

**STATE OF ALASKA  
DEPARTMENT OF NATURAL RESOURCES  
Division of Mining, Land and Water**

**NOTICE OF DECISION**

**PARTIAL RELEASE OF STATE INTEREST  
State Selection Files: GS-3832, GS-3833, GS-5547, GS-5548, GS-5556,  
GS-5557, GS-5560, GS-5561, GS-6189, GS-6190, GS-6191, GS-6193,  
GS-6194, GS-6196 & GS-6197**

**Relinquishment of Certain State-Selected Lands**

*AS 38.05.035(a)(11), AS 38.05.035(e), Consolidated Appropriations Act for Fiscal Year 2023  
(Pub. L. 117-328) and the University of Alaska Fiscal Foundation Act*

**I. ACTION**

Proposed relinquishment of State of Alaska (State) land selections on certain lands. The purpose of relinquishment is to facilitate University of Alaska (UA) land selections under the University of Alaska Fiscal Foundation Act. The University of Alaska Fiscal Foundation Act was included in the Consolidated Appropriations Act for Fiscal Year 2023 (Pub. L. 117-328) (CAA 2023).

**II. AUTHORITY**

The CAA 2023 provides that the Bureau of Land Management (BLM) may convey up to 360,000 acres of land selected by the State of Alaska (State-selected) pursuant to Section 6(b) of the Alaska Statehood Act (Pub. L. 85-508) to the University of Alaska. Additional information about the Fiscal Foundation Act can be found at: <https://www.alaska.edu/ualand/about/land-grant/index.php>.

The ability to relinquish Statehood Act selections in favor of the UA is codified in Sec. 302(c) of the CAA 2023. The provisions of Alaska Statute (AS) 38.05.035(a)(11) allow the Director of the Division of Mining, Land and Water (DMLW) to manage Statehood Entitlement selections. AS 38.05.035(e) provides authority for disposals of lands, resources, property, or interests in them. Article XIII of the Alaska Constitution provides guiding principles for maximum use of state lands and resources and authority for disposals of interests in lands and resources.

**III. BACKGROUND AND PROCESS**

The CAA 2023 authorizes the BLM to directly convey up to 360,000 acres of land to the UA. The available lands must be federal lands selected by the State pursuant to Sec. 6(b) of the Alaska Statehood Act.

The University of Alaska Land Management Office (UALMO) reviewed available State land selections and identified possible land for conveyance. UALMO submitted land selections to the DMLW Realty Services Section (Realty). Realty worked with UALMO to refine the selection, then completed state-wide agency review and public notice for the proposed relinquishment. This decision is a consideration of comments received during agency review and public notice. This decision will be published on the State's online public notice board

while the reconsideration period runs. Information about how to file a request for reconsideration is appended to this decision. Following the closure of the reconsideration period, provided there are no requests for reconsideration, the State and UALMO will jointly submit to BLM lists of lands to be conditionally relinquished by the State and conveyed to the UA. Any request for reconsideration will be reviewed under the applicable state law and process. Final relinquishment of the State's selections would be affected upon conveyance of the lands to the UA.

#### **IV. ADMINISTRATIVE RECORD**

The selection files for state selections, GS-3832, GS-3833, GS-5547, GS-5548, GS-5556, GS-5557, GS-5560, GS-5561, GS-6189, GS-6190, GS-6191, GS-6193, GS-6194, GS-6196 & GS-6197, constitute the administrative record for this action.

#### **V. LOCATION**

The proposed relinquish lands are located within DNR's Northern Region, in fifteen townships, beginning at Milepost 70 of the Dalton Highway and extending in a generally westerly direction to Spooky Valley. See legal description for exact locations. Please see Attachment A for a visual depiction of the area.

- *USGS Map Coverage:* Bettles A1, A2, A3, Beaver A6, Tanana D1, D2, D3, Livengood D6
- *Regional Corporation:* Doyon Limited
- *Federally Recognized Tribe:* Rampart Village, Native Village of Tanana, & Native Village of Stevens
- *Village Corporations:* Baan O Yeel Kon Corporation, Tozitna Limited, & Dinyea Corporation

#### **VI. LEGAL DESCRIPTION**

Within the Fairbanks Meridian, Alaska:

Township 12 North, Range 15 West, Sections 4-9, 17-21, 28-33  
Containing approximately 10,611 acres

Township 12 North, Range 16 West, Sections 1-36  
Containing approximately 22,771 acres

Township 13 North, Range 14 West, Sections 1-18, 23, 24  
Containing approximately 12,406 acres

Township 13 North, Range 15 West, Sections 1-23, 26-35  
Containing approximately 21,082 acres

Township 13 North, Range 16 West, Sections 1-36  
Containing approximately 22,651 acres

Township 13 North, Range 17 West, Sections 1-12  
Containing approximately 7,608 acres

Township 13 North, Range 18 West, Sections 1-6  
Containing approximately 3,828 acres

Township 14 North, Range 12 West, those portions of Sections 17-21, 28-35, those lands lying west of the Dalton Highway right-of-way  
Containing approximately 6,512 acres

Township 14 North, Range 13 West, Sections 19-36  
Containing approximately 11,372 acres

Township 14 North, Range 14 West, Sections 1-36  
Containing approximately 22,924 acres

Township 14 North, Range 15 West, Sections 1-36  
Containing approximately 22,940 acres

Township 14 North, Range 16 West, Sections 1-36  
Containing approximately 22,908 acres

Township 14 North, Range 17 West, Sections 1-3, 10-15, 19-36  
Containing approximately 17,072 acres

Township 15 North, Range 15 West, Sections 18-20, 28-36  
Containing approximately 7,559 acres

Township 15 North, Range 16 West, Sections 13-15, 22-27, 34-36  
Containing approximately 7,680 acres

Total Acreage aggregating approximately 219,924 acres.

## **VII. SELECTION HISTORY**

- State records indicate lands in townships F014N012W (GS-3832) and F014N013W (GS-3833) were selected in Nov. 1978; the applications were published in Aug. 1979.
- State records indicate lands in townships F012N015W (GS-5547), F012N016W (GS-5548), F013N014W (GS-5556), F013N015W (GS-5557), F014N014W (GS-5560), F014N015W (GS-5561), F013N016W (GS-6189), F013N017W (GS-6190), F013N018W (GS-6191), F014N016W (GS-6193), and F015N015W (GS-6196), were selected in Dec. 1992 and published in Aug. 1993.
- State records indicate lands in townships F014N017W (GS-6194) and F015N016W (GS-6197) were selected in Jan. 1993 and published in Aug. 1993.
- The lands in F014N012W and F014N013W are top-filed; all other lands have valid selections.
  - The Alaska National Interest Lands Conservation Act (ANILCA) Federal subsistence priority for rural residences only applies on top-filed lands.
  - Lands that are validly selected are exempt from the subsistence priority and are subject to State subsistence regulations.
- UA submitted requests to DNR to consider relinquishing the subject lands on June 6, 2022, and June 28, 2024.
  - Some of the lands on the 2022 request were reviewed and considered under the Spooky Valley decision, which was approved for conditional relinquishment in Jan. 2024.
  - Most of the remaining 2022 lands were grouped with the 2024 request. This group of lands are the subject of this decision.

- The lands are currently ranked as a mix of priorities 1 (highest), 2 (high), and 4 (low) for their importance as wildlife habitat, potential mineral potential, and utility as hunting and subsistence areas.

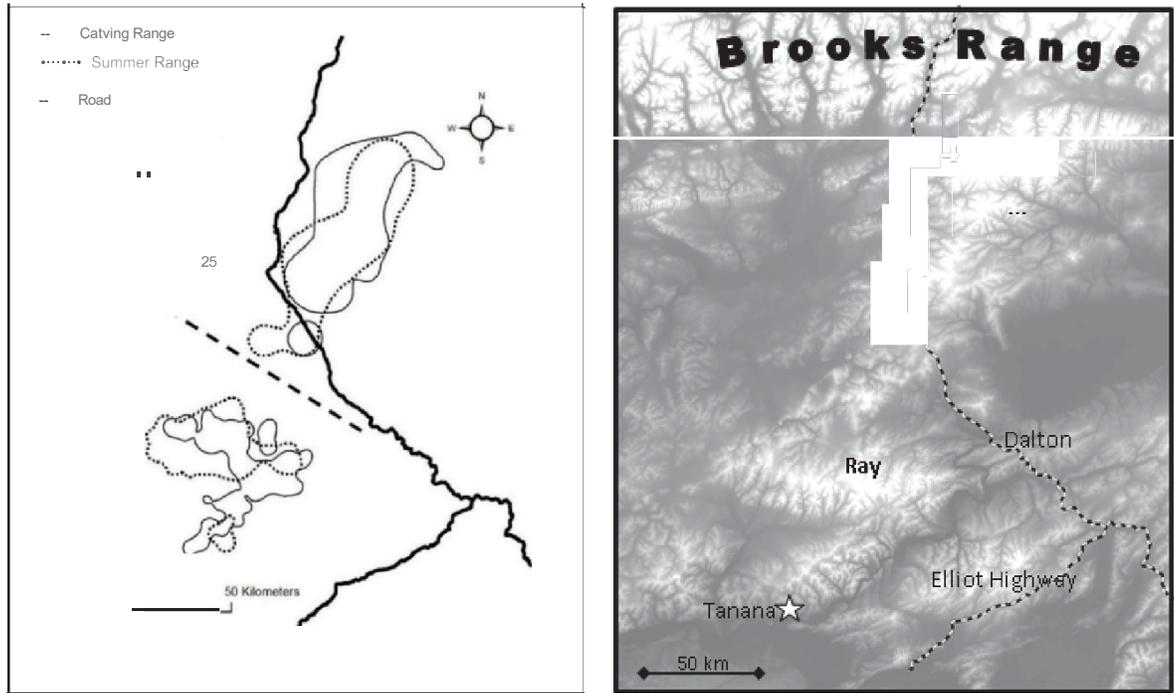
## VIII. AGENCY REVIEW

Information and comments received from State agencies have been considered and included in the preparation of this decision. The proposed relinquishment documents were distributed to State agencies for review from April 18, 2024, through May 2, 2024, and extended to May 16, 2024. Agency review was again sought from February 14, 2025, through March 28, 2025. Public Notice with a concurrent agency review was conducted from August 8, 2025, to September 9, 2025, and extended to October 9, 2025. Agencies are given the opportunity to evaluate and comment on the relinquishment to determine if it is in the State's best interest to release the land selection.

The following agencies or groups were included in the agency review and provided comments:

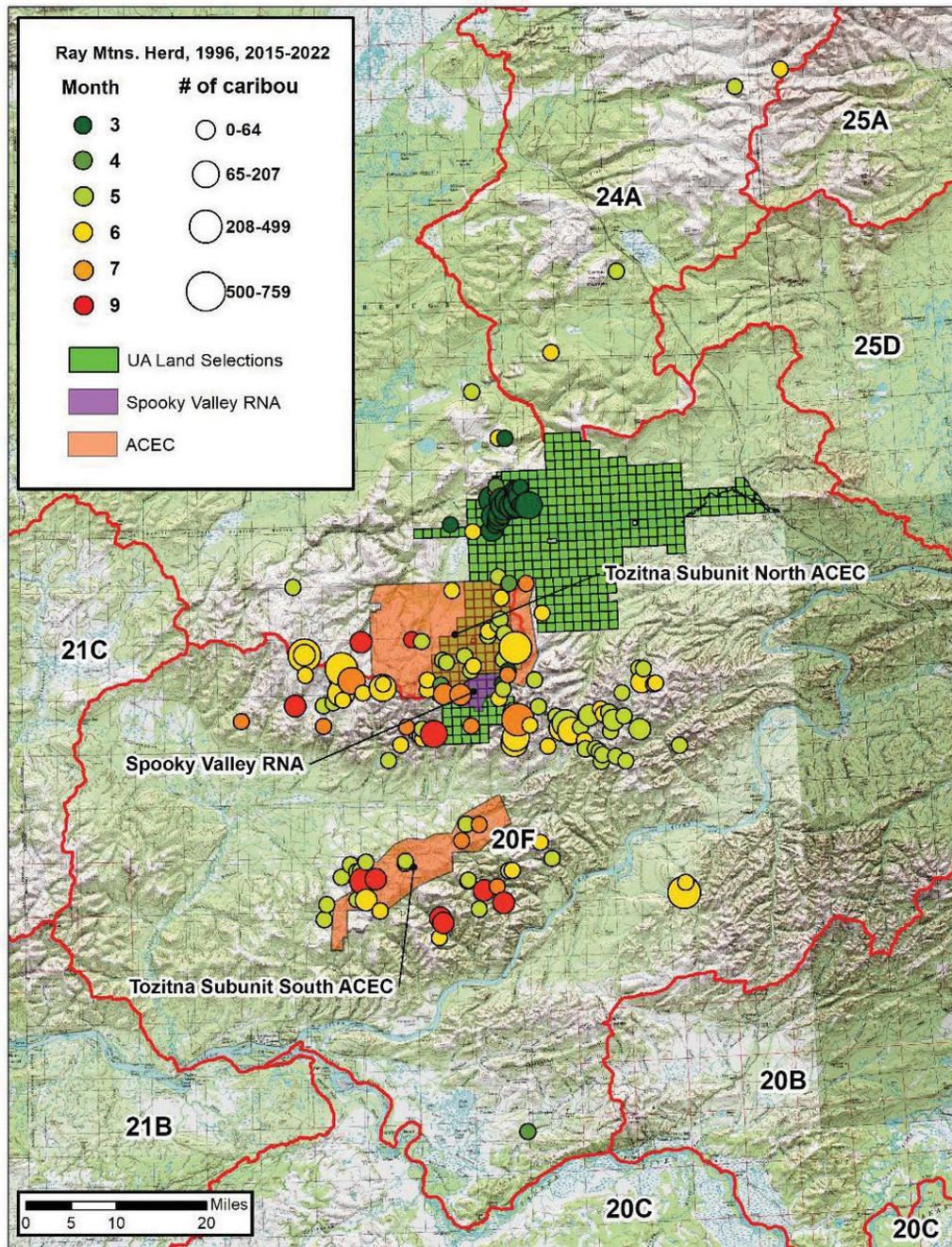
- **DNR Division of Oil & Gas:** The Division of Oil and Gas has no objection to the relinquishment.
  - **DMLW Realty response:** Thank you for your comment.
- **Alaska Department of Fish & Game, Division of Wildlife Conservation (ADF&G):** ADF&G's primary concern regarding the proposed land transfer to the University is the potential impact on the Ray Mountain Caribou Herd (RMH) home range and critical calving areas. Another concern we have is the loss of hunting, trapping, and other subsistence/cultural uses in that area because of UA's policy on prohibiting these activities on their lands. For these reasons ADF&G recommends the retention of all state-selected lands within both Ray Mountain UA selections. The proposed land transfers include a substantial portion of the RMH home range and critical calving areas. The University of Alaska lands are not public domain land (*Alaska Statute 14.40.291. Land of the University of Alaska not public domain land.*) and are therefore not open to hunting, trapping, subsistence, or any other public use. The University has a land use permit system; however, hunting permits are currently not allowed (*The University is exploring the option of offering hunting permits on select University lands, and has instructed the public via postings on their website to: "Please stay tuned."* <https://www.alaska.edu/ualand/permits/hunting.php>. Accessed 3/25/25).

The RMH is a small non-migratory caribou herd (800-900 animals) in the Ray Mountains. The proposed land conveyance is centrally located in the RMH range (Horne et al. 2014; Figure 1). The RMH mostly calve in the treeless high elevation areas of the Ray Mountains (Figure 2). The RMH population declined recently (Longson 2020), possibly due to the loss of habitat as the tree line advances in elevation in this area (Lloyd 2005). Loss of habitat due to development may have cumulative effects that could exacerbate the recent declining population trend.



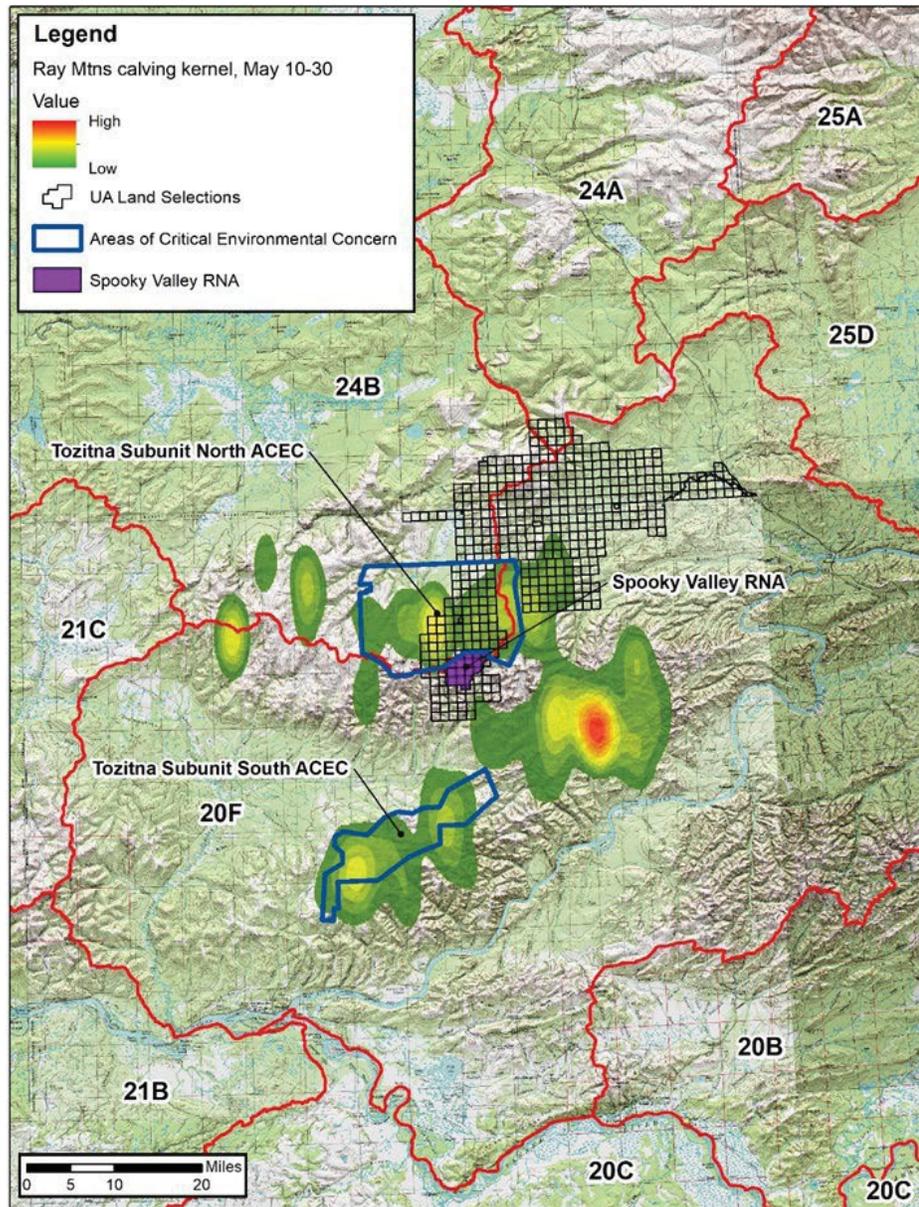
**Figure 1. Seasonal ranges (90% cumulative probability contours) of RMH and Hodzana Herd (HHH) based on kernel density estimates. Dotted line represents an approximate line of separation between the RMH (southwest of line) and HHH (northeast of line) (Horne et al.)**

The relatively confined critical calving habitat of the RMH is also identifiable from recent satellite telemetry data that displays spring caribou calving locations (Figure 3) and documented in a previous study (Jandt 1998). Calving areas represent critical habitat for this small herd because of the limited availability of suitable alternate calving locations, and because disturbance (e.g. moving to less secure areas) during calving periods may increase mortality of neonate calves (Cameron et al. 1992, Pinard et al. 2012, Norbert et al. 2016, MacNearney et al. 2021). The Bureau of Land Management (BLM) designated a portion of the RMH calving area as an Area of Critical Environmental Concern (ACEC) (Figure 2).



**Figure 2. Aerial observation locations of Ray Mountain Caribou Herd in Units 20F and 24B during March through September 1996, 2015-2022. May and June markers represent calving and postcalving aggregation locations.**

Literature reviews and recent reports demonstrate a historic and continuing use of the resources in the selected area. Hunting, trapping, and cultural significance of the area was documented by Robinson (1988) and in a 2015 interview with Allakaket resident Steven Bergman Sr. (pers. comm., E. Julianus - Steve Bergman Sr. BLM Meeting 03232015). Recent estimates are that, on average, 10 to 20 caribou are taken per year by approximately 10 to 20 caribou hunters within this area. Moose hunting also occurs in the Ray Mountains area with an annual take of less than 10 moose. Trapping activity is present within the selected area. Grizzly bear hunting has increased as a new guide is utilizing the area.



**Figure 3. Kernel density distributions based on satellite telemetry locations during May 10-May 30 for Ray Mountain Caribou Herd in Units 20F and 24B, 2020-2022. Calving season locations (n=2,768), were acquired twice daily for each collared caribou (2020 n=19, 2021 n=16, 2022 n=11).**

The land near the Ray Mountains, identified in this land selection, is a critical area for subsistence hunting and gathering, particularly of caribou in the proximity of the Ray Mountains. The ADF&G Subsistence Division has conducted comprehensive subsistence research in the community of Tanana in 2014 and in 1988, as well as a 5-year study that focused on the use and harvest of moose, caribou, black and brown bear by residents living in communities along the Middle Yukon and Koyukuk Rivers. Both comprehensive studies included household harvest surveys that estimated the harvest and use rates of all wild resources, ethnographic interviews with longtime residents and experienced hunters or fishers, and spatial data that documented the use areas

associated with subsistence harvesting of each resource category.

In 2014, 9% of households used caribou, however, caribou was, and continues to be, a vital supplement for reduced salmon harvests by Tanana residents. Historically, caribou were used extensively by Tanana residents. Koyukon Athabascans in this area consider caribou a critical resource that has been historically used for food and clothing. In 2014, an elder interviewed for this study “noted that her parents would regularly hike up the Ray Mountains and would ‘hunt caribou all the time (<http://www.adfg.alaska.gov/techpap/TP426.pdf>). There were always herds of caribou, and they used to come back with caribou meat all the time’ (TAL 030820157). However, the respondent believes the migration patterns changed after the Trans-Alaska Pipeline was built. Caribou are no longer common in the Tanana area. For those that do search for caribou, hunting occurs in the fall and winter” (Brown et al. 2016 p 55-56). The spatial data gathered in this study demonstrates that the most significant harvest area of caribou by Tanana residents occurs in or within proximity to the selected lands that are the subject of this review. Taken with the biological concern for the Ray Mountain Caribou Herd, as articulated by the Division of Wildlife Conservation, the selection of this land may have consequences for the conservation of the Ray Mountain Caribou Herd and for the subsistence users who depend on caribou harvest. See the attached species maps from the 1968-1983 surveys and the 2014 survey for more information.

Spatial data gathered in 1988 for the period between 1968 and 1988 demonstrate historical use of the current land selection for brown bear and moose hunting as well as extensive trapping activity in that area. Trapping areas are passed down through family lines and, in Tanana are closely tied to the traditional practice of maintaining dog teams—a recognized subsistence practice under State statute. Restrictions on historic trapping areas could limit the generational transmission of knowledge and connection to traditional land use areas.

Harvest data gathered between 1997 and 2003 in Middle Yukon River communities documented harvest by GMU and subunit. This information is printed in tabular form in each year’s report. Tanana residents use 20F to hunt Caribou more than any other community. This further corroborates the spatial data described above. A land transfer in unit 20F would impact Tanana residents' hunt patterns and ability to meet their needs for caribou, particularly because caribou are not locally accessible elsewhere.

The Ray River goes through some of the selected lands. The Ray River (AWC Code: 334-40-11000- 2685) is documented for chum and Chinook salmon spawning. Chinook salmon have recently become a species of concern due to poor runs. Because approximately 40% of Yukon River Chinook salmon spawn in Canada, there is currently a 7-year agreement in place to suspend directed commercial, sport domestic, and personal use fisheries in the mainstem Yukon River as a means of trying to rebuild these stocks. Runs into the Alaskan tributaries have been similarly low, and as a result there has been no fishing on Chinook salmon within the entire Yukon River drainage. During spawning times, no instream activities or disturbance can occur in rivers. Any instream work would require a Fish Habitat Permit from the Division of Habitat in Fairbanks.

In conclusion, as the larger caribou herds around the state continue to experience declines, it will become more and more important to maintain these smaller caribou

herds so ADF&G can continue to offer hunting opportunities. The loss of public lands within the Spooky Valley selection also makes the remaining habitat for the RMH more valuable.

### References:

- Cameron, R. D., D. J. Reed, J. R. Dau, and W. T. Smith. 1992. Redistribution of calving caribou in response to oil field development on the Arctic Slope of Alaska. *Arctic* 45:338-342.
- Horne, J. S., T. Craig, K. Joly, G. W. Stout, M. R. Cebrian, and E. O. Garton. 2014. Population characteristics, space use, and habitat selection of two non-migratory caribou herds in central
- Alaska, 1994-2009. *Rangifer* 34:1-19. Jandt, R. R. 1998. Ray Mountains caribou: distribution, movements, and seasonal use areas, 1994–1997. BLM-Alaska Open File Report #69, Bureau of Land Management.
- Lloyd, A. H. 2005. Ecological histories from Alaskan tree lines provide insight into future change. *Ecology*. 86:1687-1695.
- Longson, S. M. 2020. Galena area caribou management report and plan, Game Management Units 20F, 21B, 21C, 21D, 24A, 24B, and 25D: Report period 1 July 2012–30 June 2017, and plan period 1 July 2017–30 June 2022. Alaska Department of Fish and Game, Species Management Report and Plan ADF&G/DWC/SMR&P-2020-33, Juneau
- MacNearney, D., B. Nobert, and L. Finnegan. 2021. Woodland caribou (*Rangifer tarandus*) avoid wellsite activity during winter. *Global Ecol. Cons.* 29(e01737)
- Norbert, B. R., S. Milligan, G. B. Stenhouse, and L. Finnegan. 2016. Seeking sanctuary: the neonatal calving period among central mountain woodland caribou (*Rangifer tarandus caribou*). *Can. J. Zool.* 94:837-851.
- Pinard, V., C. Dussault, J. Ouellet, D. Fortin, and R. Courtois. 2012. Calving rate, calf survival rate, and habitat selection of forest-dwelling caribou in a highly managed landscape. *J. Wildl. Manage.* 76:189-199.
- Robinson, S. R. 1988. Final ACEC management plan for Tozitna North and Tozitna South Areas of Critical Environmental Concern. U.S. Department of Interior, Bureau of Land Management. Kobuk, AK. 32pp.

### Subsistence References:

Citation for the 1988 study:

- Case, M., and L. Halpin. 1990. Contemporary wild resource use patterns in Tanana, Alaska,- 1987. Technical Paper No. 178, Alaska Department of Fish and Game. Juneau, Alaska.

Links to the 5-year study in the middle Yukon Area can be found here:

- <http://www.adfg.alaska.gov/techpap/tp245.pdf>
- <http://www.adfg.alaska.gov/techpap/tp251.pdf>
- <http://www.adfg.alaska.gov/techpap/tp278.pdf>
- <http://www.adfg.alaska.gov/techpap/tp280.pdf>

- **DMLW Realty response:** Thank you for your comment and valuable information. Realty notes that the UA has developed a hunting program on its lands; details can be found here: <https://www.alaska.edu/ualand/permits/hunting->

[revised.php](#). Realty notes that any proposed future use, development, or sale of the land would include a public process on the part of the UA. In addition, applicable State regulations would require permitting for most development projects and would also include a Federal permitting process.

- **Department of Transportation and Public Facilities (DOT&PF):** Any access to the Dalton Highway, including modification of existing driveways, work within or occupancy of the right of way, or change in current use of the property, shall require a driveway permit from the DOT&PF. It is unclear at this time where specific access might be provided for users of this land. Once known, the applicant should consider development of a parking area off the Dalton Highway so that users can access these sites safely without impacting highway traffic. Development of such a facility must be coordinated with DOT&PF in advance.
  - **DMLW Realty response:** Thank you for your comment. This information has been shared with the UA.
- **DNR, DMLW, Land Conveyance Section (LCS):** Land Conveyance Section (LCS) has no objection to the proposed relinquishment.
  - **DMLW Realty response:** Thank you for your comment.
- **DNR, DMLW, Public Access, Assertion, and Defense Section (PAAD):** The selected lands contain no known or documented RS 2477 ROW's.

The BLM, in an April 21, 1983 determination, determined the Ray River navigable within the Second Selection Ray Mountains from the Yukon River upstream to the western boundary of NE1/4 Section 1, T. 13 N., R. 14 W., FM. This determination was based on the Upper Yukon Region Report by Ducker. The state concurs with this determination based on the change in character that takes place at this location.

- **DMLW Realty response:** Thank you for your comment. The UA excluded all navigable waters from the Ray Mountains selection, as title to the beds of navigable waterbodies vested with the State upon Statehood. There are reports of pack rafters floating the Ray River from a point between the Upper (located in F013N016W) and Lower Ray River Hot Springs (located in F013N014W06) down to the Yukon River. Realty will request that PAAD review the reports and issue a navigability determination prior to BLM finalizing the survey for this township.
- **DNR, DMLW, Resource Assessment and Development Section (RADS):** Based on its review of the proposed relinquishment, RADS recommends the MTRS listed below be retained as DNR-selected lands:
  - F014N012W, Secs. 17-21 & 28-35
  - F014N013W, Secs. 19-36
  - Total acreage to be retained 19,723 acres.

These lands are within PLO 5150, and should the state receive title they should be managed by DNR. The remainder of the area is appropriate to relinquish.

- **DMLW Realty response:** Thank you for your comment. Retention of lands within the PLO 5150 corridor is addressed in the discussion section.
- **DNR, Division of Geological & Geophysical Surveys (DGGS):** Ray Mountains (RM) Land Block:

Mineral Recommendation: From a mineral resources perspective, DGGS recommends the SOA KEEP the Ray Mountains land block in the SOA's land-selection portfolio because DGGS determined the RM land block has high potential for placer Rare-Earth Elements (REE) and tin (±other critical minerals). If the SOA ends up relinquishing the RM land block to UA, it would be in the best interests of the SOA to negotiate with UA to recoup the SOA's investment of ~\$175,000-\$200,000 in identifying the RM area as having high REE and tin potential (±other critical minerals).

RM Land Block's Mineral Potential: Several years ago, DMLW asked DGGS to evaluate the large block of state-selected land in the broad Ray Mountains area, and to narrow it down as much as possible to high-priority mineral-potential areas. DGGS spent ~\$175,000-\$200,000 of SOA funds conducting stream-sediment sampling (Bachman and others, 2013) and geologic mapping in the Ray Mountains area. Additionally, DGGS funded a graduate student's work in the area so the SOA could better understand the area's mineral-resource potential (multiple Tuzzolino references below based on DGGS-funded work). DGGS concluded the RM land block has high potential for placer REE and tin (±other critical minerals). The category 1,000-2,000 high priority areas for mineral potential shown in Aleria's document (Mining Memo\_UA Request\_Ray Mountain\_B1\_2.pdf) reflect the recommendations DGGS made to DMLW for the SOA to KEEP this land in its land selection portfolio.

Within the last decade the RM area has been staked and geochemically sampled by industry (Ucore Rare Metals news release, 2014July21).

Adjacent SOA Land's Mineral Potential: There is potential for a lode source of REEs in adjacent land across the Dalton highway (Fort Hamlin Hills/NoName pluton; USGS ARDF) as well as southwest of the RM land block (Spooky Valley; USGS ARDF). DGGS funded a graduate student's work in the No Name pluton area so the SOA could better understand the overall area's mineral resource potential (Tuzzolino, 2016). The U.S. Geological Survey's Alaska Resource Data File (ARDF; mineral deposits database) shows several mineral sites in the general area of the RM land block.

Potential for Negative Impact to Developing Adjacent SOA Land for Mineral Resources: Minor, but possible.

Supporting DGGS References:

- Bachmann, E.N., Blessington, M.J., Freeman, L.K., Newberry, R.J., Tuzzolino, A.L., Wright, T.C., and Wylie, William, 2013, Geochemical major-oxide, minor-oxide, trace-element, and rare-earth-element data from rocks and stream sediments

collected in 2012 in the Ray Mountains area, Beaver, Bettles, Livengood, and Tanana quadrangles, Alaska: Alaska Division of Geological & Geophysical Surveys Raw Data File 2013-5, 4 p. <https://doi.org/10.14509/25386>

- Tuzzolino, A.L., O'Sullivan, P.B., Freeman, L.K., and Newberry, R.J., 2016, Zircon U-Pb age data, Ray Mountains area, Bettles Quadrangle, Alaska: Alaska Division of Geological & Geophysical Surveys Raw Data File 2016-7, 19 p. <https://doi.org/10.14509/29662>
  - Tuzzolino, A.L., 2016, Compositional characteristics and ages of plutons in the central Ruby batholith, Alaska: implications for rare-earth-element resources: Fairbanks, Alaska, University of Alaska Fairbanks, M.S. thesis, 199 p.
  - Tuzzolino, A.L., Newberry, R.J., Benowitz, J.A., Layer, P.W., and Freeman, L.K., 2014, 40Ar/39Ar data, Ray Mountains area, Bettles Quadrangle, Alaska: Alaska Division of Geological & Geophysical Surveys Raw Data File 2014-19, 12 p. <https://doi.org/10.14509/29124>
  - Tuzzolino, A.L., Freeman, L.K., and Newberry, R.J., 2014, Geochemical major-oxide, minor-oxide, trace-element, and rare-earth-element data from rock samples collected in 2013 in the Ray Mountains area, Bettles A-1 and A-6 quadrangles, Alaska: Alaska Division of Geological & Geophysical Surveys Raw Data File 2014-17, 3 p. <https://doi.org/10.14509>
  - Tuzzolino, A.L., Newberry, R.J., and Freeman, L.K., 2014, The No Name Pluton: A potential rare-earth element (REE) resource in the Ruby Batholith, Alaska (presentation): Alaska Miners Association, 24th Biennial Mining Conference, Fairbanks, Alaska, April 7-13, 2014: Alaska Division of Geological & Geophysical Surveys, 30 p. <https://doi.org/10.14509/27286>
  - Tuzzolino, A.L., Newberry, R.J., and Freeman, L.K., 2013, Rare-earth-element (REE) potential in the Ray Mountains area, central Alaska (poster): Alaska Miners Association Annual Convention, Anchorage, Alaska, November 4-10, 2013: Alaska Division of Geological & Geophysical Surveys, 1 sheet. <https://doi.org/10.14509/26781>
- **DMLW Realty response:** Thank you for your detailed comment. Modifications to the original selections were made to UA or State selections in a manner intended to balance State and UA interests and create an ownership pattern that would facilitate management of resources and land use. This seeks to balance the State's interest in acquiring valuable resources and access to them while also helping fulfill the endowment of the State's land grant university. Lands considered for this program need to have potential resources or value to the UA to fulfill the purpose of CAA 2023. There is no mechanism in the CAA 2023 or the Statehood Act to recover costs associated with DGGs's mineral exploration activities.
- **DNR, Division of Parks and Recreation (DPOR):** No concerns with the relinquishment.
    - **DMLW Realty response:** Thank you for your comment.
  - **DNR, Division of Oil and Gas, State Pipeline Coordinator's Section (SPCS):** The State Pipeline Coordinator's Section (SPCS) reviewed the Division of Mining, Land & Water/Realty Services Section (DMLW-Realty Services) – University of Alaska Land Management Office, Land Selection – Ray Mountains. The ASAP and TAPS AS 38.35

pipeline rights-of-way are in the vicinity of the proposed action. The SPCS requests that state retains the portion of the Dalton Highway right-of-way in this section at its maximum extension to correspond to Public Land Order 5150 as the Trans-Alaska Pipeline System, the AK LNG Pipeline, and Alaska Standalone Gas Pipeline (F-12505, F-097304, F-095641A,) are contained within and/or near this right-of-way.

The SPCS requests for coordination between DMLW-Realty Services to discuss this relinquishment and land conveyance to determine what are the best options for the State, the University of Alaska Land Management Office, and the AS 38.35 pipeline lessees.

- **DMLW Realty response:** Thank you for your comment. Additional coordination between Realty and SPCS determined the permitted rights-of-way, easements, and associated infrastructure for the Alaska Standalone Pipeline (ASAP) and the Alaska Liquified Natural Gas pipeline (AK LNG) run along an approximately 2.75 mile long corridor west of the Dalton Highway and are within the area under consideration for relinquishment. The TAPS pipeline and associated infrastructure are within an approximately 0.5 mile long corridor west of the Dalton Highway and is within the area under consideration for relinquishment.

The following agencies or groups were included in the agency review and did not provide comments:

- DMLW Mining/Mineral Property Management
- DMLW Northern Region
- DMLW Water Section
- Division of Oil and Gas
- Division of Forestry

## **IX. PUBLIC COMMENT**

Public notice of the proposed relinquishment was conducted from August 8, 2025, through September 9, 2025, and extended through October 9, 2025. The notice was posted to the State of Alaska Online Public Notice System. Copies of the notice were sent to the University of Alaska, the US Post Masters of Stevens Village, Rampart, and Tanana, Doyon Limited, Tozitna Limited, Too-gha Incorporated, Baan O Yeel Kon Corporation, Rampart Tribal Council, Native Village of Stevens, Dinyea Corporation, Tanana Chiefs Conference, Stevens Village IRA Council, Tanana Village, City of Tanana, Yukon River Camp, Tanana Community School and Library, BLM Adjudication Services Section, BLM Central Yukon Field Office, Kanuti National Wildlife Refuge, Alaska Department of Natural Resources Commissioners Office, Alaska State legislature, adjacent landowners, and interested private parties.

Realty received 15 comments in response to the proposed relinquishment:

- **Public Comment 1:**  
I oppose this land transfer.

UA has indicated that they see this as an economic opportunity by leasing these lands for mine extraction of Rare Earth minerals. Though UA states they take into account local population concerns, they can basically do whatever they want once land transfers

are complete.

This area is a very unique part of Alaska, isolated and difficult to access, but is nevertheless important to the people of Tanana, Rampart, and Stevens Village, historically and now for subsistence and use of the numerous hot springs in the area.

The Ray Mountain Caribou herd would be severely impacted by mining in this area. It is their core habitat, they don't migrate, so their habitat and calving areas would be basically destroyed. There is also a large concentration of nesting tundra birds, and migratory birds stopping in the area.

Both US Fish and Wildlife Service and the Alaska Department of Fish and Game have raised concerns about water quality and habitat downstream of the proposed mining areas. To the north it would drain into the Kanuti Wildlife refuge and the Kanuti and then Koyukuk Rivers near Allakaket, and to the south into the Tozitna River, an important stream for spawning salmon.

I understand the difficult position the University finds itself in with repeated funding cuts due to past and present State administrations that don't value education. This is not the answer to a UA funding problem.

To destroy this unique area for short term monetary gain is appalling. The State should be protecting these lands instead of ceding it to an entity that plans to develop it.

- **DMLW Realty response:** Thank you for your comments. The scope of this decision is limited to whether DNR should relinquish its land selection to facilitate conveyance of the lands to the UA. Comments regarding future land use restrictions, development, or land preservation options are beyond the scope of this decision. Realty notes that relinquishment of DNR's land selection does not authorize any development. Should the lands be conveyed to the UA, any future actions would be subject to applicable State and Federal environmental regulations and permits. In addition, the UALMO provides public notices for actions on university lands via their website: <https://www.alaska.edu/ualand/>.
- Comments related to funding for the UA are outside the scope of this decision. General UA funding is controlled by the legislature, with specific funding sources managed by the UA Board of Regents.
- UALMO has created a program allowing hunting and subsistence activities on UA lands. More information about the program can be found here: <https://www.alaska.edu/ualand/permits/hunting-revised.php>. Realty notes that most lands within the area of discussion are validly selected by the State, therefore the Federal subsistence priority created under the Alaska National Interest Lands Conservation Act (ANILCA) does not apply. ADF&G would retain management of fish and wildlife resources on the lands should ownership be transferred to the UA.
- Per the Act of June 25, 1910, Chap. 421 (36 Stat. 824), Executive Order (EO) 5389, and Public Land Order (PLO) 399, neither the State or University can acquire title to hot springs or lands within known geothermal resource areas (KGRA) that meet certain criteria. Ownership of qualifying lands will remain with BLM, unless there is a valid Alaska Native Claims Settlement Act (ANCSA) selection on the lands.

The hot springs in F013N016W (Upper Ray River Hot Springs), described as Lot 1 of U.S. Survey 12473, are currently withdrawn from the Public Domain by PLO 399 and are selected by Doyon under application FF-21901-45. The hot springs in F013N014W (Lower Ray River Hot Springs) are also withdrawn by PLO 399.

- **Public Comment 2:**

My friends and I recreate, hunt, trap, and fish here, and one lives up the Big Salt with his 27 dogs. I also know of several people from Tanana who utilize the area. Specifically, I am very worried that the conveyance of these lands into private ownership will jeopardize the sustainability of the fish and wildlife resources on and near the selected areas (i.e., the Ray Mountain caribou calving and overwintering areas and king and chum salmon rearing and spawning habitat), and restrict our access to these resources and land in the future. I believe the Ray Mountain caribou herd is at particular risk because their range and calving area is encompassed by the selection. The herd DOES NOT migrate, so if their habitat is conveyed into private ownership and developed, it will prevent the state's ability to manage the herd effectively and very likely would result in the extirpation of the population. Please keep this land in public ownership for continued and sustainable use by all Alaskans.

- **DMLW Realty response:** Thank you for your comment. The scope of this decision is limited to whether DNR should relinquish its land selection to facilitate conveyance of the lands to the UA. Comments related to possible future development of the lands are beyond the scope of this decision. Realty notes that relinquishment of DNR's land selection does not authorize any development.
- Public access and use of UA lands for non-commercial uses such as hiking and berry picking are allowed without a permit. Dedicated access to and through UA lands, or for commercial applications, is available by obtaining a permit from the UALMO. More information on the permit process can be found here: <https://www.alaska.edu/ualand/permits/>.
- UALMO has created a program allowing hunting and subsistence activities on UA lands. The program currently does not allow trapping. More information about the program can be found here: <https://www.alaska.edu/ualand/permits/hunting-revised.php>. The State would retain management of fish and wildlife resources on any conveyed lands.

- **Public Comment 3:**

Residents who live in interior communities utilize this area for subsistence hunting, fishing, and trapping, as well as recreation. I am concerned that the conveyance of these lands into private ownership will jeopardize the sustainability of the fish and wildlife resources on and near the selected areas (specifically, Ray Mountain caribou and king and chum salmon) and restrict public access to these resources in the future.

I am especially concerned that the Ray Mountain caribou herd would be significantly impacted because the selection area includes both their range and calving grounds. Since this herd does not migrate, transferring their habitat to private ownership and any subsequent development would hinder the state's capacity to manage the population effectively and could very likely lead to its elimination.

While the idea of conveying land to the University of Alaska may seem beneficial on

the surface, such a move would result in the removal of public protections and permanent privatization of these lands. Once under University ownership, public access, environmental protections, and subsistence rights are no longer guaranteed. The University can sell or lease these lands for development, regardless of public input or environmental impact.

Please maintain sustainable management and use of this land and our resources for continued use by all Alaskans.

- **DMLW Realty response:** Thank you for your comments. The scope of this decision is limited to whether DNR should relinquish its land selection to facilitate conveyance of the lands to the UA. Comments related to possible future development of the lands are beyond the scope of this decision. Realty notes that should the land be conveyed to the UA, any future development actions would be subject to applicable State and Federal environmental regulations and permits. In addition, the UALMO provides public notices for actions on university lands via their website: <https://www.alaska.edu/ualand/>.
  - UALMO has created a program allowing hunting and subsistence activities on University lands—although the program does not allow for trapping. More information about the program can be found here: <https://www.alaska.edu/ualand/permits/hunting-revised.php>. Realty notes that most lands within the area of discussion are validly selected by the State, therefore the Federal subsistence priority created under ANILCA does not apply. A decision to retain the DNR selection on these lands would not result in the lands returning to or remaining under Federal subsistence management. ADF&G will continue to retain management of fish and wildlife resources on the lands should ownership be transferred to the UA.
  - Dedicated access to and through UA lands, or for commercial applications, is available by obtaining a permit from the UALMO. Public access and use of UA lands for non-commercial uses such as hiking and berry picking are allowed without a permit. More information on the permit process can be found here: <https://www.alaska.edu/ualand/permits/>.
- **Public Comment 4:**

While I understand that this particular comment period applies only to the Ray Mountain Selection (RMS), I am also going on record to make clear my opposition to the Spooky Valley Selection relinquishment (SVS) that was signed by DNR in 2023. I have concerns that I believe apply equally to both parcels.

It is clear from the University's comments on the 2023 Spooky Valley relinquishment that their stance is to lease and develop it for mineral extraction, and it would be a safe assumption that this applies equally to the current Ray Mountain Selection.

In their own words:

“Agency reviews showed the area contains known deposits of rare-earth minerals (REE's), some of which are classified by the US Government as critical and strategic minerals. Development of these minerals would provide economic opportunities for the University, the economy, and are critical for manufacturing and clean energy technologies. University ownership of the REE deposits, in conjunction with DNR

ownership of adjacent deposits in the Ray Mountains, could incentivize development and provide shared benefits to both DNR and the University.”

While in one forum the University raised the possibility of carbon sequestration as a use for the properties, that note was lightly struck in comparison to others mentioned in their written statement, such as “...jobs for Alaskans...” (even though the ‘At Risk’ mining claims already staked in Spooky Valley and elsewhere are owned by UCore, a Canadian company) ”...economies of scale benefiting the potential development of resources on adjacent State-owned lands...” “...may also contribute to instate educational opportunities to those enrolled at the University...”

While UA chooses its words carefully (clean energy, educational opportunities, critical and strategic minerals), they are seeking land of value that they may turn around and sell or lease without having to go through the rigorous public process that the State is required to undergo.

The University is floundering financially at the moment only because the current State administration continues perversely to cut their funding. In essence, UA may want to get title to these Ray Mountains lands that they have no historical connection with, nor stake in, and have the ability to turn around and lease them to a Canadian mining company for ready cash.

The University may not have considered yet that there are already entities that DO have a long term interest in preserving this area of the Ray Mountains as it now is—undeveloped. Specifically:

- 1) The villages of Tanana, Rampart, and Stevens Village that have used this area for subsistence and regard it as their home country. They have a long time use of this area, and an historical tradition of use of the hot springs in the area as a source of healing.
- 2) USFWS has raised concerns about the water quality and habitat in a proposed mining area that would be located just upstream of the Kanuti Wildlife Refuge.
- 3) ADF&G has raised concerns about water quality in the Tozitna and Kanuti Kilolitna drainages vis-a-vis anadromous salmon spawning and resident fish populations.
- 4) BLM designated Spooky Valley and other select areas of the Ray Mountains as Areas of Critical Environmental Concern (ACEC’s) and Resource Natural Areas (RNA’s) beginning in the 1980s, and have reiterated the importance of those values in their completed Central Yukon Record of Decision and Approved Resource Management Plan (November 2024). This is because it is core habitat for the limited numbers of the isolated Ray Mountains Caribou Herd, and because of “an unusual concentration” of nesting areas in Spooky Valley and elsewhere in the Ray Mountains of migrating bird species.
- 5) Unusual and exceptional scenic values in Spooky Valley due to the number of strangely shaped granite Tors. Few people outside of local villagers have seen them due to their isolation, but they are world class geologic oddities.

I find it incomprehensible that these long established values and protections do not transfer along with the title to these Ray Mountains and Spooky Valley selections.

This is particularly puzzling in view of the “No Name Creek” geologic pluton having much higher REE values as well as being virtually on the Dalton Highway north of the Yukon River Bridge. This would potentially provide strategic REE’s with a lot less destruction to habitat and other values I have listed above.

I oppose transfer of both parcels to UA, particularly for the purpose of leasing what is a unique area to a Canadian mining company for quick cash.

I believe that UA should leave it in its undeveloped state (in which case I encourage their ownership). If they acquire title to those lands then develop them for minerals they are demonstrating an only rudimentary knowledge or concern for the area they propose to acquire. I believe UA may be unpleasantly surprised by the opposition they will arouse if they try to lease it or sell it for mineral extraction.

- **DMLW Realty response:** Thank you for your comments. The scope of this decision is limited to whether DNR should relinquish its land selection within the Ray Mountains Selection (RMS) area to facilitate conveyance of the lands to the UA. Realty is unable to address comments regarding Spooky Valley or any other selection area as part of this decision. The Spooky Valley decision has been completed, the reconsideration period has ended, and the conditional relinquishment letter has been sent to BLM.
- Comments related to funding for the UA are outside the scope of this decision. General UA funding is controlled by the legislature, with specific funding sources managed by the UA Board of Regents (BOR).
- Issues related to possible future development of the lands are beyond the scope of this decision. Realty notes that should the land be conveyed to the UA, any future development actions would be subject to applicable State and Federal environmental regulations and permits. Any related State permit would be required to complete applicable public notice per Alaska Statutes. The UALMO provides public notices for actions on UA lands via their website: <https://www.alaska.edu/ualand/> and in accordance with existing Board of Regents’ policy.
- The area has been and continues to be used by residents of several villages in the vicinity. Certain lands in the RMS were selected by Doyon under the Alaska Native Claims Settlement Act (ANCSA). However, Doyon relinquished most selections in the 2000’s, opening the lands to conveyance to the State. The only selection Doyon retained is for the Upper Ray River Hot Springs.
- Per the Act of June 25, 1910, Chap. 421 (36 Stat. 824), EO 5389, and PLO 399, neither the State or UA can acquire title to hot springs or lands within KGRA that meet certain criteria. Ownership of qualifying lands will remain with BLM, unless there is an ANCSA selection on the lands. The hot springs in F013N016W (Upper Ray River Hot Springs), described as Lot 1 of U.S. Survey 12473, are currently withdrawn from the public domain by PLO 399. The hot springs in F013N014W (Lower Ray River Hot Springs) are also withdrawn by PLO 399.
- BLM is required to classify and create management plans for public lands per the Federal Land Policy and Management Act (FLPMA), including designating lands as Research Natural Areas (RNAs) and Areas of Critical Environmental Concern

(ACEC). However, RNA or ACEC designations or land management plans cannot be used to stop Federal land conveyances under the Statehood Act. Congress has directed BLM to convey lands that are considered vacant, unappropriated, and unreserved (open to entry, no prior valid land claims or third-party land claims, and are not withdrawn) to the State, and BLM is required to comply with that directive. The CAA 2023 does not provide for BLM to restrict the UA's land title in acknowledgement of designations such as RNAs or ACECs.

- Should DNR relinquish its selection, the ADF&G would retain management of fish and wildlife on any lands conveyed to the UA. Realty notes that most lands within the area of discussion are validly selected by the State, therefore the Federal subsistence priority created under ANILCA does not apply. A decision to retain the DNR selection on these lands would not result in the land returning to or remaining under Federal subsistence management. The UALMO has created a program allowing hunting and subsistence activities on UA lands—although the program does not allow trapping. More information about the program can be found here: <https://www.alaska.edu/ualand/permits/hunting-revised.php>.

- **Public Comment 5:**

I strongly OPPOSE this transfer. These lands are unique and beautiful, and should be protected from private development for the continued use of Alaskans both present and future. This area has multiple hot springs, is an important area to the small Ray Mountains caribou herd, and has value in its present wild and undeveloped form that cannot be expressed in dollar amounts. The UA system has recently been in dire financial straits, which would make it much more likely for this area to be sold for development.

- **DMLW Realty response:** Thank you for your comments. The scope of this decision is limited to whether DNR should relinquish its land selection to facilitate conveyance of the lands to the UA. Comments related to land restrictions, preservation, or future development are beyond the scope of this decision. Realty notes that should the lands be conveyed to the UA, any future development actions would be subject to applicable State and Federal environmental regulations and permits. Relinquishment would not authorize any development and the UA's potential future actions would be subject to applicable State and Federal environmental regulations and permits.
- Comments related to funding for the UA are outside the scope of this decision. General UA funding is controlled by the legislature, with specific funding sources managed by the UA BOR.
- Per the Act of June 25, 1910, Chap. 421 (36 Stat. 824), EO 5389, and PLO 399, neither the State or University can acquire title to hot springs or lands within KGRA that meet certain criteria. Ownership of qualifying lands will remain with BLM, unless there is a valid ANCSA selection on the lands. The hot springs in F013N016W (Upper Ray River Hot Springs), described as Lot 1 of U.S. Survey 12473, are currently withdrawn from the public domain by PLO 399 and are selected by Doyon under application FF-21901-45. The hot springs in F013N014W (Lower Ray River Hot Springs) are also withdrawn by PLO 399. If you are aware of other springs in the Ray Mountains selection area Realty encourages you to contact the BLM's Central Yukon Field Office and report the locations of the hot springs.

- UALMO has created a program allowing hunting and subsistence activities on UA lands. More information about the program can be found here: <https://www.alaska.edu/ualand/permits/hunting-revised.php>. Realty notes that most lands within the area of discussion are validly selected by the State, therefore the Federal subsistence priority created under ANILCA does not apply. A decision to retain the DNR selection on these lands would not result in the lands returning to or remaining under Federal subsistence management. ADF&G will continue to retain management of fish and wildlife resources on the lands should ownership be transferred to the UA.
- **Public Comment 6:**

In my opinion the areas under consideration for relinquishment to UAF encompass natural resources that should be retained by the State for ultimate management in the broader public's best interest. My familiarity with the subject lands is intimate. It has evolved during four decades of professional mineral prospecting and personal backcountry recreation in these specific areas.

Benefits from the mineral resources and the wildlife resources and the recreational resources of these Ray Mountains & Spooky Valley areas will all remain more accessible to the general Alaskan public and business communities - if retained under ADNR management.

With regard to the mineral resources, the State of Alaska has invested considerable public monies in funding geologic mapping and mineral surveys by the DGGs with some significant positive results. The benefit of that work was intended to justly accrue to Alaskans as a whole – and was not meant to prioritize benefits for those narrow commercial interests who secure leases from UAF.

In regard to the wildlife resources, I am only personally familiar with the resident caribou herd that is nonmigrating and entirely dependent on the habitat within a roughly 40-mile radius of Kilo Hot Springs. Under ADNR & ADFG management I have reason to believe that the health of that herd and their habitat will be better managed than under UAF mineral leasing agency.

Similarly with respect to recreational resources, the raw beauty and wild land aloneness that greets a backcountry traveler who successfully navigates into this region is top-tier for Interior Alaska. Continued management in the public interest, whether by ADNR or USBLM, will better preserve the Alaskan public's access to such places as Kilo Hot Springs or Spooky Valley – than what will develop under commercial enterprises intended to provide income return to UAF.

- **DMLW Realty response:** Thank you for your comments. The scope of this decision is limited to whether DNR should relinquish its land selection within the Ray Mountains selection area to facilitate conveyance of the lands to the UA. Realty is unable to address concerns regarding the Spooky Valley or any other selection as part of this decision.
- Comments related to expenditures for past exploration work by State agencies, such as DGGs, are outside the scope of the decision. The Statehood Act and the CAA 2023 do not provide a mechanism for recovering public money spent on geologic

investigations of the Ray Mountains area.

- The UALMO has created a program allowing hunting and subsistence activities on UA lands—although the program does not allow for trapping. More information about the program can be found here: <https://www.alaska.edu/ualand/permits/hunting-revised.php>. ADF&G will continue to retain management of fish and wildlife resources, including the Ray Mountains caribou herd, should ownership be transferred to the UA.
  - Should the land be conveyed to the UA, any future development actions would be subject to applicable State and Federal environmental regulations and permits, including impacts on fish and wildlife resources.
  - Dedicated access to and through UA lands, or for commercial applications, is available by obtaining a permit from the UALMO. Public access and use of UA lands for non-commercial uses such as hiking and berry picking are allowed without a permit. More information on the permit process can be found here: <https://www.alaska.edu/ualand/permits/>.
  - Per the Act of June 25, 1910, Chap. 421 (36 Stat. 824), EO 5389, and PLO 399, neither the State or University can acquire title to hot springs or lands within KGRA that meet certain criteria. Ownership of qualifying lands will remain with BLM, unless there is a valid ANCSA selection on the lands. The hot springs in F013N016W (Upper Ray River Hot Springs), described as Lot 1 of U.S. Survey 12473, are currently withdrawn from the public domain by PLO 399 and are selected by Doyon under application FF-21901-45. The hot springs in F013N014W (Lower Ray River Hot Springs) are also withdrawn by PLO 399. Kilo Hot Springs are located outside of the UA Ray Mountain selection area and are therefore outside the scope of this decision.
- **Public Comment 7:**

I have resided in Alaska for the past 41 years. My brother and I currently own 160 acres directly adjacent to the Ray River Hot Springs (US Survey #12473), which is located in Township 13 North, Range 16 West, Fairbanks Meridian. This area has historically seen small scale mining, hunting and trapping, as well as recreational activities during the past 100 years or so. Access to this remote property is costly and difficult. There is a short, non-maintained ridge-top landing strip a few miles to the SW of my property that can be utilized by experienced Super Cub pilots, however a more reliable trail access route begins at the wayside pull-off at Mile Post 70 on the Dalton Highway (winter access only).

I am not against UA receiving lands, in fact, being a Land, Sea and Space Grant institution, they are long overdue to receive the lands that were promised to them decades ago. Naturally I am concerned about maintaining long term access in to my property once these lands change ownership. The whole purpose of providing UA with these lands is so the Land Management Office can sell them in order to generate funding for on-going and future UA programs. The fact that subsurface mineral rights are included, speaks to the likely potential for mining activity in this area in the future, which could also translate in to roads being put in from the Dalton Highway, and/or at the very least, a significant change to the pristine ecosystem of this area.

An exchange of emails with a Senior Property Manager at the UA Land Management Office made it clear that UA has no current or past experience in dealing with rights-

of-way or access issues from adjacent or in-holding land owners for any of the properties that they currently own / maintain. I did not come away feeling confident that my access concerns would be addressed adequately. Please note that there is no single specific route that is used each time someone heads in toward my property. The geography, the environment and the climate dictate the route that ultimately needs to be taken. The Ray River corridor itself is full of geothermal activity which can result in thin ice and overflow conditions during parts of the winter. Plus there is a canyon full of large boulders that usually prevents further travel via the waterway. Past fires in this area can also make overland travel very difficult, which means different routes need to be taken, usually on the fly, more often than not.

Dealing with prospective changes to the environment in this region is one issue, but being deprived of accessing my property in the future is a bigger concern for me right at the moment. Having historical access in to this area, it would be my hope that I, and future owners of my property, would be grandfathered in as far as overland trail access is concerned. As of today, I am against relinquishing all lands in this Ray River selection that pertain to the area beginning at Mile Post 70, following along and including a 5 mile corridor along both sides of the Ray River in a Westerly direction all the way in to my property. Small portions of six (6) Townships out of the 15 total selected would be affected. If it is not possible for me to comment on just portions of this approximately 220,000 acres that are under consideration, then I guess I will be forced to oppose the entire Ray River selection area that is under consideration for the reasons stated above.

- **DMLW Realty response:** Thank you for your comments. The scope of this decision is limited to whether DNR should relinquish its land selection to facilitate conveyance of the lands to the UA. Comments related to possible future development of the lands are beyond the scope of this decision. Realty notes that relinquishment of DNR's land selection does not authorize any development. Should the lands be conveyed to the UA, any future development actions would be subject to applicable State and Federal environmental regulations and permits.
  - Public access to and through UA lands is available by obtaining a permit from the UALMO. More information on the permit process can be found here: <https://www.alaska.edu/ualand/permits/>. Realty notes that the commentor could secure permitted legal access to his property by contacting the Central Yukon Field Office and obtaining a federal easement or right-of-way. The possibility of DNR retaining access corridors to this inholding are considered further in Section X, Discussion and Alternatives.
  - The UALMO has created a program allowing hunting and subsistence activities on UA lands—although the program does not allow for trapping. More information about the program can be found here: <https://www.alaska.edu/ualand/permits/hunting-revised.php>. ADF&G will continue to retain management of fish and wildlife resources.
- **Public Comment 8:**

My husband and I recreate, hunt, trap, and fish here. My husband has a walking trapline along the Ray River that is literally encompassed by this selection. We are worried that the transferring of these public lands to the University of Alaska will lead to private ownership, restriction, and possible commercialization of resources within these

selections. Not to mention potentially impacting the wildlife and fish resources within and near the selected areas. These resources include the Ray Mountain caribou, which is a small herd whose overwintering and calving area are both within this selection. Additionally, the Ray River has king and chum salmon rearing and spawning habitat.

One of the best things about Alaska is that the majority of the state is open to public use and is not commercialized. The transfer of this land selection means there is a high likelihood that this beautiful and unique area (the multiple hot springs in the selected area, the beautiful tors in the Spooky Valley, as well as all the fish and wildlife) could have its access restricted for the benefit of a relatively few entities.

- **DMLW Realty response:** Thank you for your comments. UALMO has created a program allowing hunting and subsistence activities on UA lands—although the program does not allow for trapping. More information about the program can be found here: <https://www.alaska.edu/ualand/permits/hunting-revised.php>. ADF&G will continue to retain management of fish and wildlife resources on the lands should ownership be transferred to the UA.
  - The scope of this decision is limited to whether DNR should relinquish its land selection to facilitate conveyance of the lands to the UA. Issues related to possible future development of the lands are beyond the scope of this decision. Relinquishment of the DNR selection would not authorize any development and the UAs potential future actions would be subject to applicable State and Federal environmental regulations and permits.
  - Dedicated access to and through UA lands, or for commercial applications, is available by obtaining a permit from the UALMO. Public access and use of UA lands for non-commercial uses such as hiking and berry picking are allowed without a permit. More information on the permit process can be found here: <https://www.alaska.edu/ualand/permits/>.
  - Per the Act of June 25, 1910, Chap. 421 (36 Stat. 824), EO 5389, and PLO 399, neither the State or UA can acquire title to hot springs or lands within KGRA that meet certain criteria. Ownership of qualifying lands will remain with BLM, unless there is a valid ANCSA selection on the lands. The hot springs in F013N016W (Upper Ray River Hot Springs), described as Lot 1 of U.S. Survey 12473, are currently withdrawn from the public domain by PLO 399 and are selected by Doyon under application FF-21901-45. The hot springs in F013N014W (Lower Ray River Hot Springs) are also withdrawn by PLO 399.
  - Resources and lands within the Spooky Valley area are outside of the Ray Mountains selection and are therefore outside the scope of this decision.
- **Public Comment 9:**

I am writing to express concern about the proposed relinquishment of state entitlement north of the Yukon River and west of the Dalton Highway in the Spooky Valley and Ray River areas encompassed by the University of Alaska’s Spooky Valley selection. The selected area is too large, if it was privatized it would block access to the entire mountain range in one direction. To ensure public access for hunting and recreation, at least a mile around each hot spring and a corridor up popular travel routes such as Halo Creek, Spooky Valley etc. should be considered.

Our family recreates in this area and are considering offering commercially guided

winter trips in the region, specifically in Spooky Valley/Kilo Hot Springs. This is a really amazing area, similar to the Brooks Range in its wilderness character but closer to Fairbanks. Privatization and development of this land would restrict the access we and other Alaskans have enjoyed for years.

We know this area to be exceptionally scenic, geologically unique and biologically important. The nonmigrating Ray River caribou herd overwintering and calving area are both within this selection. The Ray River also has king and chum salmon rearing and spawning habitat. Public ownership by BLM is an appropriate way to maintain these values for all Alaskans rather than a few.

We are worried that the transferring of these public lands to the University of Alaska will lead to private ownership, restriction, and commercialization of resources within these selections. It could open the door for the development of a road in the Dalton highways non-motorized corridor.

- **DMLW Realty response:** Thank you for your comments. The scope of this decision is limited to issues and lands within the Ray Mountain selection, specifically whether DNR should relinquish its land selection to facilitate conveyance of the lands to the UA. Issues related to possible future development of the lands are beyond the scope of this decision. Realty notes that relinquishment of DNR's land selection does not authorize any development, only the transfer of title to the lands.
- The UA's Ray Mountains area selection is a mix of State selected and top-filed lands. Should DNR decline to relinquish the selection, the lands would remain under Federal management until title is conveyed to DNR.
- Issues related to Spooky Valley, Kilo Hot Springs, and the associated decision are outside the Ray Mountains selection area and are therefore outside the scope of this decision.
- Per the Act of June 25, 1910, Chap. 421 (36 Stat. 824), EO 5389, and PLO 399, neither the State nor UA can acquire title to hot springs or lands within KGRA that meet certain criteria. Ownership of qualifying lands will remain with BLM, unless there is a valid ANCSA selection on the lands. The hot springs in F013N016W (Upper Ray River Hot Springs), described as Lot 1 of U.S. Survey 12473, are currently withdrawn from the public domain by PLO 399 and are selected by Doyon under application FF-21901-45. The hot springs in F013N014W (Lower Ray River Hot Springs) are also withdrawn by PLO 399. BLM is required to retain lands within ¼ mile of known hot springs; this distance can be expanded if the area is found to be a potentially developable KGRA. BLM will determine the final area to be retained or conveyed around the two known hot springs.
- Access corridors are considered more fully later in this document in Section X, Discussion and Alternatives. UALMO does have a permitting system that could be utilized to secure access for inholders of private land, other users, and commercial actions such as guiding. Many non-commercial activities such as hiking, berry picking, and mushroom hunting are allowed without a permit. More information on the permit process can be found here: <https://www.alaska.edu/ualand/permits/>.
- The UALMO has created a program allowing hunting and subsistence activities on UA lands—although the program does not allow for trapping. More information about the program can be found here:

<https://www.alaska.edu/ualand/permits/hunting-revised.php>. Realty notes that most lands within the area of discussion are validly selected by the State, therefore the Federal subsistence priority created under ANILCA does not apply. A decision to retain the DNR selection on these lands would not result in the land returning to or remaining under Federal subsistence management. ADF&G will continue to retain management of fish and wildlife resources on the lands, including the Ray Mountains caribou herd, should ownership be transferred to the UA.

- **Public Comment 10:**

We are property owners along the Yukon River corridor between the bridge and Rampart. We feel very fortunate to share this place with our growing children and look forward to many adventures as they grow up. Along with most people that we associate with we enjoy living in Alaska because of its wild nature. The experiences we have gained in country that is raw and relatively unscarred by man have become a large part of who we are.

We are concerned about the impact that the land relinquishing will have on the Ray mountains and surrounding area. The caribou herd that resides in the area is a nonmigratory herd and in that way unique. We are aware that the Ray mountains contain rare earth minerals and know that we use them in our everyday life. The need for these minerals is increasing all the time. Conversely, the wild places that are left in the U.S. and the world for that matter are shrinking all the time. Our fear is that these mountains will be sold for mineral extraction and the damage to the local ecosystem will be beyond repair. We feel that the intrinsic value of this mountain range outweighs the value of the minerals within. Due to the uniqueness and natural beauty of the area we suggest that the state should consider placing it in protected status.

Relinquishing the land in the Ray mountains could potentially lead to development in the area and disruption of the nonmigratory caribou herd and therefore we oppose it. Being the parents of young children we hope that some forethought in this decision is used concerning future generations. Please include us in any future information regarding the decisions made about this land.

- **DMLW Realty response:** Thank you for your comments. The scope of this decision is limited to whether DNR should relinquish its land selection to facilitate conveyance of the lands to the UA. Possible land use restrictions, development, or land preservation are beyond the scope of this decision. Realty notes that should the land be conveyed to the University, any future sale, development, or other action would be subject to applicable State and Federal environmental regulations and permits. The UALMO provides public notices for actions on university lands via their website: <https://www.alaska.edu/ualand/>.
  - Management of the Ray Mountains caribou herd, along with other fish and game resources throughout the UA Ray Mountain selection, currently rests with ADF&G. ADF&G will continue to retain management of fish and wildlife resources on the lands should ownership be transferred to the UA.
  - All commentors will be provided with a copy of the final decision.
- **Public Comment 11:**  
This is a comment on the proposed transfer of the Ray River area lands, including

Spooky Valley, to the University of Alaska. I strongly OPPOSE this transfer. These lands have a high degree of scenic value and biological and geological features (like tors, a resident caribou herd, and multiple hot springs) that should be protected from private development for the continued use of the present and future citizens of Alaska.

It is no secret that UA is being starved of state funding and that UA would seek to convert this land into money by selling to the highest bidder. It is the duty of DNR to protect these kinds of exceptional lands for the enjoyment of the citizens at large, not to act as if the agency works for land developers whose interests may be in opposition to the wider population's wishes. Your clients are the people of the state of Alaska. Kindly place their interests first.

- **DMLW Realty response:** Thank you for your comments. The scope of this decision is limited to whether DNR should relinquish its land selection to facilitate conveyance of the Ray Mountain selection land to UA. Issues related to possible future development of the lands are beyond the scope of this decision. Realty notes that relinquishment of DNR's land selection does not authorize any development. In addition, should the lands be conveyed to the UA, any future development actions would be subject to applicable State and Federal environmental regulations and permits.
  - Issues related to the Spooky Valley area, Kilo Hot Springs, or the Spooky Valley relinquishment decision are outside the Ray Mountains selection area and are therefore outside the scope of this decision.
  - Comments related to funding for the UA are outside the scope of this decision. General UA funding is controlled by the legislature, with specific funding sources managed by the UA BOR.
  - Per the Act of June 25, 1910, Chap. 421 (36 Stat. 824), EO 5389, and PLO 399, neither the State or UA can acquire title to hot springs or lands within KGRA that meet certain criteria. Ownership of qualifying lands will remain with BLM, unless there is a valid ANCSA selection on the lands. The hot springs in F013N016W (Upper Ray River Hot Springs), described as Lot 1 of U.S. Survey 12473, are currently withdrawn from the public domain by PLO 399 and are selected by Doyon under application FF-21901-45. The hot springs in F013N014W (Lower Ray River Hot Springs) are also withdrawn by PLO 399.
  - ADF&G currently holds management authority for the Ray Mountains caribou herd, along with other fish and game resources throughout the UA Ray Mountain selection area. ADF&G will continue to retain management of fish and wildlife resources on the land should ownership be transferred to the UA.
- **Public Comment 12:**

I am writing with some concerns about the State relinquishment of the Spooky Valley and Ray River parcels to BLM, for subsequent transfer to the University of Alaska. This large area would change from public to essentially private ownership.

I have two main concerns. One is for the Ray Mountains Caribou Herd. This is a nonmigratory herd whose range is almost entirely included in the Spooky Valley and Ray River parcels. If there is any way to highlight this as a resource that needs to be considered in UAF land management decisions, that would be valuable.

The second is Kilolitna Hot Springs. I have visited this hot springs a number of times, and have been awed by its amazing beauty and spectacular setting in the Ray River/Spooky Valley area. It is a very special place that should not become privately owned or managed. There is a large area around the hot springs valley that is a unique ecosystem, with unusual plants and animal habitat.

I understand that the relinquishment of State selection for the Spooky Valley area has already occurred. I will urge BLM to retain ownership of this area and not transfer it to the State. If it does get transferred, I urge DNR to not transfer the area around the hot springs to the University.

- **DMLW Realty response:** Thank you for your comments. The scope of this decision is limited to whether DNR should relinquish its land selection within the Ray Mountains UA selection area to facilitate conveyance of the lands to the UA. Realty is unable to address concerns regarding the Spooky Valley area, Kilo Hot Springs, or the Spooky Vally decision as part of this decision.
- UALMO has created a program allowing hunting and subsistence activities on University lands. More information about the program can be found here: <https://www.alaska.edu/ualand/permits/hunting-revised.php>. ADF&G currently has management authority for fish and wildlife resources within the Ray Mountain selection area, including the Ray Mountains caribou herd, and will continue to retain management of those resources should ownership be transferred to the UA. While potential development of the lands is outside the scope of this decision, should the lands be transferred to the University any proposed use or development would be subject to applicable State and Federal regulations and permits. In addition, the UALMO provides public notices for actions on university lands via their website: <https://www.alaska.edu/ualand/>.
- Per the Act of June 25, 1910, Chap. 421 (36 Stat. 824), EO 5389, and PLO 399, neither the State or UA can acquire title to hot springs or lands within KGRA that meet certain criteria. Ownership of qualifying lands will remain with BLM, unless there is a valid ANCSA selection on the lands. The hot springs in F013N016W (Upper Ray River Hot Springs), described as Lot 1 of U.S. Survey 12473, are currently withdrawn from the public domain by PLO 399 and are selected by Doyon under application FF-21901-45. The hot springs in F013N014W (Lower Ray River Hot Springs) are also withdrawn by PLO 399.

- **Public Comment 13:**

As a long-time resident of the Ray Mountains, I am concerned about the proposed relinquishment of state-selected lands around the Ray Mountains and Spooky Valley to facilitate the conveyance of these lands from BLM to the University of Alaska.

I spend large parts of each year living, hunting, fishing, and gardening on my property on the Big Salt River in the Ray Mountains.

I am worried that conveying these lands into private ownership would threaten the sustainability of local fish and wildlife on and near the selected areas —especially the nonmigratory Ray Mountain caribou herd (whose calving and wintering grounds fall within the selection), and Yukon River Chinook and chum salmon that spawn there.

Every year, a number of folks from Fairbanks and other parts of Alaska also travel through the area to recreate. The proposed relinquishment of state-selected lands around the Ray Mountains and Spooky Valley could also limit public access in the future.

Please keep this land in public ownership for use by all Alaskans. I also request that, as a property owner in the area, you keep me informed about this matter.

- **DMLW Realty response:** Thank you for your comments. The scope of this decision is limited to whether DNR should relinquish its land selection within the Ray Mountains UA selection area to facilitate conveyance of the lands to the UA. Realty is unable to address concerns regarding the Spooky Valley area or the Spooky Valley decision as part of this decision.
  - While potential development of the lands is outside the scope of this decision, should the lands be transferred to the UA any proposed use or development would be subject to applicable State and Federal regulations and permits. In addition, the UALMO provides public notices for actions on university lands via their website: <https://www.alaska.edu/ualand/>.
  - UALMO has created a program allowing hunting and subsistence activities on University lands. More information about the program can be found here: <https://www.alaska.edu/ualand/permits/hunting-revised.php>. ADF&G currently has management authority for fish and wildlife resources within the Ray Mountain selection area, including the Ray Mountains caribou herd, and will continue to retain management of those resources should ownership be transferred to the UA.
  - Dedicated public access to and through UA lands, or for commercial applications, is available by obtaining a permit from the UALMO. Public access and use of UA lands for non-commercial uses such as hiking and berry picking are allowed without a permit. More information on the permit process can be found here: <https://www.alaska.edu/ualand/permits/>.
  - All commentors will be contacted with information regarding decisions.
- **Public Comment 14:**

I appreciate your time and consideration on our important public land issues. I am grateful that Alaska continues to offer residents and visitors uncomplicated access to some of the world's most remarkable landscapes. DNR has historically been a champion of public access and has allowed the public to hunt, fish, and recreate on our public lands. Sadly the University of Alaska has a history of excluding the public from public lands even when those lands are vacant.

Thus I am concerned by and opposed to the proposed relinquishment of lands in the Ray River and Spooky Valley from DNR to the University. Hunters, anglers, hikers, snow machiners, prospectors, pilots, hikers and others are losing access to vast areas of the state every year. Until such time as the University allows unfettered access to it's vacant lands I hope DNR will not transfer more lands to it.

- **DMLW Realty response:** Thank you for your comments. Dedicated public access to and through UA lands, or for commercial applications, is available by obtaining a permit from the UALMO. Public access and use of UA lands for non-commercial uses such as hiking and berry picking are allowed without a permit. More

information on the permit process can be found here: <https://www.alaska.edu/ualand/permits/>.

- UALMO has created a program allowing hunting and subsistence activities on UA lands. More information about the program can be found here: <https://www.alaska.edu/ualand/permits/hunting-revised.php>.
- Additionally, the UALMO provides public notices for actions on UA lands via their website: <https://www.alaska.edu/ualand/>.

- **Public Comment 15:**

I am extremely opposed to the relinquishment of state selections in the Ray Mountains area. With all due respect, It is absurd to transfer the majority of this drainage to the University of Alaska. The Ray River Valley is a unique area of public land that I have a great personal connection with. I have a trapline that I skijor, ski, and snowshoe each winter. I have used this fur for personal use as well as teaching at the Fairbanks folk school and selling on the market. Well above the value of the fur is the value of being able to participate in the public lands of the Ray River Valley. This proposed action could remove the entire river system upstream from its confluence with No Name creek from public use. This is the majority of the Ray River. There are also two unique hot springs on the Ray and one just over the divide on the Kanuti Kilolitna. My wife and I have skijored the 70 miles from the bridge to Kilo hot springs and back. Kilo is an unbelievable place. The privilege of getting to skijor there through our public lands is beyond words to describe. I am concerned that the University will own all access points to these public natural wonders. The University could develop these areas and change their character forever. The University could be transferred other lands that do not contain such irreplaceable public resources.

In summery it is not appropriate to transfer an entire drainage of public lands as special as the Ray River Valley to UA. Therefore I urge you not to relinquish state selections in the Ray Mountains area.

- **DMLW Realty response:** Thank you for your comments. The scope of this decision is limited to whether DNR should relinquish its land selection within the Ray Mountains UA selection area to facilitate conveyance of the lands to the UA. Realty is unable to address concerns regarding the Spooky Valley area, Kilo Hot Springs, or the previous Spooky Vally decision as part of this decision.
- While potential development of the land is outside the scope of this decision, should the land be transferred to the UA any proposed use or development would be subject to applicable State and Federal regulations and permits. In addition, the UALMO provides public notices for actions on university lands via their website: <https://www.alaska.edu/ualand/>.
- UALMO has created a program allowing hunting and subsistence activities on UA lands, however it does not allow trapping. More information about the program can be found here: <https://www.alaska.edu/ualand/permits/hunting-revised.php>.
- Public access and use of UA lands for non-commercial uses such as hiking and berry picking are allowed without a permit. Dedicated access to and through UA lands, or for commercial applications, is available by obtaining a permit from the UALMO. More information on the permit process can be found here: <https://www.alaska.edu/ualand/permits/>.
- Per the Act of June 25, 1910, Chap. 421 (36 Stat. 824), EO 5389, and PLO 399,

neither the State nor UA can acquire title to hot springs or lands within KGRA that meet certain criteria. Ownership of qualifying lands will remain with BLM, unless there is a valid ANCSA selection on the lands. The hot springs in F013N016W (Upper Ray River Hot Springs), described as Lot 1 of U.S. Survey 12473, are currently withdrawn from the public domain by PLO 399 and are selected by Doyon under application FF-21901-45. The hot springs in F013N014W (Lower Ray River Hot Springs) are also withdrawn by PLO 399.

## **X. DISCUSSION AND ALTERNATIVES**

The UA has sought additional lands to complete its territorial land grant for several decades but has been challenged by legal restrictions about the disposal of state lands in the Statehood Act and the State Constitution. Previous attempts to rectify the land grant deficit were ultimately overturned in legal challenges. This history resulted in federal Congressional action within the CAA 2023 with the intent of establishing a state and federal cooperative program to remedy the deficit. Congressional intent is for lands to be transferred to the UA to complete the entitlement originally intended for conveyance under the Statehood Act and to provide economic opportunities for the UA. This is consistent with the UA's public interest mission under state law.

DNR must consider and weigh its own and the public's interests in retaining or relinquishing land selections while supporting the UA's public interests in new land entitlement. Such interests include resource development, conservation, consideration of existing land uses, and public access consistent with the public interest. In general, there must be an overarching benefit to Alaskans to defeat the Congressional intent in the CAA 2023 and the public interests of UA in the program. Any decision DNR makes must balance these interests: providing valuable land to the UA without undue harm to the interests of Alaskans.

DNR notes that the CAA 2023 does not require the State to relinquish state selected land and is considering UA selections in light of the balanced interests of the State. The UA's original selection included lands within PLO 5150/Dalton Highway Corridor (5150 corridor) crossed by the TAPS right-of-way and the proposed natural gas pipelines. It has been long-standing State policy to consolidate ownership of the entire TAPS pipeline with the State. Realty determined that maintaining DNR ownership of the TAPS is in the best interests of the State and public, and requested that the UA modify its Ray Mountains selections to exclude TAPS. Realty also determined that it may be in the State's best interests to consider UA ownership of some lands within the 5150 corridor. In response, the UA submitted a revised selection, creating the parcel of land described in Section VI. The administrative decision to ask for modification of the UA Ray Mountains selection is allowed under the CAA 2023, and is therefore outside the scope of this decision.

The land described in Section VI represents a large, compact, and contiguous block of land. Conveyance of medium to large sized blocks of land generally simplifies land and resource management. Large blocks help enable landscape level considerations when land use authorizations are proposed. It helps the public understand land boundaries and acquire any relevant permits prior to land use. Additionally, it may reduce the potential for user confusion and conflict across areas of mixed land ownership. For this reason, after agency review comments were considered, it was administratively determined that it was in the best interests of the State and public to consider the lands as a contiguous block for possible relinquishment and conveyance to the UA.

Lands surrounding the UA's Ray Mountains selection are a mixture of: Federal public lands

selected by the State and currently managed by the BLM, Federal public lands managed by the BLM with a top-filed State selection (until recently, these lands were withdrawn by PLO 5150, which was revoked by BLM on Feb. 24, 2026, which started the process of making the State selections active), lands selected by ANCSA Corporations and managed by the BLM, Federal lands managed by the BLM or the U.S. Fish and Wildlife Service, private lands, and private Native Corporation owned lands. The State selected the lands during the Statehood Entitlement selection period as possible acquisitions for natural resources, mineral, and fish and game interests. The UA selections are currently ranked as a mix of very high, high, and low priority for acquisition by DNR.

The lands are not crossed by any accepted and codified Revised Statute (RS) Trails. There are no trails within the selection area that are permitted by the BLM or the State. Public notice comments revealed that there are publicly and privately used trails crossing the selection area that are ambulatory, meaning the trail routes change seasonally or yearly. A review of Federal records indicates there are no current applications with BLM for a permit, easement, or right-of-way by any individuals or groups. BLM records contained one right-of-way application to reach a private inholding was filed in 2007; the application was withdrawn by the applicant and closed prior to being issued. Realty was unable to find any evidence that trails have been surveyed or dedicated to the public.

The UA has excluded the beds of navigable waterbodies where title was conveyed to the State at Statehood under the Submerged Lands Act and the Equal Footing Doctrine. Ownership of the lands below the ordinary high-water mark of navigable water bodies will remain with DNR under the Public Trust Doctrine. BLM and the State have agreed that the Ray River is navigable upstream to the western boundary of Sec. 1 in T. 13 N., R. 14 W., F.M. Based on reports of public use/floats upstream of this point, Realty will request a navigable river determination for the Ray River between the Upper Ray River Hot Springs (located in F013N016W09) and the currently agreed upon upriver extent of navigable water. Should PAAD determine this portion of the river is navigable, PAAD will notify BLM of their determination. Because BLM cannot convey lands where title vested at Statehood, BLM would not be able to convey the bed of the river to the UA. Realty will work with BLM to ensure the riverbed is excluded from lands conveyed to the UA.

AS 38.05.127 requires that before a disposal of an interest in state land, DNR must determine if waterbodies within or adjacent to the proposed area for disposal are navigable or public water; and if they are to reserve access easements. However, statehood entitlement selections do not provide the State with management authority or title in land, but rather a valid prior existing right requiring BLM to convey to the state the selection when certain conditions are met. Given this, the State is unable to reserve access easements for relinquishments of entitlement selections.

Additionally, pursuant to 11 AAC 51.045(a)(2), DNR finds that reserving an access easement is not necessary to ensure free access to navigable or public water. A statehood entitlement selection does not provide the public with rights of access different from the general right of the public to access navigable or public water bordered by non-State land: that is, the right to use and have access to water below the ordinary high water mark for recreational or other public purposes for which the water is used or capable of being used consistent with the public trust. Because access to navigable or public water will remain the same after the relinquishment of the entitlement selection as before, it is not necessary to reserve an access easement.

Agency comments noted the habitat, hunting, fishing, and subsistence values of the selected

lands. While the lands have value as wildlife habitat and for subsistence related activities, it is not clear that these values are inherently threatened by conveying the lands to the UA or require State acquisition to preserve them. If the selection is relinquished and the lands conveyed to the UA, personal use hunting and fishing activities will still be available under the UALMO's hunting program. Personal recreational use of the lands is allowed under existing UA BOR policies. Commercial hunting and guiding can be permitted under UALMO's land use permit system.

Balancing development, access, subsistence use, public recreation, and wildlife habitat are challenges that must be addressed when managing the Ray Mountains lands, irrespective of ownership. This balance is achieved through the development of land management plans, clear land use guidelines and regulations, and a robust public notice process. Relinquishment of State selected lands would not allow unrestricted development by the UA. Many projects and developments require State and Federal permits regardless of land ownership. Most development projects also require extensive studies and public consultation before a project is approved. Any proposed development, sale, or disposal of the lands by the UA would have to be approved by the UA BOR and would be public noticed under existing UA policies.

Agency reviews showed the area contains known deposits of rare-earth minerals (REEs), some of which are classified by the U.S. Government as critical and strategic minerals. Development of these minerals would provide economic opportunities for the UA, and the State's economy, have positive geopolitical implications, and are critical for manufacturing and clean energy technologies. UA ownership of the REE deposits, in conjunction with UA ownership of adjacent deposits in the Spooky Valley area, could incentivize development and provide shared benefits to both DNR and the UA. Resource development may also contribute to furthering in-state educational opportunities to those enrolled at the University. UA acquisition of an area of mineral deposits provides benefits to the State by securing a potential source of long-term revenue to the UA and jobs for Alaskans with the potential of economies of scale benefiting the potential development of resources on adjacent State-owned lands. Because one of the purposes of the land grant under CAA 2023 is to provide valuable land to UA, the value of lands alone does not constitute a reason to refuse relinquishment.

There are numerous "at risk" mining claims located on these lands. Such claims are initiated under Alaska Statute 38.05.275 and 11 AAC 86.115 of the Alaska Administrative Code. The claims are not valid until DNR acquires title to the land. The claims do not confer an interest in the land or the mineral resources and will be terminated if the land is not conveyed to DNR. Areas of potential geothermal resources will be reviewed by BLM to determine if the land is available for conveyance under the Statehood Act. Lands found to be valuable for geothermal use or within areas of KGRA's are not available for conveyance under the Statehood Act per the Act of June 25, 1910, Chap. 421 (36 Stat. 824), EO 5389, and PLO 399.

Additional mineral resource concerns included the potential loss of State revenue provided by development of the REEs and loss of benefit from public monies previously spent to evaluate the mineral potential of the area. The previous mineral exploration activities covered a wide area, including lands outside the Ray Mountain selection area. Other areas of the state have undergone mineral evaluation using public funds—and have not resulted in a land conveyance. These activities help hone DNR's understanding of potential resources and provide part of the information used to determine if land should be acquired by the State. The purpose of the CAA 2023 is to provide new entitlement land and potential revenue sources for the UA. The high mineral potential, geothermal potential, and sustainable land use opportunities of the Ray

Mountains lands supports the Congressional intent in the land transfer legislation. RADS and SPCS noted that the Trans-Alaska Pipeline (TAPS) crosses into the UA land selection in F014N012W35. Both agencies recommended the UA's selection be modified to exclude these lands, which would ensure TAPS ownership remains with the State. BLM has issued a revocation order for PLO 5150 north of the Yukon River, which would allow conveyance of the lands to DNR. This would allow the State to acquire a significant amount of the TAPS right-of-way. Discontinuous ownership of TAPS is not in the best interests of the State or the public. Realty recommends excluding portions of F014N012W35 from the UA's selection to secure full ownership of the TAPS north of the Yukon River.

RADS and SPCS also commented that portions of the UA selection include areas within the issued easement and permit for the proposed natural gas pipeline in F014N012W17, 18, 20, and 21. Both recommended the UA's selection be modified to exclude the proposed pipeline route to aid in permitting construction of the gas line and to secure State ownership of the pipeline. Although the pipeline has not been constructed, planning and permitting for the route has been underway for several years and construction is expected to begin within the coming years. Realty recommends retention and DNR ownership of the lands within the easement and permit area issued for the natural gas pipeline as discontinuous ownership of the easement is not in the best interests of the State.

All public comments opposed the transfer of the lands to the UA. Several commentors voiced concerns that the UA's decision to develop or sell the lands for mineral development was a foregone conclusion and would result in a reduction or complete loss of access across the lands, environmental harm, scenic and habitat loss, harm to wildlife such as the resident Ray Mountains caribou herd, salmon and other fish, reduction or loss of important subsistence activities such as hunting, fishing, and trapping, and reduction or loss of recreation opportunities. Some commentors recommended that the lands should be retained as public land and protected from development such as mining. Several commentors requested the State retain access corridors to inholdings and to access other public lands and navigable waters. One commentor supported the lands remaining in Federal ownership.

The scope of this decision is limited to whether DNR should relinquish its land selections within the UA's Ray Mountain land selection to facilitate conveyance of the lands to the UA under the CAA 2023. Two of the suggested alternative courses of action (to retain State selection on all the lands, or to retain access corridors) are within the scope of this decision. One suggested alternative course (keep the lands in Federal ownership) is partially within the scope of this decision. Other suggested actions (implementing protective restrictions on the lands, prohibiting development or sale of the lands, or retaining DNR's selection on the Spooky Valley UA land selection) are beyond the scope of this decision.

Maintaining the DNR selection on access corridors would provide access to private inholdings and to Federally held hot springs. Access to private inholdings is not generally a public interest. Access to public lands or hot springs is a public interest. BLM State land conveyance regulations have requirements for compact tracts that would require the State to retain selections on relatively large areas of land that would likely extend beyond a proposed access corridor. Maintaining the DNR selection on access corridors would result in the land remaining under BLM management unless or until the lands are conveyed to DNR. Any activities outside of an access corridor would require authorization from UALMO. The creation of such access corridors would create discontinuous tracks of Federal, State, and University owned lands that would complicate management, potentially restrict public access, delay or complicate development options, complicate State and Federal permitting

processes, impact habitat protections, and force the BLM and State to incur management costs with low or no corresponding public value. Existing UALMO programs and UA BOR policies provide public access to inholders and the public and allow formal legal access by obtaining an easement or permit. When viewed as a whole, it is not in the best interest of the State to maintain selections for the purposes of access corridors.

If DNR declines to relinquish its selection on the UA's Ray Mountain selection area the lands would remain in Federal ownership. This would most likely be temporary, as DNR would seek conveyance and ownership of all available lands within the Ray Mountain selection area.

If DNR retains its selection on the Ray Mountain area, it would create a relatively large block of isolated UA land centered around the Spooky Valley conditional relinquishment area. If the Ray Mountain selection area is transferred to the UA, it combined with the Spooky Valley selection, creates an approximately 315,000 acre block of contiguous UA land. There are concerns about limited public access to such a large block of land. Current UA policies allow for greater public access than many lands around the state. UA policies allow unpermitted non-commercial access and provide a permitting framework for other activities. In addition, UALMO has a permit system to provide for dedicated public and private access easements to reach inholdings or specific areas. While large, the block of land is smaller than many contiguous blocks of ANCSA Native Corporation land, which often have more restrictive public use requirements than those developed by the UA.

The State would benefit from potential mineral exploration of the Ray Mountains selection if conditional relinquishment was declined, but the resource potential has not been fully explored nor have mineral resources been completely defined. The presence of potentially valuable resources is not inherently a sufficient reason for the State to maintain a selection. Nor would the potential value of those resources be harmed by UA ownership. While the State might lose potential income from development, that same revenue going to the UA would help fund the public interest in higher education in Alaska. Both options would provide benefits to the wider state economy. It is not clear that it is in the State's best interest to maintain a selection on these lands solely based on mineral potential.

Overall, the land appears suitable for relinquishment in favor of the UA and agency comments did not provide evidence of an overarching need for DNR ownership. Public comments were opposed to the land transfer to the UA. The State's interests in retaining these lands must be balanced with providing potentially valuable lands to the UA while protecting the State's interests in potentially valuable land, State owned or selected adjacent lands, access to public lands, and the overall management of an area. UA ownership provides options for access that, while less than what is available on DNR owned lands, does not constitute an overriding State interest to retain a selection on these lands. When considered fully, the State's interest in retaining a selection on these lands is not compelling and supports modified conditional relinquishment. In addition, relinquishment of the lands fulfills the purpose of the CAA 2023 in providing lands to the UA.

The State considered the following alternatives in adjudicating the request for relinquishment:

**Alternative 1:** Conditionally relinquish the State's selection on lands described in Section VI.

**Alternative 2:** Decline to conditionally relinquish the State's selection on lands described in

Section VI.

**Alternative 3:** Modify the UA's Ray Mountain selection area to retain DNR's selection of the lands containing the TAPS pipeline and the easement for the natural gas pipeline.

**XI. DECISION**

This decision considers all public and agency comments received. After considering the facts and input described above, the Department finds it is in the best interest of the State to choose **Alternative 3**, and to conditionally relinquish the lands described in Section VI, excluding the following lands which will be retained by DNR:

Within the Fairbanks Meridian, Alaska

T. 14 N., R. 12 W.,

Sec. 17, all, except the SW1/4SW1/4

Sec. 18, N1/2NE1/4, N1/2S1/2NE1/4

Sec. 20, NE1/4, NE1/4NW1/4, N1/2SE1/4NW1/4, & NE1/4SE1/4

Sec. 21, all

Sec. 35, all, except the SW1/4SW1/4, those lands southerly of the Dalton Highway right-of-way

Totaling approximately 518 acres.

Recommended by:

  
\_\_\_\_\_  
James Ellis  
Natural Resource Specialist 3  
Realty Services Section  
Division of Mining, Land and Water  
Department of Natural Resources

\_\_\_\_\_  
2/27/2026  
Date of Signature

Approved by:

  
\_\_\_\_\_  
Lacy Hamner  
Natural Resource Manager 2  
Realty Services Section  
Division of Mining, Land and Water  
Department of Natural Resources

\_\_\_\_\_  
2/27/2026  
Date of Signature

Approved by:

  
\_\_\_\_\_  
Commissioner-designee Crowther  
Department of Natural Resources

\_\_\_\_\_  
3/2/2026  
Date of Signature

## **Reconsideration Provision**

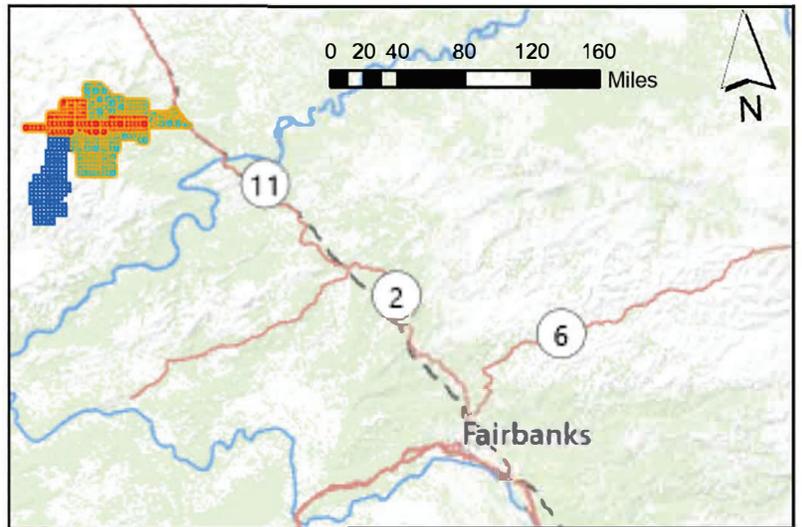
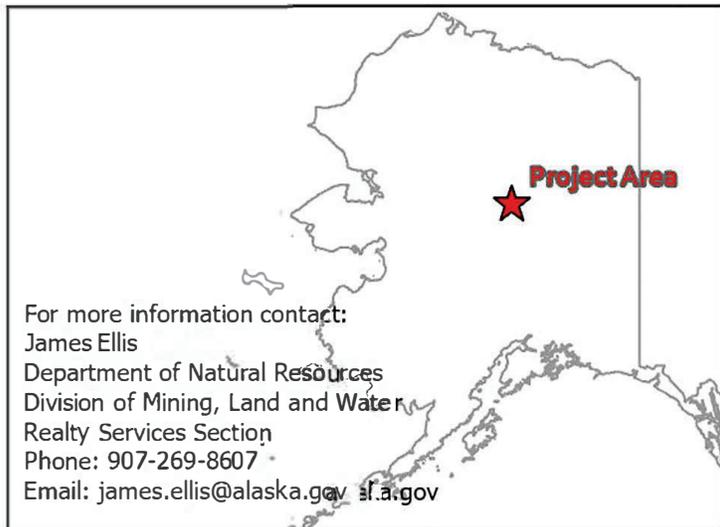
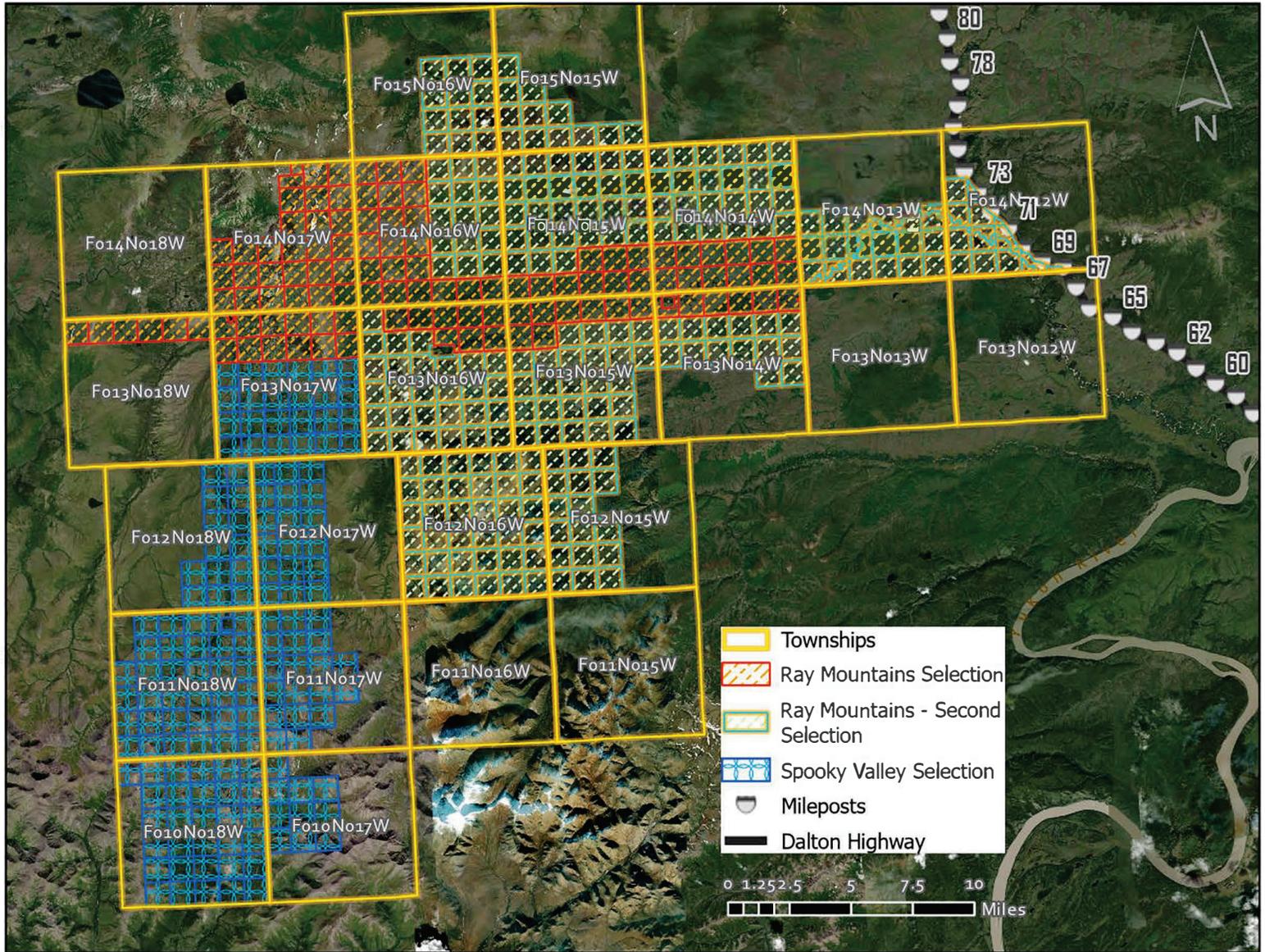
### Reconsideration

An eligible person affected by this decision, and who provided timely written comment or public hearing testimony to the department, may request reconsideration to the DNR Commissioner per AS 44.37.011 and 11 AAC 02. Any request for reconsideration must be received by the Commissioner's Office within twenty (20) calendar days after issuance of the decision under 11 AAC 02.040. The Commissioner may order or deny a request for reconsideration within thirty (30) calendar days after issuance of the decision. If the Commissioner takes no action on a request for reconsideration within thirty (30) days after issuance of the decision, the request for reconsideration is considered denied. The Commissioner's decision on reconsideration, other than a remand decision, is a final administrative order and decision of the department. An eligible person must first request reconsideration to the Commissioner before seeking relief in superior court. The Alaska Court System establishes its own rules for timely appealing final administrative orders and decisions of the department.

Reconsideration may be mailed or hand-delivered to the DNR Commissioner's Office, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska, 99501; or faxed to (907)-269-8918 or sent by electronic mail to [dnr.appeals@alaska.gov](mailto:dnr.appeals@alaska.gov). Reconsideration must be accompanied by the fee established in 11 AAC 05.1G0(d)(1)(F), which has been set at \$200 under the provisions of 11 AAC 05.1G0(a)-(b). A copy of 11 AAC 02 is available on the department's website at <https://dnr.alaska.gov/mlw/pdf/DNR-11-AAC-02.pdf>.



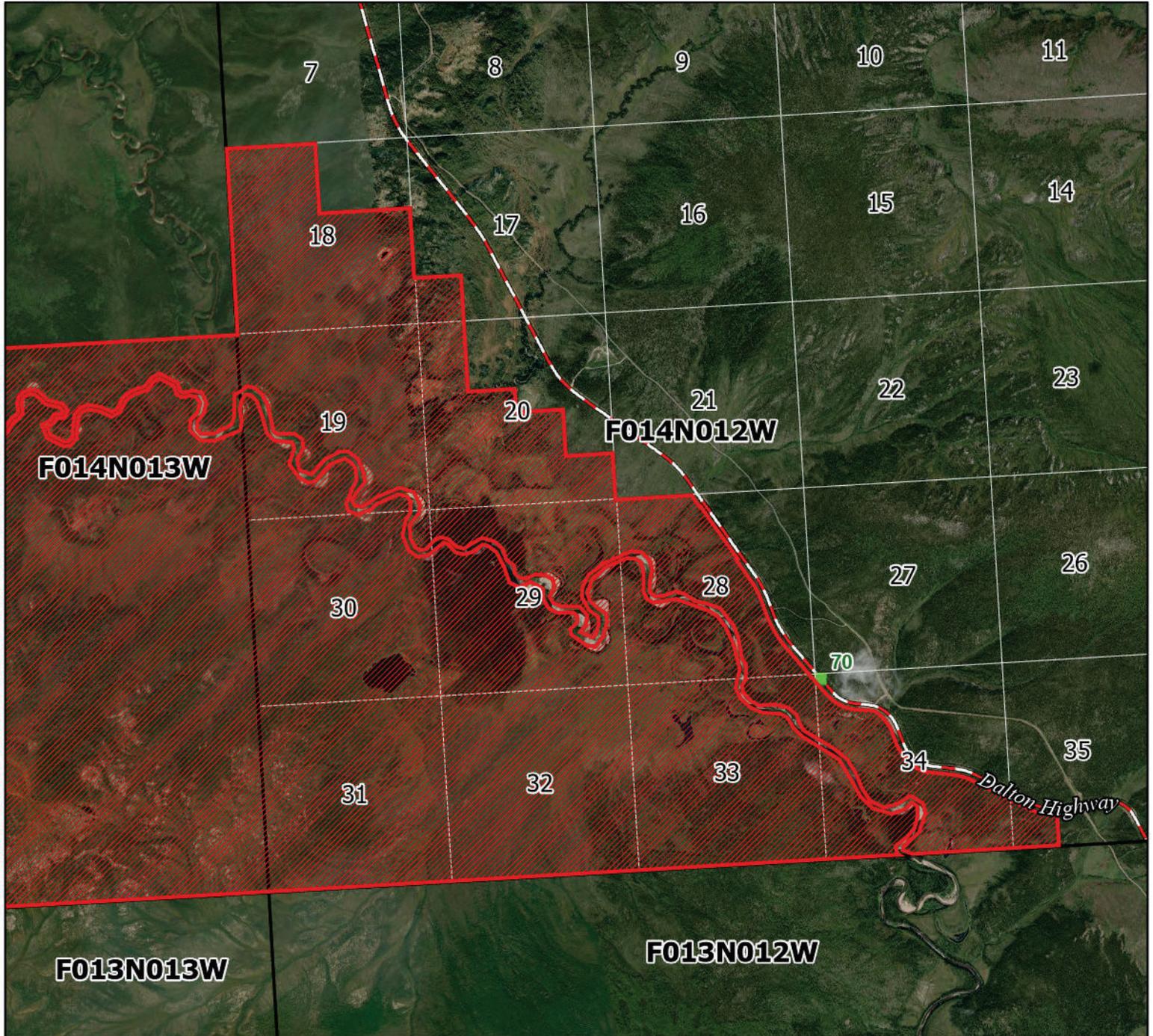
# University of Alaska Land Selection Program Ray Mountains Selections





Fairbanks Meridian

Attachment A: Alternative III Detail Map  
University of Alaska, Land Selection Program  
Ray Mountains Selection



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Proposed Alternative III

Mileposts Points 1:1 mil

Roads\_AKDOT

N

Miles

Kilometers

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