

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

FINAL FINDING AND DECISION

of a

**Proposed Land Offering in the Fairbanks North Star and Unorganized Boroughs
Mount Ryan Remote Recreational Cabin Sites – ADL 417817**

AS 38.05.035(e), AS 38.05.045, AS 38.05.600

and its

RELATED ACTION(S):

None Proposed

This Final Finding and Decision (FFD) complements and updates the Preliminary Decision (PD) dated February 10, 2017. The PD has had the required public review, and is attached.

I. Recommended Action(s)

The State of Alaska, Department of Natural Resources (DNR), Division of Mining, Land, and Water (DMLW), Land Sales Section (LSS) recommends offering for sale State-owned land for private ownership within the Mount Ryan Remote Recreational Cabin Sites (RRCS) project area (ADL 417817), as described in the PD.

For the purposes of providing land for settlement in the Mount Ryan RRCS project area, DNR proposes to sell land within the Mount Ryan RRCS project area. In order to offer these lands for sale, if approved and deemed feasible, DNR may offer authorizations to stake up to 30 parcels ranging from 5 to 20 acres in this project area, for a maximum of 600 acres sold through this offering under *AS 38.05.600 Remote Recreational Cabin Sites*. In the 2009 offering 30 parcels totaling approximately 350 acres were staked. Of the original 60 parcels authorized, 30 parcels and 850 acres remain. LSS is reducing the maximum conveyable acreage of this reoffer to 600 acres. The total number of parcels authorized under this proposal in addition to the number of parcels surveyed under the 2009 offering will not exceed the maximum of 60 stated in the Final Finding and Decision issued in 2009. Authorizations will be awarded by drawing. When so authorized, entrants may stake a parcel within a defined staking area, lease the staked parcel during the survey, platting, and appraisal process, and convert the lease to a sale at a purchase price established by the appraised value, plus associated fees. The development and offering of the project area may be completed in multiple stages. This project area is located within the Fairbanks North Star Borough (FNSB) and the Unorganized Borough and therefore survey, platting, and access to and within the project area will be subject to the relevant subdivision standards.

There are no related actions with this proposal:

II. Authority

DNR has the authority under *AS 38.05.600 Remote Recreational Cabin Sites* and *AS 38.05.045 Generally* to sell State-owned land if, on preparation and issuance of a written finding, it is

Final Finding and Decision

Mount Ryan RRCS – ADL 417817

Page 2 of 4

determined to be in the best interest of the State, as required by *AS 38.05.035(e) Powers and Duties of the Director*. Article VIII, Section 1, of the Constitution of the State of Alaska states "It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest." In addition to *AS 38.05.600 Remote Recreational Cabin Sites*, *11 AAC 67.805 Designating Areas for Remote Recreational Cabin Sites*, and *11 AAC 67.815 Offering Remote Recreational Cabin Sites* apply.

III. Public Participation and Input

All State requirements for public notice and public comment input have been met as covered in detail in Section **V. Summary of Public Notice and Comments**. Further information may lead to alterations of design of this project within the parameters set forth through this decision. Should this project move forward with State approval, final survey will be completed by an Alaska licensed surveyor. This process will be subject to FNSB ordinances and codes for the portion of project area within the FNSB. During the process the public will have opportunity at the local level to provide additional comment and feedback.

The portions of the project within the FNSB will be submitted to the FNSB for review in accordance with Title 17 *Subdivisions* of their ordinance.

Chapter 17.12.030F *Action on major plat applications*. "All plans, data, and other supporting material shall be available for public inspection at the department of community planning at least 14 calendar days prior to the time set for platting board review."

Chapter 17.12.030D *Action on major plat applications*. "Verbal testimony by parties and interested persons may be given at the platting board meeting."

IV. Traditional Use Findings

In accordance with *AS 38.05.830 Land Disposal in the Unorganized Borough*, a traditional use finding is required for project areas within the Unorganized Borough. A portion of this project area is within the Unorganized Borough. As discussed in the PD, the project area has been used for transportation, hunting, trapping, mineral exploration, and mining. The proposed reoffer of staking authorizations would increase in the density of the population in the area. There are no anticipated significant changes to traditional uses of the land and resources of this area as a result of the proposed action, other than a possible increase in the various traditional activities which may be practiced by private-property owners. No conflicts with traditional uses of the land have been discovered. Public review brought forth no new information indicating traditional use conflicts that were not apparent at the PD stage.

V. Summary of Public Notice and Comments

Pursuant to *AS 38.05.945 Notice*, public notice inviting comment appeared on the State of Alaska Online Public Notices website at <https://aws.state.ak.us/OnlinePublicNotices/> and was posted on the DNR DMLW LSS website at http://dnr.alaska.gov/mlw/landsale/public_notice/ for the entire public notice period.

Final Finding and Decision

Mount Ryan RRCS – ADL 417817

Page 3 of 4

Notification and decision copies were sent directly to area state legislators and to multiple state agencies. Public notice was sent to other interested entities including landowners in the vicinity of the offering; additionally, parties were notified via the DNR Land Sales subscribers lists by email. Information was also posted to Twitter and Facebook. Notices were mailed to the FNSB per AS 38.05.945(c)(1), as well as Doyon regional corporation per AS 38.05.945(c)(2)-(3).

The public notice stated that written comments were to be received by 5:00PM, March 16, 2017 in order to ensure consideration and eligibility to appeal. For more information, refer to the PD.

DNR DMLW LSS received comments from the State of Alaska, Department of Fish and Game (ADF&G), the State of Alaska, Department of Transportation & Public Facilities (DOT&PF), and one private individual. All comments received during the public comment period are summarized below.

ADF&G Comment: ADF&G has no objection to the proposed land offering and concurs with the proposed setbacks and reserved areas to protect public access and important features.

DNR DMLW LSS Response: LSS appreciates your review and response.

DOT&PF Comment: No objections.

DNR DMLW LSS Response: LSS appreciates your review and response.

Individual Comment: A landowner within the project area expressed concern about offering additional staking without an accompanying improvement to the access trail ADL 418498. In a wet area of the trail, traffic had created rutting and pooling water sufficient to make the trail almost impassable. If improvements can be made to the trail to support increased traffic, then the commenter would support the proposed offering.

DNR DMLW LSS Response: LSS appreciates you sharing this information and will investigate the condition of the trail (during summer conditions) prior to offering additional staking authorizations. Pending results of the field inspection, LSS will consider options for trail hardening or other mitigation measures for this portion of ADL 418498.

VI. Modifications to Decision and/or Additional Information

The recommended action has not been modified from the original proposed action(s) described in the PD.

Prior to offering additional staking authorizations within the Mount Ryan RRCS project area, LSS will investigate the condition of the trail ADL 418498 based on the input received during the public comment period. LSS notes that the PD incorrectly identified the trail ADL 418498 as ADL 419498 in Attachments A and B.

Recommendation and Approval of the Final Finding and Decision follow.

Final Finding and Decision

Mount Ryan RRCS – ADL 417817

Page 4 of 4

VII. Final Finding and Decision

The Department recommends proceeding with the proposed action as described in the Preliminary Decision and amended herein. This action is undertaken under relevant authorities. Offering these parcels for sale will help meet the State’s goal to provide land for settlement for sale to the public and raise revenue for the State.

The findings presented above have been reviewed and considered. Public Notice has been accomplished in accordance with *AS 38.05.945 Notice* and comments received were considered. The project file has been found to be complete and the requirements of all applicable statutes have been satisfied. The proposed actions are consistent with constitutional and statutory intent for State-owned land and this action is undertaken under relevant authorities.

Under the authority of the applicable statutes, it is hereby found to be in the best interest of the State of Alaska to proceed with the recommended action(s) as described and referenced herein.

/s/

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

April 18, 2017

Date

/s/

Approved by: Brent Goodrum
Director
Division of Mining, Land, and Water
Department of Natural Resources
State of Alaska

April 24, 2017

Date

Appeal Provision

A person affected by this decision who provided timely written comment or public hearing testimony on this decision may appeal it, in accordance with *11 AAC 02*. Any appeal must be received within 20 calendar days after the date of “issuance” of this decision, as defined in *11 AAC 02.040(c) and (d)* and may be mailed or delivered to the Commissioner, Department of Natural Resources, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska 99501; faxed to 907.269.8918; or sent by electronic mail to dnr.appeals@alaska.gov. If no appeal is filed by that date, this decision goes into effect as a final order and decision on the 31st calendar day after issuance. An eligible person must first appeal this decision in accordance with *11 AAC 02* before appealing this decision to Superior Court. A copy of *11 AAC 02* may be obtained from any regional information office of the Department of Natural Resources.