside on the Steese Highway.
Gross Area Acreage	Approximately 35,600 acres
USGS Topography	USGS Quad Circle A-4, A-5, B-4, B-5.
MTRS	The Mount Ryan staking area lies within: Township 5 N., Range 8 E., Fairbanks Meridian Sections 1-4, 8-36 Township 6 N., Range 7 E., Fairbanks Meridian Sections 13, 23-26 Township 6 N., Range 8 E., Fairbanks Meridian Sections 1-2, 10-30, 32-36.
Title	The State holds Tentative Approval, dated September 28, 1979 and December 23, 1988, to that portion of the project area within T6N, R7E, FM. The portion of the project area within T6N, R8E and T5N, R8E, FM, has been patented to the State through patent 50-89-0103.
Area Plan and Classification	The western portion of the project area, within the Fairbanks North Star Borough (FNSB), is within the bounds of the Eastern Tanana Area Plan (ETAP) Adopted 2015. Management Unit F-66, classified Settlement. CL NC-10-004 The eastern portion of the project area (outside of the FNSB), was not included in the ETAP, and remains within the Tanana Basin Area Plan. Management Unit 1U3e, classified Settlement. CL NC-90-002A53.
Mineral Orders	None proposed. LLO No. 30 covers the entire project area.
Physical Characteristics	
Access	Primarily via Steese Highway. The project area would be accessible via ATV, snow machine, or foot along established trails. Parcels within the project area will be accessed by generally allowed uses on State lands.

Terrain and Major Features	Elevation varies from approximately 1,700 feet above sea level to almost 3,600 feet above sea level. The terrain is mountainous with slopes ranging from 5% to 50%. Several areas with slopes less than 15% exist in the project area.
View	Terrain is generally hilly to mountainous in this region, lending itself to natural views. Staking is restricted in some areas along ridgelines in the project area to preserve the natural viewshed.
Climate	According to Alaska Climate Research Center at the Fairbanks climate station, this region has an average winter temperature of -4 degrees Fahrenheit, and an average summer temperature of 59 degrees Fahrenheit. Annual precipitation of 11 inches per year, and average snowfall of 65 inches.
Soils	According to The Exploratory Soil Survey of Alaska, soils on south-facing slopes are typically well-drained gravelly silt-loam. Permafrost is absent. On north-facing slopes, soils are poorly-drained to well-drained with shallow permafrost table or bedrock.
Wetlands	Areas of wetlands exist primarily along valley bottoms and some small isolated poorly drained pockets at higher elevations. Most of the area is well drained. Dredging or filling of wetlands may require a permit from the Army Corps of Engineers.
Vegetation	The south-facing, well-drained slopes support white spruce and limited paper birch, and aspen. North-facing slopes are covered by black spruce, tall shrubs, low shrubs, sedges, mosses or tundra.
Water Source	Water collection from surface water or possible rain catchment system. Water quality is unknown.
Anadromous Waters	According to the ADF&G Anadromous Waters Catalog, no anadromous streams have been identified in or adjacent to the proposed project area. Should additional streams be identified throughout the design phase, DNR DMLW will evaluate the appropriateness of buffers for such water bodies.
Local Management Information	
Fire Management Option	The Fire Management Option for the majority of the area is Limited. A portion of the Project is designated as Full. This area is subject to periodic wildfires.
Game Management Unit	20B
Local Authority	The Fairbanks North Star Borough (FNSB) boundary runs through the project area from the Northeast corner of the project area along the divide of the headwaters of Harrington and Crooked Creeks, and the divide Boulder Creek and the North Fork Chena River exiting the project area north of its SE corner (generally coincident with ADL 408830 and ADL 419498). Parcels staked within the FNSB will be subject to the platting, planning, zoning, and taxation authority of the FNSB. The remainder of the project area is within the Unorganized Borough, and subject to the platting authority of the State of Alaska.
Flood Zone	The Mt Ryan project area is designated as Zone X, outside of the 500-year flood plain. Flood Insurance Rate Map for the area is Community Panel 0250090050E.
Utilities	No known services exist within the project area.

Waste Disposal	All on-site waste water disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.
Setbacks, Reserved Areas, Easements, and Conditions	
Allowed Uses	No commercial use or permanent residence is allowed while under lease. Once the parcel is under purchase contract or conveyed into private ownership these restrictions no longer apply.
Improvements	Prior to construction of any structure, driveway, or waste disposal system, potential purchasers should contact the platting authority for any permits or for required setbacks from water bodies, lot lines, and easements.
Building Setbacks	Parcels will be subject to a 100-foot building setback from the ordinary high Water (OHW) of water bodies determined to be public or navigable. Water dependent structures may be allowed within the building setback.
Staking Setbacks	Staking will not be allowed within: • a 300-foot staking setback from the centerline of existing trails ADL 408830 and ADL 418498; and • a 150-foot staking setback from other trails indicated on the staking map.
Reserved Areas	Staking will not be allowed within reserved areas imposed prior to or during the staking period, including reserved areas to avoid locating parcels within or near a specific resource or third party interest, or to reserve areas for public use. Specific reserved areas will include: • a reserved area approximately 300-foot either side of ridgelines identified on the staking map; • reserved areas where the FNSB boundary does not run directly along the trail (ADL 408330 and ADL 418498), or where the trail is not locatable along the ridgeline. Staking will not be permitted over the FNSB boundary; • a reserved area overlying Leasehold Locations ADL 619284 and ADL 619285 • a reserved area 300-feet around Snotel site ADL 419859; and • a reserved area 330-feet around the trespass cabin within section 9, Township 5 North Range 8 East (ADL 418505). If field inspection verifies this structure has been removed this reserved are will no longer apply.

Easements	Staked parcels may be subject to the following: • a public access and utility easement along parcel boundaries; • an easement centered on existing trails through or along staked parcels; • 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*; • a 50-foot continuous easement upland from the OHW of public or navigable water bodies in accordance with *AS 38.05.127 Access To Navigable or Public Water*; • a minimum 100 foot building setback from the OHW of public or navigable water bodies; • 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; and • additional reservations and/or restrictions required through the local platting authority;
Public or Navigable Water Bodies	There are multiple creeks and drainages within the project area. *Attachment A: Vicinity Map* identifies those water bodies identified as public for the purpose of this offering. If any additional 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.
Villages and Tribal Councils	None within 25 miles.
Oil and Gas Activity	None.
Mining Activity	Two leasehold locations, ADLs 619284 and 619285 exist in the project area.
Comments	The project area was previously offered in 2009. The offering authorized up to 60 authorizations, and 30 parcels were staked. If this offering is approved, the maximum of 600 acres proposed combined with the 350 acres conveyed in the original offering could result in a maximum potential density of private property of less than 3% of the total acreage of the project area.

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

ATTACHMENT C: PUBLIC NOTICE

Requesting Input for
a Proposed Reoffer:
Mount Ryan Remote Recreational Cabin Sites Project Area – ADL 417817
a Preliminary Decision

COMMENT PERIOD ENDS 5:00PM, THURSDAY, MARCH 16TH, 2017

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 multiple offerings over time.

Located within the Department's Northern Region approximately 50 miles northeast of Fairbanks, and approximately 1.5 miles southwest of the Twelvemile Summit Wayside on the Steese Highway, the Mt. Ryan project area encompasses approximately 35,700 acres within Township 6 North Range 7 East; Township 6 North Range 8 East; and Township 5 North Range 8 East; Fairbanks Meridian.

Proposed Offering: up to 30 parcels, ranging from 5 to 20 acres.

To obtain the notice, 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, Thursday, March 9th, 2017.

Pursuant to *AS 38.05.945 Notice*, the public is invited to submit comment on either the Preliminary Decision for which notice is being conducted concurrently. If commenting on more than one proposed action, separate comments should be submitted for each. **The deadline for public comment is 5:00PM, THURSDAY, MARCH 16TH, 2017.** 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 Tim Shilling, 3700 Airport Way, Fairbanks, AK 99709; fax # 907.451.2751; land.development@alaska.gov. If you have questions, call Tim Shilling at 907.451.2734.

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 commented timely on the preliminary decision.

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