

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

PRELIMINARY DECISION

**Proposed Land Offering in the Unorganized Borough
Yuki Remote Recreational Cabin Sites Project Area - ADL 419202**
AS 38.05.035 (e), AS 38.05.045, and AS 38.05.600

RELATED ACTION(S):

Proposed Mineral Order (Closing)
AS 38.05.185 and AS 38.05.300

COMMENT PERIOD ENDS 5:00 PM, TUESDAY, MARCH 18, 2014

I. Proposed Actions

Primary Proposed Action(s): The primary proposed action of this Preliminary Decision of the State of Alaska, Department of Natural Resources, Division of Mining, Land, and Water is to offer for disposal State-owned land within the defined project area. This document and the following attachments describe the details of the project area and this proposal, with supporting documentation retained in case file.

Attachment A: Vicinity Map

Attachment B: Area Data Summary Table

Attachment C: Public Notice

The project area is located within the Department's Northern Region, approximately 260 miles west of Fairbanks, 20 miles southeast of Galena, and approximately 23 miles southwest of Ruby, Alaska. South of the Yukon River, the Yuki project area is within Township 11 South, Range 13 East, and Township 12 South, Range 13 East, Kateel Meridian. The property is within the Unorganized Borough, encompassing approximately 46,000 acres.

Pursuant to the management intent contained within the Land Planning Report and Classification Order C-NC-82-058 (approved 1982) and *11 AAC 55.277 Existing Classifications*, the Division proposes to offer up to 60 authorizations to stake parcels generally ranging from 5 to 20 acres as described in **Section II. Method of Sale** of this document. The classification order indicates that 1,600 acres is appropriate for settlement but at this time, the Division would dispose of no more than 1,200 acres under this proposal, if approved.

If after consideration of agency and public comment this proposal is approved, the actual staking area may be reduced, as described in a subsequent Final Finding and Decision, if one is issued. The Division may make adjustments to the staking area prior to offering, as needed to reserve areas for public use, minimize conflicts between uses, or ensure compliance with staking instructions. These adjustments will be described in the brochure or staking packet, as appropriate.

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Although the total disposal authorized under this proposal will not exceed the stated maximums, the offerings and development may be conducted in phases. Further, additional offerings that could increase the density of privately-owned parcels within or near the project area may be authorized through separate future proposals, authorized and conducted as required under statute and regulation. As such, the Division cannot guarantee that the project area will remain remote or that settlement will remain dispersed indefinitely. Purchasing a parcel through this offering does not provide any rights to the buyers to deny future disposals and developments.

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

Mineral Order (Closing): The Division proposes a mineral order to close the project area to new mineral entry. At this point, there are no known mineral claims within the project area. Refer to the Mineral Order subsection of this document for more information on this proposed Related Action.

Related Actions are developed as separate actions, however; approval of the primary and any related actions are dependent upon one another in that one action will not proceed without approval of the subsequent actions.

Notice of the public comment period will be posted in accordance with *AS 38.05.945 Notice*, for at least 30 consecutive days. The public is invited to comment on the proposed actions and the comment periods for all actions will be conducted concurrently. If commenting on more than one proposed action, separate comments should be submitted for each. 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 public input the proposed actions are approved, the Department will issue a Final Finding and Decision, which will be sent to those parties that submitted timely, written comments.

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 the Division offers authorizations to select and stake Remote Recreational Cabin Sites in designated areas during the specified offering period. The Division began offering this program annually between 2001 and 2010 and then biennially beginning in 2012.

After approval of a Remote Recreational Cabin Sites disposal through a Best Interest Finding process such as this, the Division plans a future announcement of an offering of staking authorizations and the availability of land sales 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.

Under current statutes and regulations, only Alaska residents as defined by law are eligible to participate in a Remote Recreational Cabin Sites offering. Participants submit applications and the Division 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

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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 after the staking period ends, and the lessee makes quarterly, prorated payments to cover associated development costs and an annual lease fee of \$100. 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 a cost of \$1,000 per year, which is not applied to 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 is subject to termination.

After the staking period closes and lease applications have been received from authorized stakers, the Division may identify and survey additional Administrative Parcels in the project area. Additionally, the Division 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 by another method of sale under *AS 38.05.045 Generally [Sale of Land]*. Although Administrative Parcels are not restricted to the size requirements stated for staked parcels, the total number of acres and authorizations will not exceed the maximum number specified for disposal under this proposal.

Offering Administrative Parcels under *AS 38.05.045* allows the Division to offer its surveyed parcels under a uniform set of statutes, 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 the Division 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. Therefore, 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 and hinder the marketability of the property.

III. Authority

The State of Alaska, Department of Natural Resources (Department) has the authority under *AS 38.05.045 Generally [Sale of Land]* to sell State-owned land if, on preparation and issuance of a written finding, it is determined to be in the best interest of the State, as required by *AS 38.05.035 (e) Powers and Duties of the Director*. The Land Sales and Contract Administration Section of the Division of Mining, Land, and Water is delegated authority to offer parcels under *AS 38.05.600 Remote Recreational Cabin Sites*. The Division is also authorized

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to offer through other methods of sale under *AS 38.05.045 Generally [Sale of Land]* any additional Administrative Parcels as well as any staked parcels later relinquished, terminated, or expired during the staking and leasing periods. In order to facilitate these sales, of State-owned land, the Division is also authorized to close land to mineral location under *AS 38.05.185 Generally (Mining Rights)* and *AS 38.05.300 Classification of Land*.

IV. Administrative Record

The project file for the Yuki project area, ADL 419202, constitutes the administrative record for this action. Also incorporated by reference are:

- Land Planning Report and Classification Order C-NC-82-058, approved 1982;
- Alaska Interagency Wildland Fire Management Plan, amended October 1998;
- *2012 Catalog of Waters Important for the Spawning, Rearing, or Migration of Anadromous Fishes*; and
- *1979 Exploratory Soil Survey of Alaska*.

V. Scope of the Decision

The scope of this proposal, under the statutes and regulations described in **Section III**. **Authority** of this document, is limited to the Division's proposal to offer State-owned land within the project area for sale through a future, public Remote Recreational Cabin Sites offering or other method of sale. The Division proposes to open the area for the described number of authorizations to stake parcels under *AS 38.05.600 Remote Recreational Cabin Sites* and *11 AAC 67.800 – 11 AAC 67.845 Remote Recreational Cabin Sites*. The Division may also identify and survey additional parcels in a project area to be sold under *AS 38.05.045 Generally [Sale of Land]*. The Division does not intend to impose deed restrictions to control post-patent land use.

There may be Related Actions with this proposal as described in **Section I. Proposed Actions** of this document. The approval and succession of the primary proposed action detailed in this Preliminary Decision are contingent on the completion of Related Actions, as described throughout this document.

VI. Description

Location: The project area is located approximately 255 miles west of Fairbanks, 20 miles southeast of Galena, and 23 miles southwest of Ruby south of the Yukon River. See Attachment A: Vicinity Map for a graphic depiction of the approximate location of the project area and Attachment B: Area Data Summary Table for additional information.

Borough/Municipality: The project area is within the Unorganized Borough and subject to the State of Alaska platting and zoning authority.

Native Regional and Village Corporations: The Yuki project area is within the boundaries of the regional corporation Doyon Ltd. The villages of Galena and Ruby are located within 25 miles of the project area; therefore notification will be distributed to Gana-a 'Yoo Limited (Galena) and Dineega Corporation (Ruby) in these villages, whose shareholders potentially pursue traditional uses within the project area.

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Legal Description: The Yuki project area, depicted in Attachment A: Vicinity Map encompasses approximately 46,000 gross acres within the Nulato Recording District and 4th Judicial District:

- Township 11 South, Range 13 East, Kateel Meridian, the entirety of Sections 1 - 36;
- Township 12 South, Range 13 East, Kateel Meridian, the entirety of Sections 1 - 36.

Title: Information from Title Report RPT #2583, current as of May 31, 2011, indicates the State of Alaska holds fee title to the land and mineral estate within the project area.

These lands were acquired under Statehood entitlement, General Purpose Grant, under the Act of July 7, 1958, 72 Stat. 339 as amended. The State received title under Patent No. 50-76-0167 dated April 23, 1976. The lands are subject to standard federal reservations.

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 the State]*, 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; and leasable minerals such as oil, gas, coal, ore, minerals, fissionable material, geothermal resources, and fossils.

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 owner of the land estate 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 Alaska Constitution* and is also 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 did not address a navigability determination for waters within the affected townships for title purposes.

Private parcels and third-party interests on State owned lands will be depicted on staking maps in land sales brochures and enclosed in staking packets distributed to authorized stakers.

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Physical Characteristics and Hazards: The following paragraphs describe the area's physical characteristics and hazards. A flyover inspection was conducted on April 4, 2013. See Attachment B: Area Data Summary Table for additional physical characteristics and additional information.

Geologic Hazards: Permafrost is known to exist within the area. Such deposits could cause problems with the stability of structures and other improvements built nearby or thereupon.

Fire Hazards: 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. The Department 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 (those areas along creeks and ponds), and isolated patches remaining after prior wild land fire activity.

Fire management options and policies for the area are identified in the Alaska Interagency Wildfire Management Plan available from the DNR Division of Forestry. The current fire management option for the project area is "Limited". The policy on areas with the "Limited" management option reads "Wildland fires occurring within this designation will be allowed to burn under the influence of natural forces within predetermined areas while continuing protection of human life and site-specific values within the management option. Generally this designation receives the lowest priority for allocations of initial attack resources; however, surveillance may be a high priority."

It is important to note, however, that DNR Division of Forestry warns that DNR Division of Mining, Land, and Water inform participants there is no guarantee their property will be spared from harm or protected from a wildland fire by DNR, even if the area is designated "Full" fire management option.

Flood Hazard: 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: This proposed project is a new offering. The Yuki project area was identified and classified for Private Recreation (settlement per 11 AAC 55.277) through Land Planning Report C-NC-82-058, adopted in 1982. The area is appropriate for settlement. The project area was selected for offering pursuant to a review of available land offerings in the Northern Region. Additional research and preparation for the proposed area was initiated in 2010 with Agency Review in March and April 2011. Aerial inspection of the project area was conducted on April 4, 2013.

According to the Yuki Land Planning Report, recreation occurs in this area. Recreational access and uses will be protected through reservation of easements, and the retention of areas in State ownership as appropriate. Refer to the Setbacks, Reserved Areas, and Easements subsection of this document for more information. Recreation is most likely associated with the Yuki River, which meets the requirement for navigable water, but has not been officially recorded as navigable. The river is an anadromous water body, and will be subject to

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easements and setbacks described in the Setbacks, Reserved Areas, and Easements subsection of this document.

The area is in a remote location with little or no infrastructure, and the amount of contiguous high-quality acreage suitable for a large number of adjacent sites is low due to variable topography. The Remote Recreational Cabin Sites program offers the opportunity for entrants to choose individual sites within the staking area that suit their needs.

Planning and Classification: The general management intent of the Land Planning Report was reviewed for consistency with the proposed offering. The project area is within the Yuki Land Planning Report, December 1982. Lands within this unit are classified Private Recreation under Land Classification Order (CL) No. C-NC-82-058. Pursuant to *11 AAC 55.277 Existing Classifications*, Private Recreation land is considered to be classified Settlement.

The Yuki Land Planning Report reviewed topography, geology, soils, vegetation, fish and wildlife, and weather and will be incorporated in the development of this project. Lands to be retained in public ownership, conditions, and reservations will be issued in the land sale brochure and area-specific staking instructions and maps.

The proposed offering will be consistent with the general management intent of the Yuki Land Planning Report if the Related Actions are approved in accordance with *AS 38.04.065 Land Use Planning and Classification*.

Land Planning Report and Classification Order C-NC-82-058 was approved in 1982 to classify the Yuki project area as Private Recreation. The Land Planning Report does not contain any specific management intent with regard to project design. The Land Planning Report indicates that subsistence uses are important in this area, and that settlement density should be kept low.

Mineral Order: No mineral activity has been identified on these lands. The entire project area will be closed to mineral entry (approximately 46,000 acres) if the Related Action is approved in accordance with *AS 38.05.185 Generally [Mining Rights]* and *AS 38.05.300 Classification of Land* for a land disposal. Closing the entire area to mineral entry is consistent with the management intent of the Land Planning Report and will minimize potential conflict between land estate and mineral estate users. The Yuki project area was originally closed to mineral entry via Mineral Order (Closing) 320 (approved December 8, 1982). The area was subsequently re-opened to mineral entry via Mineral Order (Opening) 686, initiated May 12, 1994. Closing these lands to mineral entry is consistent with the Land Planning Report.

Mineral orders that close an area to mineral entry, where they have been established, close that area to new exploration and development of locatable minerals such as gold, copper, platinum, etc. Such mineral orders do not apply to non-locatable minerals, including oil and gas leasing, coal leasing, shallow gas leasing, or exploration licensing for such, nor do they preclude reasonable land estate 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.

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Mining activity would be incompatible with the proposed 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.

Reservation of Mineral Estate: In accordance with *Section 6 (i) of the Alaska Statehood Act and AS 38.05.125 Reservation [of Rights to Alaska]*, the State, in this decision, reserves unto itself the mineral estate, including oil and gas, and the rights expressed in the reservation clause of the statute, that being the right to reasonable access to the surface for purposes of exploring for, developing, and producing the reserved mineral resources. Exploration and development, that could occur, would be consistent with *AS 38.05.130 Damages and Posting of Bond* and any other applicable statutes and regulations, which provide that the surface owner be compensated for damages resulting from mineral exploration and development.

Local Planning: Where they exist, local zoning and related ordinances govern any land use restrictions, as with other private land. The entirety of the project area is within the Unorganized Borough and subject to the State of Alaska platting and zoning authority. No local planning or zoning currently exists for this area. The Division does not intend to impose deed restrictions to control post patent use.

The State of Alaska exercises platting authority and development must meet relevant subdivision requirements.

Coastal Issues: The project area is not within the zone of coastal influence.

Traditional Use Finding: In accordance with *AS 38.05.830 Land Disposal in the Unorganized Borough*, a traditional use finding is required. Information obtained from the Land Planning Report and prior research indicates the lands within this project area are primarily used for fishing, berry picking, hunting bear and moose for personal use, and trapping. The Division invites comment on uses of State-owned land in the project area during the public comment period and will address information received in a subsequent Final Finding and Decision.

The Division does not anticipate changes in the types of traditional uses of the land. The increase in pressure on resources is minimized by offering opportunity for low-density settlement over a large project area; proximity to retained, State-owned lands; and protection of riparian and shoreline habitat with setbacks and easements along public and navigable water bodies. Impacts on existing resource users will be minimized by protecting public access along public or navigable water bodies and by limiting the number of staking authorizations and acreage to be disposed.

Access To, Within, and Beyond Project Area: Primary access during the summer to the area is by boat. The Land Planning Report indicates that the Yuki River is navigable through the area, up to the East Fork of the Yuki River. Winter access is by snow machine or ski-plane. Access through the area is by foot, all-terrain vehicle (ATV), or snow machine. Refer to the Setbacks, Reserved Areas, and Easements subsection of this document for additional information.

Review of the title report and land status records indicates there is one codified RS 2477 trail (RST 129, the Dishkaket to Lewis Landing Trail) in the area listed under *AS 19.30.400*

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Identification and Acceptance of Rights-of-Way, i.e. rights-of-way listed in Department land records as “RST” routes. Parcels staked along existing trails will be subject to an easement as described in the Setbacks, Reserved Areas, and Easements subsection of this document.

The exact location of RST 129 is unknown, and there is no evidence of a currently existing trail along the route depicted in DNR records. There is a known existing trail (referred to as the Dishkaket to Lewis Landing Connecting Trail by the Iditarod National Historic Trail Comprehensive Management Plan, 1986) that runs from the Yukon River south to and through the project area which is under the cooperative management of DNR and federal agencies. This trail provides access to and through the project area. There will be a staking setback from the existing trail (Dishkaket to Lewis Landing Trail). If a staker finds evidence of any other trails in the project area, they are advised to stake at least 100 feet from it. The RST trail depicted on Attachment A: Area Map is from the DNR database and the location is only approximate. If the location of RST 129 is later determined to be within or along any staked parcel, that parcel will be subject to a 100-foot easement centered along that route.

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 from conveyances to third parties. Access across unreserved State-owned land without a permit, along with pertinent restrictions, is governed by *11 AAC 96.020 Generally Allowed Uses*.

As appropriate and at the Division’s discretion, the following easements will be reserved:

- on existing trails that have not been assigned an ADL or RST number, or not otherwise serialized, that traverse through or along any staked site, at the Division’s discretion (authorized stakers will be instructed not to stake across surveyed section or township lines or across trail easements that have been assigned an ADL or RST number);
- on surveyed or protracted section lines that are within or along staked sites;
- along interior parcel lines in order to ensure access between staked parcels; and
- within 5 feet of 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.

The width of these easements will be discussed at the end of the Setbacks, Reserved Areas, and Easements subsection of this document. The Division will continue to research the location and status of access to and through the project area throughout the public comment period and up through the parcel survey. The reader is referred to the Setbacks, Reserved Areas, and Easements subsection of this document for more detailed information.

Access To and Along Public or Navigable Water: In accordance with *AS 38.05.127 Access to Navigable or Public Water*, the Division will determine if a body of water or waterway is a navigable or public waterway and will establish easements or right-of-ways as necessary to ensure unobstructed access to and along the body of water.

Lakes larger than 10 acres or streams larger than 10 feet in width are public and lakes larger than 50 acres or streams larger than 50 feet in width are navigable and for purposes of *AS 38.05.127 Access to Navigable or Public Water*. In addition, waters may be

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determined public or navigable water consistent with *AS 38.05.965 (18) Definitions [General Provisions]*.

Attachment A: Vicinity Map identifies water bodies determined to be public or navigable for the purposes of this proposal. If, at the time of field survey, a water body not depicted or identified on Attachment A is determined to be public or navigable, and within or adjacent to a parcel, a public access easement will be reserved upland from the OHW 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. However, as Administrative Parcels may be larger than 20 acres and water bodies smaller than 10 acres 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 and may affect some parcels. This will be determined at the time of survey.

If at the time of survey, a water body depicted or identified on Attachment A is determined to not be public or navigable, the public access will be extinguished. However, if preservation of 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 and **Section VII. Agency Comments** in this document for additional information.

The Division will continue to research the location and status of navigable and public waters within the project area throughout the public comment period and up through the parcel survey. 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.

For the purposes of reserving access to public or navigable water under *AS 38.05.127 Access to Navigable or Public Water* and in accordance with its associated regulations, *11 AAC 51.035 Determination of Navigable and Public Water - 11 AAC 51.045 Easements to and Along Navigable and Public Water*:

- a continuous easement extending upland from the ordinary high-water mark (OHW), where practical, 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.

Setbacks, Reserved Areas, and Easements: The Division may identify building setbacks, staking setbacks, reserved areas (including sites for public use and access), and easements at any time before staking instructions are issued. In addition, the Division may continue to research and identify easements throughout the staking and survey period. Of note, *staking* setbacks differ from *building* setbacks in that staking setbacks leave an area of land in State ownership, while building setbacks and easements place development restrictions on land that

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will be conveyed to the buyer. Restrictions and encumbrances will be identified in the staking instructions, depicted on staking maps, and noted in the brochure, where possible.

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. The following staking setbacks and reserved areas will apply to this offering:

- 100-foot staking setback from the centerline of the known existing trail (Dishkaket to Lewis Landing Trail); and
- reserved area(s) to protect any historic or archeological site located within the staking area.

The Division may identify additional staking setbacks and reserved areas until staking instructions are issued.

Building Setbacks From Public or Navigable Water: We propose placing a note on the final survey plat describing a building setback, upland from the OHW mark of public and navigable water, to protect access, fish and wildlife habitat, and personal property. Structures and subsurface sewage disposal systems would not be permitted within the building setback. Exceptions to this restriction include other utilities, water-dependent structures whose purpose is access to or across the stream or lake, or minor accessory structures for permitted uses that must be in or adjacent to the water body in order to function. The building setback is proposed as follows:

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

These restrictions would apply to all parcels created under this offering throughout all stages, from staking through lease, contract, and patent. The public is invited to comment on the proposed plat note and the Division will continue to develop and apply criteria as needed.

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, the Division 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 could be subject to the following easements at the Division's discretion:

- 100-foot access easement centered on RST 129 (Dishkaket to Lewis Landing Trail);

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- 60-foot access easement centered on existing trails that are not assigned an ADL or RST number (or otherwise serialized) through and along staked parcels;
- 100-foot easement centered on any surveyed or protracted section lines;
- 30-foot public access and utility easement along all interior parcel lines;
- 5-foot easement from the nearest practical point on the property boundary to control monuments within the parcel and an easement with a radius of 5 feet around the control monument, and as applicable, a 5-foot wide direct line-of-sight easement from the control station to an azimuth mark or other control monument.
- 50-foot continuous public access easement, where practical, upland from the OHW mark of public or navigable water bodies per *AS 38.05.127 Access to Navigable and Public Waters*;

Hazardous Materials and Potential Contaminants: Interested parties are encouraged to inspect the property and familiarize themselves with the condition and quality of the land. The State of Alaska makes no representations and no warranties, express nor implied, concerning the existence or absence of any hazardous substances, hazardous wastes, contaminants, or pollutants on the land here proposed for conveyance. The State further assumes no liability for the removal of hazardous substances, hazardous wastes, contaminants, or pollutants, nor for the remediation of the site should such substances be eventually found.

There are no known environmental hazards present within the project area. The Division recognizes there are potential environmental risks when previously vacant land is occupied. Many of the activities increasing these potential risks are regulated by other agencies, such as the regulation of septic system installation by the State of Alaska, Department of Environmental Conservation. Given that this land was specifically classified for private recreation and disposal, and given the high degree of interest from both the legislature and citizens in sale of State-owned land, the Division is of the opinion that the benefits outweigh the potential risks.

Staking Instructions and Lease: The Remote Recreational Cabin Sites program authorizes applicants drawn via lottery to stake a parcel within a project area, and issues 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*. Staking instructions and letters awarding authorizations to enter onto the land to stake 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 under the Remote Recreational Cabin Sites staking program, specific requirements for individual staking areas, and staking maps showing 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 before the end of the staking period. 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

Preliminary Decision

Proposed Land Offering in the Unorganized Borough
Yuki Remote Recreational Cabin Sites Project Area - ADL 419202
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property boundaries. Noncompliance with zoning requirements (if there are any) or incorrect location of the parcel or improvements does not vest any preference right to the land improperly entered.

Survey, Platting, and Appraisal: Survey, platting, and appraisal of staked and administrative parcels will be completed prior to sale. The Division proposes to issue survey contracts to conduct the survey and the costs will be prorated by acreage for each parcel.

In accordance with *AS 38.05.840 Appraisal*, an appraisal meeting Division standards will be required within two years prior to the date fixed for the sale of parcels developed under this proposal.

In accordance with *11 AAC 67.825 Lease Application; Priority*; *11 AAC 67.835 (4) Lease Conditions*; and *11 AAC 67.840 Deposits, Refunds, and Credits*; lessees will be required to pay a deposit for the cost of surveying, platting, and appraising a staked and leased Remote Recreational Cabin Sites parcel. Current regulations provide two options for the survey: the lessee could either make quarterly payments or, if the Division determines it would be in the State's best interest, place a cash performance bond of \$1,000 to ensure the lessee's completion of survey, platting, and appraisal of the site on their own. Generally, it would not be cost-effective for either the Division or applicants to allow individual surveys in the same staking area where State-issued survey contracts are active. For this reason, the Division has not determined the cash performance bond option to be in the best interests of the State at this time. However, if a project area receives so few applications that a State-issued survey contract would not be cost-effective or if a separate survey contract is required to resolve platting issues, the Division may opt to offer the second option to lessees at the time of survey.

Other Constraints: The project area covers a large geographic area encompassing approximately 46,000 acres. All or a portion of the project area may be offered for staking. Lands surrounding the project area are generally owned by the State of Alaska, with lands owned by Doyon, Ltd. and Gana-A`Yoo, Limited Village Corporation to the northwest and northeast. State-owned lands are primarily used for hunting, trapping, and other recreational pursuits.

There are no other known constraints at the time of this Preliminary Decision. The Division will continue to research and identify constraints throughout the public comment period and up through the point of offering.

VII. Agency Comments

To gather comments and additional information, we conducted agency review of several projects simultaneously from February 16, 2011 through April 4, 2011. LSCAS sought additional consultation with the Division of Parks and Outdoor Recreation, Office of History and Archaeology after the agency review period. Those comments are summarized below. All comments pertaining to the Yuki project area, received during this period are addressed in the paragraphs below.

DNR Northern Region Division of Coastal and Ocean Management (DCOM) Comment: This project falls outside the Coastal zone.

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Proposed Land Offering in the Unorganized Borough
Yuki Remote Recreational Cabin Sites Project Area - ADL 419202
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DNR DMLW LSCAS Response: DNR DMLW appreciates your response. Of note, the Coastal and Ocean Management Program sunset in 2011 shortly after we completed Agency Review.

DNR Division of Geological & Geophysical Surveys (DGGS) Comment: There is discontinuous to continuous permafrost; fine-grained soils may have significant ice content. There is potential for seasonal flooding and erosion issues for parcels adjacent to streams.

Response: Offering materials will include statements regarding the existence of these conditions.

DGGS Comment: There are no mineral occurrences and no mining claims.

Response: DNR DMLW appreciates your response.

DNR Division of Parks and Recreation, Office of History and Archaeology (OHA) Comment: The Lewis Landing-Dishkaket Connecting Trail, identified on the project map as RST 129, is associated with the Iditarod National Historic Trail. Further research would be necessary to determine its relationship with the Lewis Landing – Dishkaket Trail indicated on the project map, but it seems likely the RST 129 is the older route and the other is its adapted route. Foreseeable impacts to the trail appear minimal, provided there is no significant disturbance that would alter its current condition and use, OHA has no concerns

Response: DNR DMLW appreciates your response.

OHA Comment: Mrs. Parson Roadhouse, established in 1910, was the first stopover from Lewis Landing. It lies within the proposed project area and OHA requests avoidance of the area.

Response: DNR DMLW will take the necessary steps to aid in the protection of this site.

OHA Comment: OHA also noted that State law prohibits the removal or destruction of cultural resources on lands owned or controlled by the State. Additionally, only a very small portion of the State has been surveyed for cultural resources and therefore, the possibility remains that previously unidentified resources may be located within the project area. As such, should inadvertent discoveries of cultural resources occur during the duration of the project, OHA shall be notified so that they may evaluate whether the resources should be preserved in the public interest (as specified at Section 41.35.070[d]).

Response: Should any such inadvertent discoveries be made during the development of this project, OHA will be notified. Additionally, LSCAS informs potential purchasers that they are required to notify OHA if any such discoveries are made.

State of Alaska, Department of Fish and Game (DFG), Division of Sport Fish (DSF) Comment: DFG provided the following general comments pertaining to all project areas:

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Proposed Land Offering in the Unorganized Borough

Yuki Remote Recreational Cabin Sites Project Area - ADL 419202

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DFG DSF Comment: All access points and trails should be clearly identified and noted on staking materials, plats, and conveyance documents. Poorly planned off-road vehicle (ORV) access routes will result in habitat degradation and braiding through stream and wetland areas.

Response: DNR DMLW recognizes that an increase in private property ownership could lead to an increase in backcountry travel and resource usage. As noted in the Access to, Within, and Beyond Project Area and Access To and Along Public or Navigable Waters subsections of this document, while some access across unreserved State-owned land is anticipated, it is beyond the scope of this decision to restrict access across unreserved State-owned land beyond *11 AAC 96.020 Generally Allowed Uses*.

DNR DMLW will continue to identify, and where feasible, reserve access across State-owned lands within the project area. DNR DMLW will accept public comment during the public comment period, including information on existing and proposed access. The offering brochure, staking map, staking packet, and supplemental information will describe any identified access routes and provide information about conditions and limitations, where available. Easements and reservations for individual parcels will be depicted on the survey plats.

Impacts on public access will be minimized by protecting public access along existing trails, to and along public water bodies, and along private parcel boundaries. See the Setbacks, Reserved Areas, and Easements subsection of this document for more information.

DFG DSF Comment: Schedule staking periods at times that do not overlap with open hunting seasons in the staking area.

Response: The Department recognizes that the staking period will be concurrent with some hunting seasons for big and small game. Due to the long duration of multiple overlapping hunting seasons, limiting the staking period to exclude those periods when hunting occurs would greatly decrease the opportunity for entrants to access the project area and stake a parcel. A longer, continuous staking period provides summer, fall, and winter access, and increases the ability to access the area and successfully stake a parcel.

DFG DSF Comment: Several of the proposed staking areas have streams catalogued by DFG in the Anadromous Waters Catalog (AWC). Proposed developments along these streams could adversely impact fish and wildlife resources and habitats. Any work conducted along these streams that occurs below the ordinary high-water (OHW) mark that may use, divert, obstruct, pollute, or change the natural flow or bed of a specific river, lake, or stream, or any activity that uses wheeled, tracked, or excavation in the bed of unnamed creeks will require a Fish Habitat Permit from the appropriate Division of Habitat office. DFG requests that DNR include this information in the staking packet so the public is aware of the permit.

Response: We include in the staking material the conditions that require a Fish Habitat Permit.

Preliminary Decision

Proposed Land Offering in the Unorganized Borough

Yuki Remote Recreational Cabin Sites Project Area - ADL 419202

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DFG DSF Comment: Require staking setbacks from all anadromous streams. Building setbacks are not adequate along anadromous streams. Riparian vegetation is important to fish and wildlife habitat and maintaining water quality and must be protected.

Response: Although DFG submitted this comment as a general concern for all proposed staking areas presented in this round of Agency Review, DFG also made an area-specific comment on the matter for this project area, which is addressed below.

DFG provided the following comments specific to the Yuki project area.

Comment: The Yuki River has been determined to be important for anadromous sheefish and resident whitefish habitat; therefore, DFG recommends a 100-foot staking setback from this river. This setback will provide a riparian buffer to maintain natural vegetation and support fish and wildlife habitat and water quality as well as prevent erosion. DFG also recommends a 50-foot public access easement be reserved along this river to ensure adequate sport fishing and public access opportunities.

Response: A building setback, rather than a staking setback, will sufficiently protect the riparian zone along the river as this disposal would be for low-density, dispersed settlement wherein the entirety of the shoreline will not be disposed out of State ownership under this proposal. Additionally, parcels with building setbacks are generally more marketable. In subsequent discussion after Agency Review, DFG agreed that building setbacks are sufficient to protect riparian habitat and anadromous streams for the Yuki project area. A continuous easement extending upland from the OHW mark will be reserved within parcels along waters determined to be public or navigable.

Comment: ORV access is available via RST 129, Dishkakot - Lewis Landing Trail, in the summer and winter. There should be a staking setback from the trail so settlement does not interfere with activities along the trail.

Response: We concur and plan to impose a staking setback from the trail in order to protect public access along the trail (refer to the *Easements* subsection of this document for more information).

Comment: Residents of Ruby and Galena should be contacted to ensure that there will be no conflict between trapping activities and cabin locations.

Response: Both communities will receive Public Notice concerning the project; therefore, any trappers within these communities should become aware of the project. The use of State-owned land does not entitle the user to preferential use of the land and existing trails (including trap lines) will be subject to an easement as described in the Setbacks, Reserved Areas, Easements subsection of this document.

Comment: DFG concurs with all other easements and setbacks as described in the Agency Review notice.

Response: DNR DMLW appreciates your response.

Preliminary Decision

Proposed Land Offering in the Unorganized Borough
Yuki Remote Recreational Cabin Sites Project Area - ADL 419202
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Other Agencies: The following agencies or groups were invited to participate in Agency Review but we did not receive any comments in response:

- State of Alaska
 - Department of Natural Resources;
 - Division of Agriculture;
 - Division of Oil and Gas;
 - Office of Project Management and Permitting;
 - Mental Health Trust Land Office;
 - Department of Commerce, Community, and Economic Development; and
 - Department of Environmental Conservation; and
 - Department of Transportation and Public Facilities.

VIII. Submittal of Public Comments

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

Pursuant to *AS 38.05.945 Notice*, the Department will issue public notice inviting comment on this Preliminary Decision and any Related Actions. If commenting on more than one proposed action, separate comments should be submitted for each.

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

The Division will consider all timely, written comments. If the comments indicate the need for significant changes to the Preliminary Decision or any Related Actions, 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 Division responses, will be issued as a subsequent Final Finding and Decision without further notice. The Related Actions, if any, will be developed as separate actions. Approval of the primary and any related actions is dependent upon one another. One action will not proceed without approval of the subsequent actions.

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.

Preliminary Decision

Proposed Land Offering in the Unorganized Borough
Yuki Remote Recreational Cabin Sites Project Area - ADL 419202
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DEADLINE TO SUBMIT WRITTEN COMMENT IS 5:00 p.m., MARCH 18, 2014

IX. Alternatives and Discussion

The Division is considering the following alternatives:

1. Offer this project area, or a portion of the project area, for dispersed settlement staking under the Remote Recreational Cabin Sites program as proposed. Offer additional surveyed parcels identified by the Division after the staking period closes or staked parcels that were not converted from lease to sale under *AS 38.05.045 Generally [Sale of Land]*. The number of staked and additional surveyed parcels will not exceed the total number of authorizations offered, or the total number of acres to be sold.
2. Do not offer the project area for staking under the Remote Recreational Cabin Sites program. Survey parcels as a planned subdivision prior to offering at public auction through the Subdivision Sales program in a more compact development.
3. Do not offer the area at this time. Retain the land in public ownership.

Alternative 1 is the alternative that maximizes public interest. In accordance with Yuki Land Planning Report and Classification Order C-NC-82-058, the area is classified Private Recreation (Settlement via *11 AAC 55.277 Existing Classifications*). This offering provides a desirable opportunity to obtain remote property. There are very few opportunities to obtain private land in the vicinity of this offering.

Allowing additional parcels and parcels that are not converted from lease to sale to be surveyed and sold under *AS 38.05.045 Generally [Sale of Land]* will maximize the opportunities for the transfer of State-owned land into private ownership under a uniform set of conditions. Dispersed, low density staking is the best alternative for this settlement area since it is a remote location with little or no infrastructure; the amount of contiguous high-quality acreage suitable for a large number of adjacent sites is low due to varying topography; and entrants may choose individual sites within the staking area that suit their needs.

Alternative 2 is not preferred. High-quality sites suitable for individual settlement are discontinuous within the project area. There are few large areas with contiguous and high-quality acreage that could accommodate large numbers of adjacent parcels with suitable building sites and consolidated access.

Alternative 3 is not preferred. The Legislature and the public have indicated a desire for the Division to offer remote State-owned land for private ownership. Not offering the project area would deny many Alaskans the opportunity to stake and obtain land in an area that has been classified for this purpose.

Recommendation follows.

Preliminary Decision

Proposed Land Offering in the Unorganized Borough
Yuki Remote Recreational Cabin Sites Project Area - ADL 419202
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X. Recommendation

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

/s/

Prepared by Blair French
Natural Resource Specialist II
Remote Recreational Cabin Staking Program
Land Sales and Contract Administration Section
Division of Mining, Land, and Water
Department of Natural Resources
State of Alaska

February 10, 2014

Date

/s/

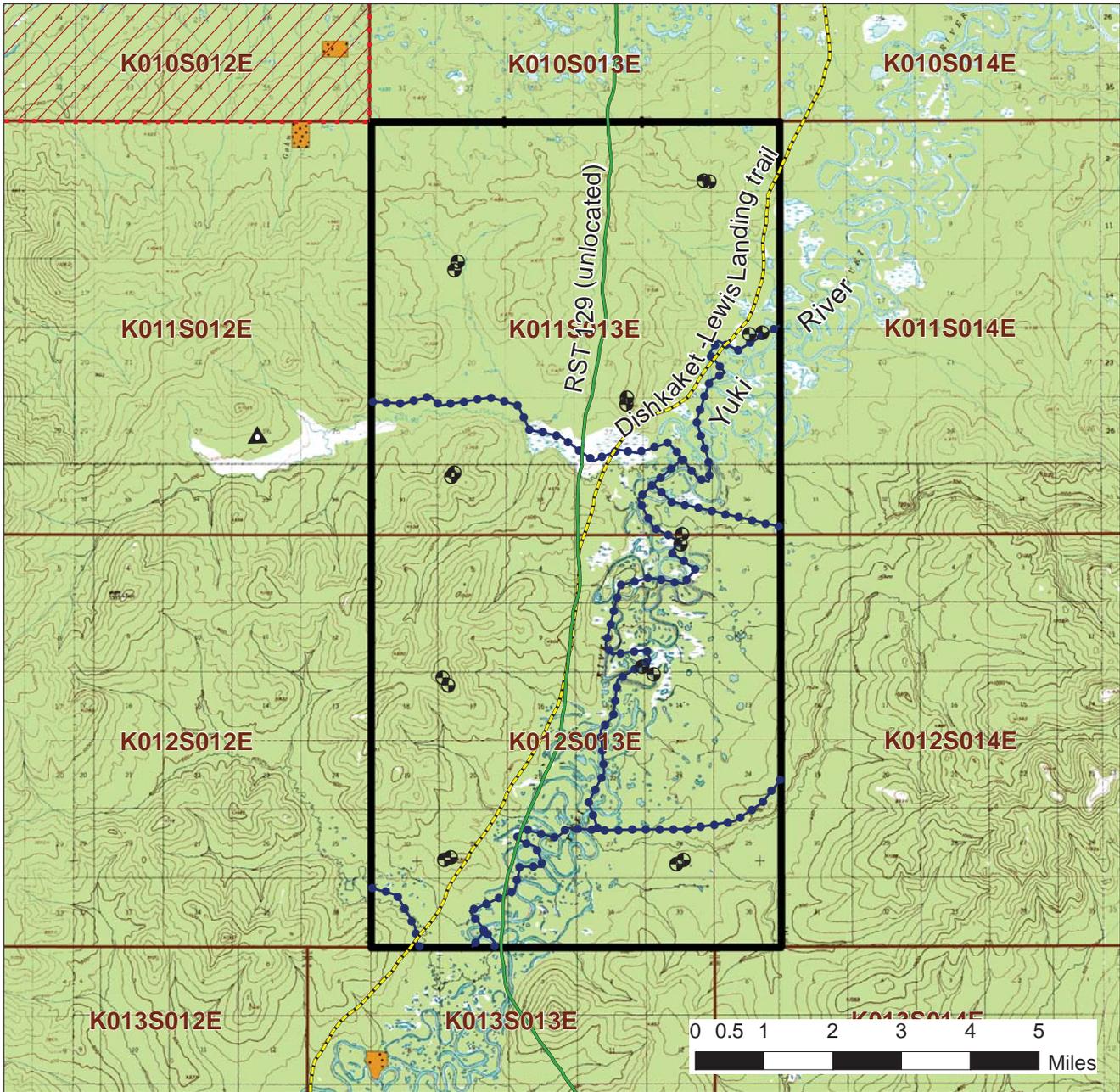
Approved by Kathryn Young
Section Manager
Land Sales and Contract Administration Section
Division of Mining, Land, and Water
Department of Natural Resources
State of Alaska

February 10, 2014

Date



Attachment A: Vicinity Map - Yuki



Ref: 2/10/2014
Yuki_PD.mxd

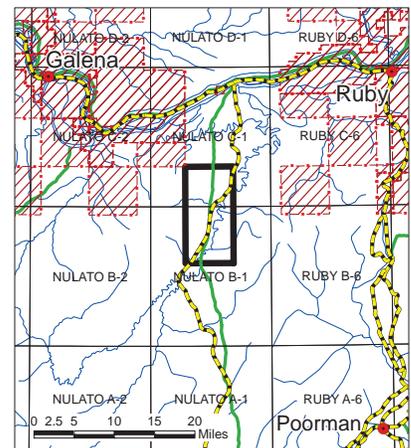
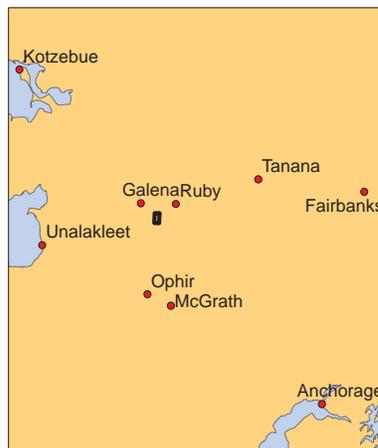
- Survey Monument
- RST 129 (unlocated)
- Dishkaket - Lewis Landing Trail
- Public Water
- Native-owned lands
- Private Land
- Proposed Project Area

N
Magnetic Declination
16.15 Degrees
As of July 2013

USGS QUAD 1:63,360 Nulato B-1, C-1

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 private parcels or show all easements and reservations. Source documents remain the official record and should be reviewed prior to staking.

Maximum parcel size: 20 acres Minimum parcel size: 5 acres
Staking authorizations: 60
For more information contact: Blair French - 907-451-3011
or call the Fairbanks Public Information Office - 907-451-2714



**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 Unorganized Borough
Yuki Remote Recreational Cabin Sites Project Area - ADL 419202**
AS 38.05.045, and AS 38.05.600

| Offering Information | |
|--|---|
| Proposed Number of Authorizations | 60 |
| Parcel Size | 5 to 20 acres |
| Net Offering | Up to 1,200 acres |
| Proposed Related Actions | Mineral Order (Closing) for approximately 46,000 acres |
| Project Area | |
| Location | The location for this offering is within the Yuki River drainage, about 20 miles southeast of Galena and about 23 miles southwest of Ruby and south of the Yukon River. |
| Gross Project Area | 46,000 acres, more or less |
| USGS Topography Map | Nulato B-1, C-1 |
| MTRS | Township 11 South, Range 13 East, and Township 12 South, Range 13 East, Kateel Meridian |
| Title | Patented State-owned land |
| Area Plan | The area is classified Private Recreation through C-NC-82-058 as a site-specific plan |
| Mineral Orders | MCO 320 in 1982, MOO 686 in 1994, proposed MO(C) as a related action. See Section I: Proposed Actions of this document. |
| Physical Characteristics | |
| Access | Along RST 129 (Dishkaket - Lewis Landing Trail) overland by all-terrain vehicle in summer and snow machine in winter, and by boat on the Yuki River up to the forks (south of the project area). Note that overland summer access is limited by wet trail conditions. Best access is by boat or snow machine. |

Attachment B: Area Data Summary Table

Yuki Remote Recreational Cabin Sites Project Area - ADL 419202

| | |
|--|--|
| Terrain and Major Features | The terrain is flat to hilly, dissected by several river and creek drainages. Elevations range from 175 feet to 1,000 feet above sea level. |
| View | The view is surrounding hills, mountains, and valley bottoms. |
| Climate | Average January temperature is -10F, average July temperature is 60F. Average annual precipitation is 13 inches with 63 inches of snow. This data was collected from the Galena Weather Station (~20 miles NW) as reported on the Western Regional Climate Center website. |
| Soils | Soils are poorly-drained loamy soils with shallow permafrost in valley bottoms or well-drained, silty soils on natural levees bordering rivers. Well-drained soils occur on steep, south-facing slopes, with poorly-drained soils on steep, north-facing slopes. |
| Vegetation | The vegetation is low tundra plants, shrubs, and stunted black spruce in the lower areas, with willows, cottonwoods, and white spruce along the riparian zones and birch, aspen and white spruce in the mountainous areas. |
| Water Source | Drainages and lakes provide surface water within the staking area. Water quality is unknown. |
| Anadromous Waters | Yuki River |
| Local Management Information | |
| Fire Management Option | Limited |
| Game Management Unit | 21D |
| Local Authority | The project area is within the Unorganized Borough and the State of Alaska is the platting authority |
| Flood Zone | FEMA Flood Insurance Rate Maps are not available for the project area |
| Utilities | None known |
| Waste Disposal | All on-site, wastewater disposal systems must meet the regulatory requirements of the State of Alaska, Department of Environmental Conservation. |
| Setbacks, Reserved Areas, Easements, and Conditions | |
| Allowed Uses | Remote Recreational Cabin Sites are for recreational use only. No commercial use or permanent residence is allowed while being staked or leased. However, once the parcel is under purchase contract or conveyed into private ownership these restrictions will no longer apply. |
| Improvements | Prior to construction of any structure or waste disposal system, stakers will be instructed to 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 OHW mark of water bodies determined to be public or navigable. Water-dependent structures may be allowed within the building setback. |

Attachment B: Area Data Summary Table

Yuki Remote Recreational Cabin Sites Project Area - ADL 419202

| | |
|--|---|
| Staking Setbacks | There will be a 100-foot staking setback along the known trail through the staking area (Dishkaket - Lewis Landing Trail). |
| Reserved Areas | Reserved area(s) to protect any historic or archeological site located within the staking area. There are no reserved areas identified at this time. |
| Public Access and Utility Easements | Parcels created through this offering may be subject to the following: <ul style="list-style-type: none">• 100-foot access easement centered on RST 129;• 60-foot access easement centered on existing trails that are not assigned an ADL or RST number (or otherwise serialized) through and along staked parcels;• 100-foot easement centered on any surveyed or protracted section lines;• 30-foot public access and utility easement along all interior parcel lines;• 5-foot easement from the nearest practical point on the property boundary to control monuments within the parcel and an easement with a radius of 5 feet around the control monument, and as applicable, a 5-foot wide direct line-of-sight easement from the control station to an azimuth mark or other control monument.• 50-foot continuous public access easement, where practical, upland from the OHW mark of public or navigable water bodies per <i>AS 38.05.127 Access to Navigable and Public Waters</i>. |
| Public or Navigable Water Bodies | Waters determined public or navigable are depicted on Attachment A: Vicinity Map. Public comments will be reviewed and considered during the decision process to determine which water bodies appear to be public or navigable prior to offering staking or surveying parcels. Additional determinations may be made when the staked parcels are surveyed, with leases written subject to those findings and final patent conveyance applying setbacks and reservations to areas adjacent, as provided throughout this proposal. |
| Additional Information | |
| Native Regional Corporations | Doyon, Ltd. is the regional corporation for the Yuki project area. |
| Villages and Tribal Councils | The villages of Galena and Ruby are located within 25 miles of the project area; therefore notification will be distributed to Gana-a 'Yoo Limited and Dineega Corporation village corporations in these villages, who potentially pursue traditional uses within the project area. |
| Oil and Gas Activity | None identified |
| Mining Activity | None identified. The nearest mining activity is located approximately 13 miles east of the project area. |

ATTACHMENT C: PUBLIC NOTICE

STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES DIVISION OF MINING, LAND, AND WATER LAND SALES AND CONTRACT ADMINISTRATION SECTION

PUBLIC NOTICE

Preliminary Decision of Proposed Land Offering:
Yuki Remote Recreational Cabin Sites Project Area - ADL 419202

Proposed Related Actions:
Mineral Order (closing)

COMMENT PERIOD ENDS 5:00 p.m., TUESDAY, MARCH 18, 2014.

The Division proposes to offer authorizations to stake parcels under *AS 38.05.600 Remote Recreational Cabin Sites*. Additional parcels may be surveyed and offered under *AS 38.05.045 Generally [Sale of Land]*.

The Yuki project area is approximately 260 miles west of Fairbanks, 20 miles southeast of Galena, and 23 miles southwest of Ruby south of the Yukon River. The Yuki project area is within Township 11 South, Range 13 East, Township 12 South, Range 013 East, Kateel Meridian, within the Unorganized Borough and encompassing approximately 46,000 acres. There are 60 authorizations proposed for this offering. A mineral order closing the area to mineral entry is proposed.

To obtain the notice, Preliminary Decision, or instructions on submitting comment, or to request auxiliary aids, services, or special accommodations, go to <http://notice.alaska.gov> or <http://landsales.alaska.gov>. For assistance in obtaining the documents by an alternative method, contact DNR's Public Information Centers on State work days, Monday through Friday, between 10 AM and 5PM in Anchorage at 907.269.8400 (TDD for the hearing impaired: 907.269.8411) or Fairbanks at 907.451.2705 (TDD for the hearing impaired: 907.451.2770), or the Southeast Land Section in Juneau at 907.465.3400 (TDD for the hearing impaired: 907.465.3888), or go to <http://dnr.alaska.gov/commis/pic/> for additional contact information. Individuals who require special assistance must request assistance from the Public Information Center in Anchorage no later than 4:00 PM, March 10, 2014.

Pursuant to *AS 38.05.945 Notice*, the public is invited to submit comment on these proposed actions for which notice is being conducted concurrently. If commenting on more than one of the proposed actions, separate comments should be submitted for each. **The deadline to submit written comment is 5:00 PM, TUESDAY MARCH 18, 2014.** Only persons from whom DNR DMLW LSCAS receives timely, written comment during the identified comment period will be eligible to file an appeal of the Final Finding and Decision. Written comment may be received by fax, email or postal mail. To submit comments or for direct inquiries, contact Blair French, 3700 Airport Way, Fairbanks, AK 99709 fax # 907.451.2751, dnr.rccs@alaska.gov. If you have questions, call 907.451.3011.

Attachment C: Public Notice

Yuki Remote Recreational Cabin Sites Project Area - ADL 419202

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

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