

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

**Proposed Reconveyance of an  
Alaska Native Allotment in the Unorganized Borough**

**PRELIMINARY DECISION**

**ADL 419419  
BLM F 002401**

**PUBLIC COMMENT PERIOD ENDS 3:00 P.M., TUESDAY, AUGUST 12, 2025**

**I. Proposed Action**

*Preliminary Decision:* Winefred Cambl Native Allotment – ADL 419419

*Attachment A:* Vicinity Map

*Attachment B:* Public Notice

*Attachment C:* U.S.R.S. F4S8W Retracement and Survey, Tract 38

Proposed Action: The primary proposed action of this Preliminary Decision (PD) of the State of Alaska (State), Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), Land Conveyance Section (LCS) is to voluntarily reconvey to the United States of America, Tract 38, U.S.R.S. F4S8W Retracement and Survey, containing 82.62 acres, more or less, of wrongfully conveyed state land. See *Attachment A:* Vicinity Map for a depiction of the project area.

The subject parcel is an Alaska Native allotment, Bureau of Land Management (BLM) Serial No. F 002401 claimed by Winefred Cambl (deceased). The claim is being settled in accordance with the Stipulated Procedures for Implementation of Order approved by the Court to implement the decision in *Ethel Aguilar v. United States of America*, 474 F. Supp. 840 (D. Alaska 1979) (herein cited as *Aguilar*) and Alaska Statute (AS) 38.05.035(b)(9) Powers and Duties of the Director.

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

**II. Authority**

This reconveyance is being adjudicated pursuant to AS 38.05.035(b)(9) Power and Duties of the Director, AS 38.05.830 Land Disposal in the Unorganized Borough, and the settlement authority of the Attorney General in accordance with *Aguilar*.

## **Preliminary Decision**

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### **III. Administrative Record**

The DNR case file ADL 419419 and BLM case file F 002401 constitutes the administrative record for this proposed action. Also incorporated by reference are:

- Yukon-Tanana Area Plan (YTAP, adopted January 3, 2014) and associated land classification files; and
- DNR case file MH 32.

### **IV. Scope of the Proposal**

The scope of this proposal, under the statutes described in the preceding **Section II. Authority**, is limited and specific to DNR DMLW's proposal to voluntarily reconvey this land to the United States of America in accordance with the Stipulated Procedures for Implementation of Order approved by the Court to implement the decision in *Aguilar* and AS 38.05.035(b)(9) Powers and Duties of the Director, and whether the reconveyance should be made subject to any stipulations to best serve the interests of the public and the State.

### **V. Location**

Located in DNR's Northern Region and the Unorganized Borough, the subject parcel is on an island in the Tanana River near MP 307, Parks Highway, and within Sections 3 and 10, Township 4 South, Range 8 West, Fairbanks Meridian. The subject parcel consists of 82.62 acres, more or less, identified for reconveyance by this proposed action. See *Attachment A: Vicinity Map* for a depiction of the subject parcel.

*USGS Map Coverage:* Fairbanks C-5

*Borough/Municipality:* Unorganized Borough

*Native Councils and Corporations:* The subject parcel is within the boundaries of Doyon Regional Corporation. Nenana, Anderson, and Clear are within 25 miles of this proposed action. Notice will be sent to the Nenana Native Association, Nagamut Limited, Toghotthele Corporation, and Tanana Chiefs Conference.

### **VI. Legal Description**

Tract 38, U.S.R.S. Township 4 South, Range 8 West Retracement and Survey, Alaska, according to the plat accepted by the United States Department of the Interior, Bureau of Land Management, Anchorage, Alaska, on April 18, 2019, and officially filed on January 27, 2020, containing 82.62 acres, more or less.

Situated in the Nenana Recording District.

### **VII. Title**

The State received title to the land on May 24, 1963, under Patent 1232047. The State file is MH 32 (BLM F 024515). No third-party interests were identified. The parcel is subject to the reservations, easements, and exceptions contained in Patent 1232047 dated May 24, 1963. A title report has been requested; if any concerns are discovered, they will be addressed in the FFD.

This allotment sits on original mental health grant land and was listed in the 1996 Native Allotment Procedure Memo between the Trust Land Office (TLO) and DNR. This procedure

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memo was issued to comply with the terms of the 1994 Court Settlement Agreement and DNR's Department Order 142. This allotment is listed in this 1996 memo as Native allotment acreage. Therefore, TLO has already received compensation acreage for this allotment and will not receive any additional acreage.

*Acquisition:* The State filed selection application MH 32 (BLM F 024515) for Township 4 South, Range 8 West, Fairbanks Meridian on November 30, 1959.

*Restrictions:* The Patent is subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved a right-of-way thereon for ditches or canals constructed by the authority of the United States under the Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945, and also reserved to the United States a right-of-way for the construction of railroads, telegraph and telephone lines, as prescribed and directed by the Act of March 12, 1914 (38 Stat. 305).

## **VIII. Background**

The following events for this case are:

- Winefred Cambl began her use and occupancy of the subject lands in 1923 according to documentation in DNR case file ADL 419419.
- The Native allotment application was filed on November 20, 1931.
- The State filed selection application MH 32 for Township 4 South, Range 8 West, Fairbanks Meridian on November 30, 1959, and received title by Patent on May 24, 1963.
- BLM determined Native allotment application F 002401 valid on October 16, 1991.
- The State received a request for reconveyance on October 16, 1991.
- BLM surveyed the 82.62-acre parcel and issued U.S.R.S F4S8W Retracement and Survey, Tract 38 in 2020.

## **IX. Planning, Classification, and Mineral Orders**

1. *Planning:* The subject parcel is located within the Kantishna Region of the Yukon-Tanana Area Plan adopted on January 3, 2014. The parcel does not have a unit number, is undesignated and therefore unclassified.
2. *Land Use Classification:* The subject parcel is unclassified. As this reconveyance falls under AS 38.05.035(b)(9) Powers and Duties of the Director, and pursuant to AS 38.05.035(c) Powers and Duties of the Director, this parcel of land may be reconveyed without classification or reclassification under AS 38.05.300 Classification of Land.
3. *Mineral Order:* The parcel is not subject to a mineral order.
4. *Local Planning:* This parcel does not exist within any local planning unit.

## **X. Traditional Use Finding**

In accordance with AS 38.05.830 Land Disposal in the Unorganized Borough, a traditional use finding is required if the subject parcel is within the Unorganized Borough. This parcel is within the Unorganized Borough, and a traditional use finding is required. Information on traditional use is welcome during the public comment period and if this proposal is approved, LCS will

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address the information received in a subsequent FFD. See the **Section XVI. Submittal of Public Comments** at the end of this document and *Attachment B: Public Notice* for details on how to submit comment.

### **XI. Access, including Access To and Along Public or Navigable Water**

*Public Access:* This parcel has water access via the Tanana River, which is a navigable waterway.

*Access To and Along Public or Navigable Waters:* In accordance with AS 38.05.127 Access To Navigable or Public Water, DNR will determine if a water body is navigable or public and establish easements or rights-of-way as necessary to ensure unobstructed access to and along the body of water. Regulations dictating the creation of easements or rights-of-way under this statute include 11 AAC 51.035 Determination of Navigable and Public Water, 11 AAC 51.045 Easements To and Along Navigable and Public Water, and 11 AAC 53.450 Buffer Strips, Reserved Areas, and Public Easements.

The subject parcel sits on an island in the Tanana River, which has been determined to be navigable. A review of the subject parcel, the surrounding area, and land ownership shows private land on the south end of the island, the surrounding islands, and along both banks of the Tanana River. Therefore, as allowed by 11 AAC 51.045 Easements To and Along Navigable and Public Water in these circumstances, the AS 38.05.127 Access To Navigable or Public Water easement will not be imposed on the subject parcel.

*Easements and Setbacks:* Under AS 19.10.010 Dedication of Land for Public Highways, the application of a 50-foot section line easement is required on all protracted or surveyed section or township lines on State land. There are no provisions under the law to exclude this 50-foot section line easement dedication at conveyance or reconveyance back to the federal government. However, an affected landowner may, under 11 AAC 51.065 Vacation of Easements, file a request with DNR to vacate, modify, or relocate a section line easement.

The section lines within this parcel are surveyed. Hence, the exact location of the section line easements can be identified. The estimated location of these easements is shown on *Attachment A: Vicinity Map*.

There are two RS2477 trails in the near vicinity of this parcel, RST 152, Nenana-Tanana Trail, and RST 264, Nenana-Minto Trail. However, neither trail impacts the subject parcel.

The reconveyance will except, reserve, or be subject to the reservations brought forth by the public notice, if any, and the following:

Subject to:

- (a) A right-of-way easement fifty (50) feet in width along each side of the surveyed section line common to Sections 3 and 10, Township 4 South, Range 8 West, Fairbanks Meridian, pursuant to AS 19.10.010 Dedication of Land for Public Highways, 11 AAC 51.025 Section Line Easements, and AS 19.25.010 Use of Rights-of-way for Utilities;
- (b) An easement fifty (50) feet in width for public access, upland, abutting, and running in common with the ordinary high-water mark along the

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Tanana River within Tract 38, U.S.R.S. F4S8W Retracement and Survey, Sections 3 and 10, Township 4 South, Range 8 West, Fairbanks Meridian, Alaska, pursuant to AS 38.05.127 Access to Navigable and Public Water, 11 AAC 51.045 Easements To and Along Navigable and Public Water; and

- (c) All other valid existing rights, including reservations, and exceptions in the U.S. Patent, or other state or federal conveyance, and in acts authorizing the issue thereof; easements, rights-of-way, covenants, conditions reservations, notes of the plat, and restrictions of record, if any.

### **XII. Reservation of the Mineral Estate**

The Division of Oil and Gas (DOG) and DMLW have determined that it is not in the State's best interest to retain the mineral estate. The mineral estate will not be retained pursuant to AS 38.05.035(e) Powers and Duties of the Director. The State will receive an acreage credit for the lands.

### **XIII. Hazardous Materials and Potential Contaminants**

The Department of the Interior, BLM, is expected to inspect the parcel and familiarize itself with the condition and quality of the land. 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 reconveyance. The State does not assume any liability for the removal of hazardous substances, hazardous wastes, contaminants, or pollutants, nor for the remediation of the site should such substances ever be identified.

### **XIV. Survey**

The parcel is adequately surveyed for reconveyance to the United States of America. See *Attachment C: U.S.R.S. F4S8W Retracement and Survey, Tract 38.*

### **XV. 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 April 23, 2024, to May 16, 2024. 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 FFD.

DNR DMLW LCS received brief comments of non-objection from the following agencies:  
DNR Division of Parks and Outdoor Recreation and Alaska Department of Environmental Conservation.

*DNR DMLW LCS response:* Thank you for your review of this reconveyance.

Comments from DNR Division of Oil and Gas: DOG has no objection. There are no third-party interests. DOG does not request reservation of the mineral estate as the energy potential around the parcel is minimal to low for gas and none for oil and geothermal.

*DNR DMLW LCS response:* Thank you for the information. The mineral estate will not be reserved.

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

- DNR Division of Agriculture
- DNR Division of Forestry and Fire Protection
- DNR Division of Geological and Geophysical Surveys
- DNR State Historical Preservation Office
- Alaska Department of Fish and Game
- Alaska Department of Transportation and Public Facilities
- US Fish and Wildlife Service

### **XVI. Submittal of Public Comments**

**See *Attachment B: Public Notice* for specific dates and conditions.**

Pursuant to AS 38.05.945 Notice, LCS 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) Hearings 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.

LCS 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 any of the proposals 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 LCS responses will be issued as a subsequent Final Finding and Decision, without further notice.

Only persons from whom DNR DMLW LCS receives timely, written comment during the identified comment period will be eligible to file an appeal of the FFD. Upon approval and issuance of a FFD, a copy of the decision will be made available online at <http://dnr.alaska.gov/mlw/landsales/public-notice/> or <https://aws.state.ak.us/OnlinePublicNotices/> 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 DNR's Public Information Center. For more information, refer to *Attachment B: Public Notice*.

**DEADLINE TO SUBMIT WRITTEN COMMENT IS  
3:00 P.M., TUESDAY, AUGUST 12, 2025**

### **XVII. Alternatives**

The following alternatives were considered:

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### Alternative 1: Reconvey

Reconvey the land to the United States subject to the reservations, exceptions, and restrictions as stipulated in **Section XI. Access, Including Access To and Along Public or Navigable Water**. This will allow the Native allottee to obtain title to the land while the State will retain public access on the property as prescribed by statute and thus avoid title recovery litigation by the federal government. Therefore, it is in the best interest of the State to reconvey the parcel as proposed in this decision, and this is the preferred alternative.

### Alternative 2: Retain

Retain ownership and withhold reconveyance. DNR currently does not have a persuasive reason to pursue this option. This alternative may lead to title recovery litigation brought by the United States on behalf of the Native allottee, thus subjecting the State to an uncertain expenditure of resources and an uncertain result of litigation. This alternative is not preferred.

In accordance with the Stipulated Procedures for Implementation of Order in *Aguilar*, BLM reviewed and determined Ms. Cambi's Native allotment application to be valid on October 16, 1991. Based on documentation within BLM's case file and subsequent comments received from agency review, LCS has found no legal reason for denying this reconveyance subject to public notice and a final decision.

For the reasons outlined above, Alternative 1 is the preferred alternative.

*Recommendation follows.*

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### XVIII. Recommendation

This Preliminary Decision for the proposed reconveyance of state lands described throughout this document and its attachments may be within the State's best interest. Reconveyance under the conditions in Alternative 1 is preferable to title recovery litigation. The State's reconveyance will allow the BLM to transfer title of the land to the Native allottee and will eliminate any further title recovery action. As represented by the preferred alternative, the PD described above has been reviewed and considered. I find that the recommended action is 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 reconveyance of state lands. If the decision is approved, a Final Finding and Decision may be issued.



July 1, 2025

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Recommended by: Kathryn Young  
Native Allotment Coordinator  
Land Conveyance Section  
Division of Mining, Land and Water  
Department of Natural Resources  
State of Alaska

Date



July 1, 2025

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Approved by: Hannah Uher-Koch  
Section Chief  
Land Conveyance Section  
Division of Mining, Land and Water  
Department of Natural Resources  
State of Alaska

Date



# Attachment A: Vicinity Map

## Winefred Cambl Native Allotment, ADL 419419 / BLM F 002401

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



### Section 3 and 10, Township 4 South, Range 8 West, Fairbanks Meridian

USGS Quad 1:63,360 Fairbanks C-5

For more information contact:

Kathryn Young

Department of Natural Resources

Division of Mining, Land and Water

Land Conveyance Section

Phone: 907-269-8574

Fax: 907-269-8916

Email: [kathryn.young@alaska.gov](mailto:kathryn.young@alaska.gov)



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

**ATTACHMENT B: PUBLIC NOTICE**

**Requesting Input for Proposed  
Native Allotment Reconveyance - ADL 419419  
AS 38.05.035(b)(9)**

**COMMENT PERIOD ENDS 3:00 P.M., TUESDAY, AUGUST 12, 2025**

The Alaska Department of Natural Resources (DNR), Division of Mining Land and Water (DMLW), Land Conveyance Section (LCS) is conducting a public notice to reconvey the following erroneously conveyed State land to the United States of America for conveyance to the Native allotment applicant. The parcel of land is on an island in the Tanana River, near PM 307, Parks Highway. The legal description for the parcel is Tract 38, USRS F4S8W Retracement and Survey, Alaska, according to the plat accepted by the United States Department of the Interior, Bureau of Land Management, Anchorage, Alaska, on April 18, 2019, and officially filed on January 27, 2020, containing 82.62 acres, more or less.

To obtain the notice, Preliminary Decision (PD), or instructions on submitting comment, go to <http://dnr.alaska.gov/mlw/landsales/public-notice/> or <https://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 8:30 a.m. and 4:00 p.m. in Anchorage at (907) 269-8400 or Fairbanks at (907) 451-2705 or the Southeast Land Office in Juneau at (907) 465-3400 or TTY: 711 for Alaska Relay or 1-800-770-8973 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 p.m., Tuesday, August 5, 2025.

Pursuant to AS 38.05.945 Notice, the public is invited to submit comments on the Preliminary Decision. **The deadline for public comment is 3:00 p.m., TUESDAY, AUGUST 12, 2025.** Only persons from whom DNR DMLW LCS receives timely, written comment during the identified comment period will be eligible to file an appeal of the Final Finding and Decision (FFD). Written comment may be received by fax, email, or postal mail. To submit comments or for direct inquiries, contact Kathryn Young by mail at 550 West 7<sup>th</sup> Ave, Suite 640, Anchorage, AK 99501 or by fax at (907) 269-8916 or by email at [kathryn.young@alaska.gov](mailto:kathryn.young@alaska.gov). If you have questions, call Kathryn Young at (907) 269-8574.

If no significant change is required, the PD, including any minor changes and a summary of comments and responses, will be issued as the FFD, without further notice. A copy of the FFD will be sent to any persons who commented timely on the PD.

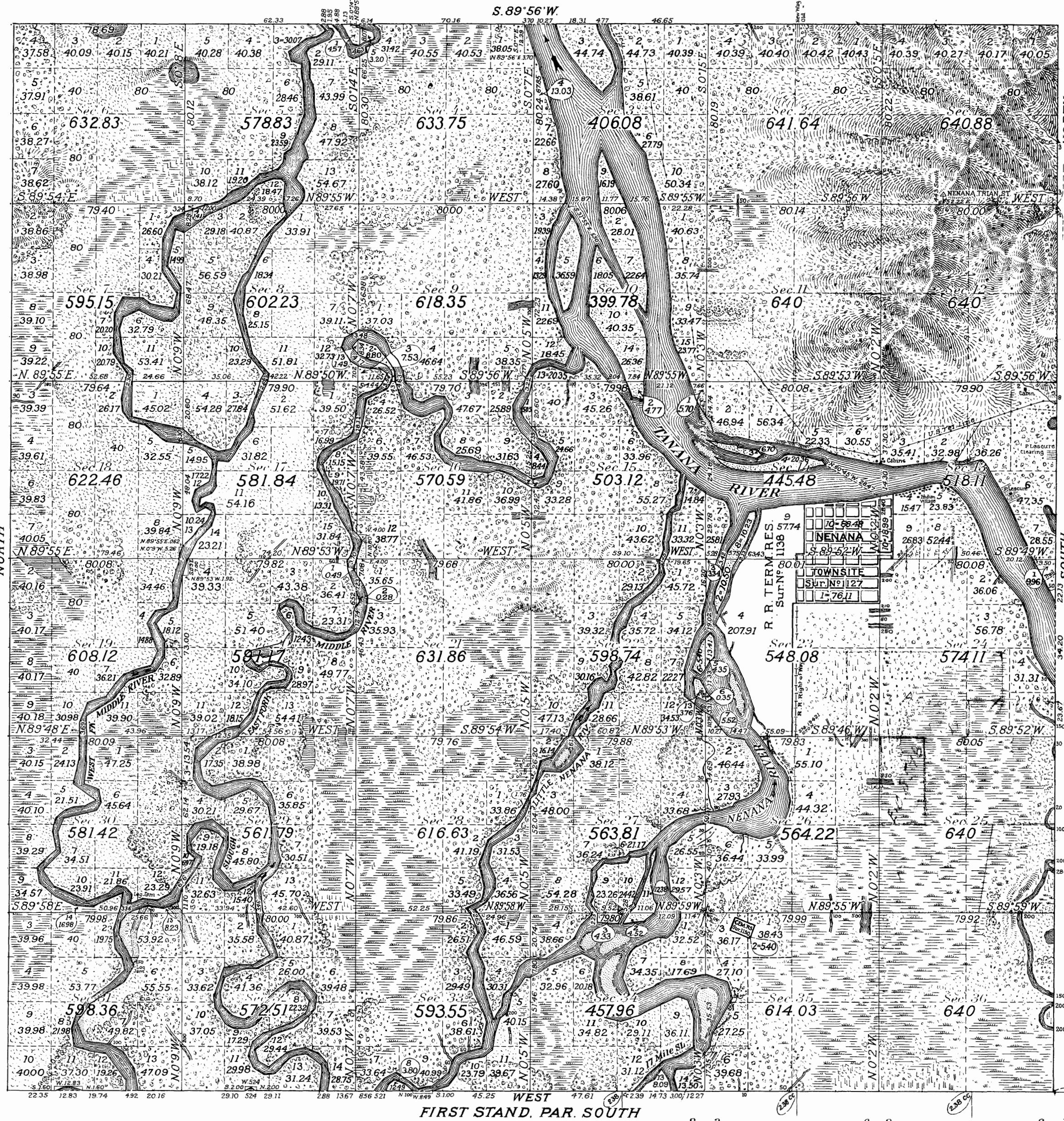
DNR reserves the right to waive technical defects in this notice.

Attachment C: Page 1 of 2

Township N<sup>o</sup> 4 South, Range N<sup>o</sup> 8 West of the Fairbanks Meridian, Alaska.

Survey Accepted March 20, 1918 - G.L.O.

G F E D C B A



Lat: 64° 36' 13" N.  
Long: 149° 03' W.

Areas in Acres	
Public Land	20,372.85
U.S. R.R. Reservation	265.65
Townsite	183.58
Cemetery	5.40
Water Surface	2209.35
Total Area	23036.83

Scale 40 Chains to an inch

Mean Magnetic Declination

Surveys Designated	By Whom Surveyed	Group		Amount of Surveys			When Surveyed	
		No.	Date	Mls.	chs.	lks.	Begun	Completed
North boundary		1	May 6, 1916	5	78	69	May 27, 1916	Sept. 20, 1916
South " 1 <sup>st</sup> St. Par. South	Woodbury Abbey, U.S.S.			6	00	00	"	"
East "	E.T. Calvin, U.S.T.			6	00	00	"	"
West "				6	00	00	"	"
Subdivisional lines				59	78	78	"	"
Meanders				91	63	81	"	"
Connections				00	33	97	"	"

The above map of Township No. 4 South, Range No. 8 West of the Fairbanks Meridian Alaska is strictly conformable to the field notes of the survey thereof on file in this office, which have been examined and approved

U. S. Surveyor General's Office.  
Juneau, Alaska, January 31, 1918

Charles E. Davidson  
Surveyor General.

TOWNSHIP 4 SOUTH, RANGE 8 WEST, OF THE FAIRBANKS MERIDIAN, ALASKA  
RETRACEMENT AND SURVEY

The history of surveys is contained in the field notes.

This plat and the field notes represent the retracement of a portion of the line between sections 3 and 10, and a portion of the Water's Edge Subdivision, and the survey of the meanders of Tract 38, Township 4 South, Range 8 West, of the Fairbanks Meridian, Alaska.

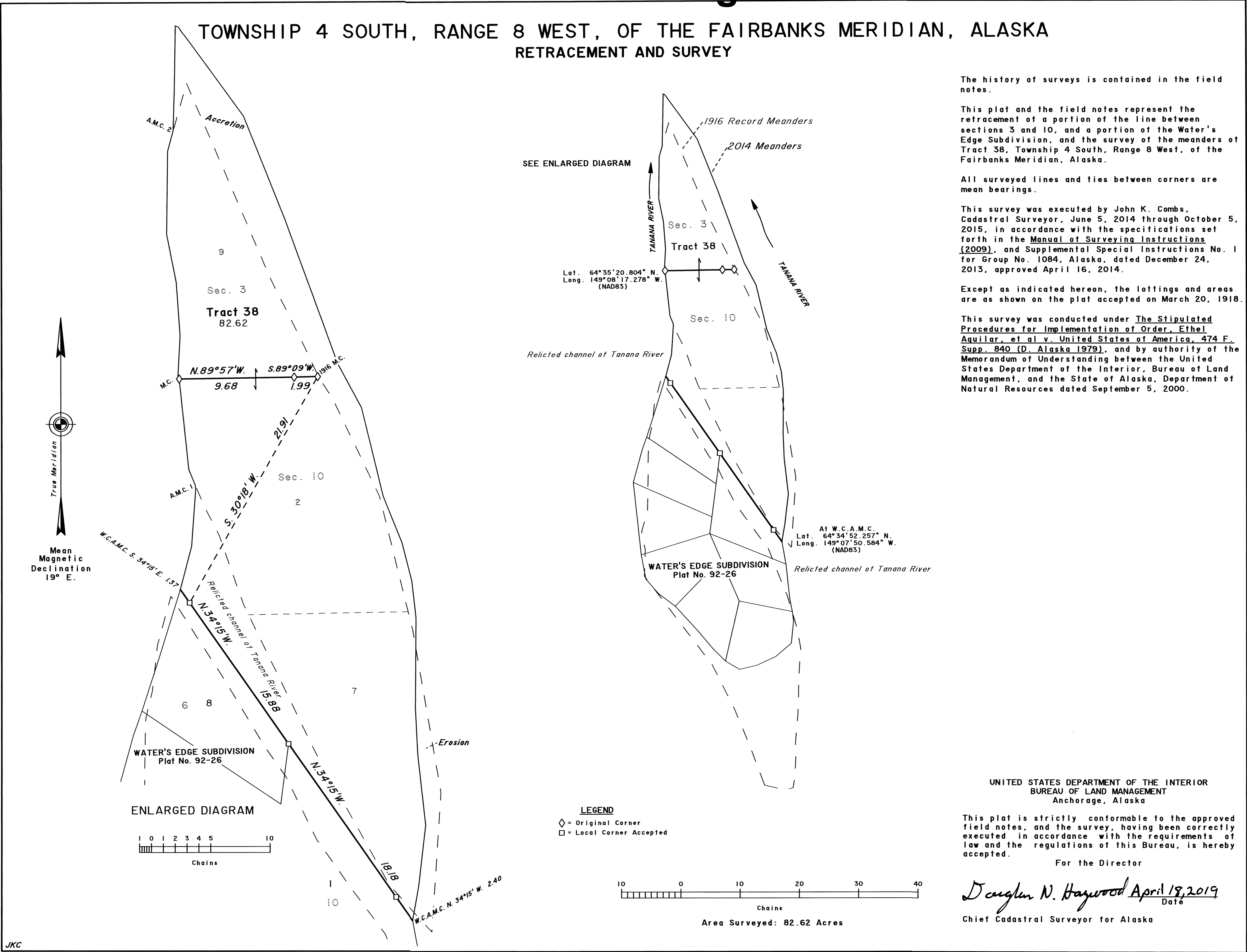
All surveyed lines and ties between corners are mean bearings.

This survey was executed by John K. Combs, Cadastral Surveyor, June 5, 2014 through October 5, 2015, in accordance with the specifications set forth in the Manual of Surveying Instructions (2009), and Supplemental Special Instructions No. 1 for Group No. 1084, Alaska, dated December 24, 2013, approved April 16, 2014.

Except as indicated hereon, the lottings and areas are as shown on the plat accepted on March 20, 1918.

This survey was conducted under The Stipulated Procedures for Implementation of Order, Ethel Aguilar, et al v. United States of America, 474 F. Supp. 840 (D. Alaska 1979), and by authority of the Memorandum of Understanding between the United States Department of the Interior, Bureau of Land Management, and the State of Alaska, Department of Natural Resources dated September 5, 2000.

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UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
Anchorage, Alaska

This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director

*Douglas W. Haywood* April 18, 2019  
Date

Chief Cadastral Surveyor for Alaska