

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

PRELIMINARY DECISION
ADL 234811

Proposed Noncompetitive Sale to Public and Charitable Use Applicant
AS 38.05.035(e), AS 38.05.810(a)(1)

RELATED ACTIONS:
Proposed Mineral Order (Closing)
AS 38.05.185 and AS 38.05.300

PUBLIC COMMENT PERIOD ENDS 4:30 PM, MONDAY, AUGUST 31, 2026

Executive Summary: The State of Alaska (State), Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW) proposes to convey approximately 42.64 acres (subject parcels), more or less, of State-owned land in the Matanuska-Susitna Borough to the Alaska Housing Finance Corporation (AHFC) through a noncompetitive public and charitable use conveyance. AHFC is a political subdivision of the state with the statutory purpose pursuant to Alaska Statute (AS) 18.56.010(c) “[...] to assist in the acquisition and development of land and the construction, rehabilitation, financing, management, maintenance, sale, and rental of dwelling units for persons of lower and moderate income or for persons in remote, underdeveloped, or blighted areas and that these activities serve a public purpose in benefiting the people of the state.[...]” AHFC is empowered to act on behalf of the state in serving that purpose for the benefit of the general public. The proposed conveyance is subject to existing authorizations, third party interests, and borough zoning and platting authority. With due consideration given to the cumulative impacts and public purpose of the proposed conveyance, DNR finds that disposal of the subject parcels to AHFC for no cost¹ is in the public interest, serves a public purpose, and is in the best interest of the state.

I. Proposed Actions

Preliminary Decision: Approval of Proposed Noncompetitive Sale to Public and Charitable Use Applicant ADL 234811

Attachment A: Vicinity Map

Attachment B: Site Features

Attachment C: Public Notice

The public is invited to comment on the proposed related actions:
Draft Mineral Order (Closing) MO 1343

¹ The term “no cost” conveyance used in this decision describes a conveyance in which AHFC will not provide compensation for the value of the land. However, AHFC will still be responsible for administrative costs related to acquiring the subject parcels, including but not limited to the costs of survey.

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Primary Proposed Action, Noncompetitive Sale: DNR proposes to convey the subject parcels through a noncompetitive conveyance to AHFC under AS 38.05.810(a) Public and Charitable Use. The subject parcels are located within DNR's Southcentral Region, approximately 1.5 miles southeast of the city of Houston in the Matanuska-Susitna Borough. The legal description for the parcels is Tracts A, B, D, and Lot 14, Block 9, Cheri Lake Alaska Subdivision, according to the plat recorded in the Palmer Recording District on December 2, 1963, as Plat No. 63-29, aggregating 42.64 acres, more or less.

See *Attachment A*: Vicinity Map for a visual depiction of the subject parcels.

Proposed Related Actions: Related actions will be developed separately; however, public notice is being conducted concurrently.

Mineral Order (Closing): DNR proposes to close one of the four subject parcels, Lot 14 of Block 9, to new mineral entry. There are no current mining claims located within the parcel. Refer to Section **VIII. Planning, Classification, and Mineral Orders** for more information on this proposed related action.

This related action will be developed separately. However, approval of this proposed action is dependent upon approval of the primary action and will not proceed without the approval of the primary action.

Public Notice of Proposal: In accordance with AS 38.05.945 Notice, during a period of at least 30 consecutive days, the public will have the opportunity to submit written comment on this proposal. Public notice for all actions is conducted concurrently and will include the Preliminary Decision (PD) for the noncompetitive conveyance (ADL 234811), and draft Mineral Order (Closing) MO 1343.

See Section **XVII. Submittal of Public Comments** and *Attachment C*: Public Notice for details on how to submit a comment for consideration. After consideration of timely, written comments, DNR will issue a Final Finding and Decision (FFD) stating whether the State intends to move forward with the proposed and related action and identifying any changes from the PD.

II. Authority

DNR's land management policies are governed by Article VIII, section 1 of the Alaska Constitution, which states, "It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest." Consistent with Article VIII, section 1, the legislature adopted AS 38.04.005(a) which states, "In order to provide for maximum use of state land consistent with the public interest, it is the policy of the State of Alaska to plan and manage state-owned land to establish a balanced combination of land available for both public and private purposes." Additionally, AS 38.05.035(e) preconditions disposal of state land on a finding that the disposal serves the best interests of the State. These constitutional and statutory provisions confirm that DNR is to promote the development of natural resources on state land by making the lands available for maximum use in a manner consistent with the public interest.

Under AS 38.05.810(a)(1) Public and Charitable Use, DNR may dispose of State-owned land to a state or federal agency, or political subdivision for no cost if the commissioner "ensures...that disposals of lands under this subsection serve[s] a public purpose and are in the public interest."

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In doing so, DNR must consider “the terms of grant under which the land [being considered for disposal] was acquired by the state.”

Collectively under these statutes, DNR may dispose of state land at no cost or for less than the appraised fair market value to a state or federal agency, or political subdivision if the disposal is in the best interests of the public: Under AS 38.05.810(a), DNR’s best interest finding must consider: (1) the terms of the grant under which the land was acquired by the State; (2) how the applicant will use the lands and if that use is in the public interest and for a public purpose. AS 38.05.810(g) requires that the State retain a reversionary interest in land conveyed under AS 38.05.810(a), unless DNR determined that the waiver is in the public interest.

The related action is supported by statutory authority, AS 38.05.300 Classification of Land and AS 38.05.185 Generally allow mineral orders.

III. Administrative Record

The case file for Alaska Division of Lands (ADL) 234811 constitutes the administrative record for this proposed action. Also incorporated by reference are:

- Southeast Susitna Area Plan (SSAP, adopted April 2008) and associated land classification files;
- DNR case files: ADL 234811; School Grant (SCH) 44;
- Federal patent No. 1220720;
- Alaska Department of Fish and Game (ADF&G) *Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fishes- Interior Region, June 2025*;
- ADF&G publication titled *86-465 Nomination for Waters Important to Anadromous Species* (1986);
- United States Fish and Wildlife Service (USFWS) National Wetlands Inventory On-Line Mapper; and
- USFWS Information for Planning and Consultation (IPaC).

Also incorporated by reference are additional files and documents listed throughout this decision.

IV. Scope of the Proposal

The scope of this proposal, under the statutes described in the preceding Section II. **Authority**, is limited and specific to the following: (A) that AHFC qualifies for disposal at no cost under AS 38.05.810(a); (B) that the disposal of this state land is in the public interest and for a public purpose; (C) a waiver of the reversionary interest is in the public interest; (D) the State has accounted for the reasonable foreseeable cumulative impacts resulting from the conveyance; (E) that DNR considered “the terms of the grant under which the land was acquired by the State; and (F) that in summation the proposed disposal is in the best interest of the State.

The scope of this decision does not include the control of post-patent land use, and, by waiving the reversionary clause, DNR does not intend to impose restrictions for this purpose. Restrictions regarding land use will be handled by the local zoning authority, if any.

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The proposed related action will be issued concurrently with the FFD. These actions are described in more detail in Section **VIII. Planning, Classification, and Mineral Orders** of this document.

V. Description

- a. Location: The subject parcels are located within DNR's Southcentral Region, approximately 1.5 miles southeast of Houston, Alaska in the Matanuska-Susitna Borough, within Section 36, Township 18 North, Range 3 West, Seward Meridian. See *Attachment A*: Vicinity Map for additional information.

USGS Map Coverage: Anchorage C-8

Platting Authority: Matanuska-Susitna Borough

Regional Corporation: Cook Inlet Region, Inc. (CIRI)

Native Non-Profit: Cook Inlet Tribal Council, Inc.

Village Corporation: None

Federally Recognized Tribes: None

- b. Legal Description:

Tracts A, B, D, and Lot 14, Block 9, Cheri Lake Alaska Subdivision, according to the plat recorded in the Palmer Recording District on December 2, 1963, as Plat No. 63-29, aggregating 42.64 acres, more or less.

VI. Title

Title Report No. 24313, 24346, 24347, and 24348, current as of April 9, 2026, indicates that the State holds fee title to the land and mineral estate under Patent No. 1220720, dated February 1, 2017. The applicable State case file is SCH 44. The parcels are subject to valid existing rights, such as platted easements and reservations.

State Reservation of Title:

Retention of and Access to Mineral Estate: In accordance with Section 6(i) of the Alaska Statehood Act and AS 38.05.125 Reservation, the State retains ownership of all oil, gas, coal, ore, minerals, fissionable material, geothermal resources, and fossils that may be in or upon the land that it sells. This retention is for all minerals, including both locatable minerals (such as gold, copper, silver, etc.) and leasable minerals (such as oil, gas, coal, etc.).

The State and its successors reserve the right to enter onto the land for the purposes of exploring for, developing, and producing these reserved mineral resources. Access reserved to these retained interests is superior to any and all land uses. The State may also lease these retained interests to mineral developers or allow mining locations to be staked. However, AS 38.05.130 Damages and Posting of Bond also provide that the surface owner will be compensated for damages resulting from mineral exploration and development. For more information, see Section **VIII. Planning, Classification, and Mineral Orders** of this document.

Navigable Waters: Per AS 38.05.126(b) Navigable and Public Waters, "...the state has full power and control of all of the navigable or public water of the state, both meandered and not meandered, and the state holds and controls all navigable or public water in

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trust for the use of the people of the state.” This trust is in accordance with the principles of the Public Trust Doctrine, which are included in Article VIII, Section 14 of the Constitution of the State of Alaska and protected in the United States Constitution. It is vested in the title to this land, is not transferable, and the State’s title to submerged lands under navigable waters cannot be relinquished by a transfer of the property. In holding with this concept, navigability determinations are made, and access will be reserved per AS 38.05.127 Access to and Along Public and Navigable Water. For more information, see Section **X. Access, Including Access To and Along Public and Navigable Water** of this document.

The Bureau of Land Management has not made navigability determination for waters within the affected townships for title purposes.

Alaska Native Interest: The subject lot is within the boundaries of CIRI regional corporation. There are no Alaska Native interests identified within these parcels.

Other Conflicts or Pending Third-Party Interest: There are no known conflicts or pending interests. If conflicts or third-party interests are discovered during the public notice period, they will be addressed in the FFD.

VII. Background

The State received title to the subject parcels through Patent 1220720 on June 20, 1961.

AHFC was created by the Alaska Legislature as a public corporation and government instrumentality within the Department of Revenue. AHFC’s statutory purpose is to assist in the acquisition and development of land and the construction, rehabilitation, financing, management, maintenance, sale, and rental of dwelling units for lower and moderate income persons and for remote, underdeveloped, or blighted areas, and these activities are expressly declared to serve a public purpose. AHFC is empowered to act on behalf of the state in serving that purpose for the benefit of the general public. To fulfill this purpose, AHFC is granted broad financing authorities, including general powers to make and purchase mortgage loans and acquire real property, the authority to issue bonds and notes, and administration of a housing development fund from which it may make loans to expand residential supply.

On March 6, 2026, AHFC submitted to DMLW a completed application to purchase state land under AS 38.05.810(a)(1), serialized as ADL 234811. In the application, AHFC proposes to develop the subject parcels as part of a broader statewide initiative to catalyze new housing starts by accomplishing three fundamental things:

- Secure viable land for housing developments that can be advanced with private sector equity and local government support.
- Reduce or remove the land costs from the development equation.
- Leverage funds available to AHFC and their local government partners to bridge the gap between the resources needed to support development and the resources currently available to homebuilders.

AHFC anticipates one new housing unit to be built per 0.75 buildable acres, depending on water and sewer availability.

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The current use of the subject parcels is primarily use of existing trails for public recreation, hunting, trapping, and access to Cheri Lake, Loon Lake, Frog Lake, an anadromous stream, and other trail systems in the area.

Tracts A, B, and D are closed to mineral entry by Mineral Order 1004. Lot 14, Block 9 is not closed to mineral entry. Therefore, Mineral Order (Closing) 1343, is proposed for Lot 14, Block 9.

VIII. Planning, Classification, and Mineral Orders

Planning

The subject parcels are located within SSAP, designated as Settlement and classified as Settlement Land under SSAP Determination SC-08-01-D08 and, as a result of this action, were included into the Big Lake-Houston Region, Unit H-16. Management Intent for this unit states that the area is considered appropriate for land disposal during the planning period and that subdivision design should avoid and protect wetland functions.

The management intent for Unit H-16 states it is appropriate for land disposal during the planning period. The lakes, inlet streams, and wetlands need to be protected in subdivision design. A 100' protection area applies to stream and to avoid construction in riverine wetlands. The subdivision design of this project will observe and comply with setbacks described in the Settlement section of chapter 2 and will avoid any impacts on riverine wetlands.

Area-wide Considerations: Chapter 2 Areawide Land Management Policies provide further guidance. Specific area-wide management intent and management guidelines affecting this proposal are discussed below.

Coordination and Public Notice: Management guidelines provide that public notice be conducted in accordance with AS 38.05.945. In addition, the Matanuska-Susitna Borough's comprehensive plan and zoning will be reviewed and platting requirements will comply with borough standards.

Settlement: Goals regarding settlement state to provide suitable public land for transfer to private ownership for settlement purposes for year-round residences for community expansion and seasonal residences for recreation. AHFC expresses intent to construct new housing on the subject parcel which supports the plan's settlement goals.

Shorelines and Stream Corridors: Area-wide management guidelines provide that DNR will place a higher priority on protecting public use values in stream corridors than on providing opportunities for private ownership or development of land. However, it is recognized that development along some lakes and streams occurs. A 50-foot easement on each side of the unnamed creek within Tract B will be reserved. Additionally, a building setback of 100 feet and a riparian buffer of 100 feet is required on anadromous streams. A 100-foot building setback and riparian buffer will be reserved along the unnamed creek within Tract B. Loon, Cheri and Frog Lakes will have a 50-foot easement along the shore within the subject parcels.

Fish and Wildlife Habitat: These management guidelines primarily provide guidelines for areas classified Wildlife Habitat Land. However, management guidelines regarding fish and wildlife habitat in other classifications provide that habitat altering uses will be sited

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consistently with the management guidelines in Chapter 2, and the management intent and guidelines in Chapter 3, and applicable statutes and regulations.

Subsurface Resources: Management guidelines note to determine the location of areas closed to mineral entry in the planning area. There is not a mineral order affecting Lot 14, Block 9. Tract A, B and D are closed to mineral entry via Mineral Order (Closing) 1004.

Public Access: The need for public access will be assessed before disposing of the land estate. If local access needs are identified through the public review process, access trails may be reserved. This will occur through the retention of state land in public ownership or through the creation of a public use easement. Under either approach, the public is to have the right of access within the area of state land or the public use easement pursuant to the requirements of 11 AAC 51.015

A conveyance of the subject parcels supports the management goals of the SSAP by fulfilling the purpose of the land classification of the subject parcel.

Land Classification Order

The subject parcels are classified as Settlement Land under SSAP Determination SC-08-01-D08.

Mineral Order

Tracts A, B, and D are closed to mineral entry by Mineral Order 1004. Lot 14, Block 9 will be closed to mineral entry by Mineral Order 1343.

DNR proposes to close Lot 14 of Block 9, to new mineral entry in accordance with AS 38.05.185 Generally and AS 38.05.300 Classification of Land. There are no current mining claims located within the subject parcels. Closing the parcels to new mineral entry is consistent with the management intent of the SSAP and minimizes the potential for conflict between the land estate and mineral estate users. If approved by the Commissioner, Mineral Order 1343 will close the subject parcel, Lot 14 of Block 9, to new mineral entry. If the Department approves the public and charitable conveyance, the Mineral Order will accompany the FFD. The approval of the Mineral Order is a separate action occurring concurrently with the FFD; however, approval is dependent upon one another in that one action will not proceed without the approval of both actions

Mineral Orders, which close an area to mineral entry, close the area to new exploration and development of locatable minerals (e.g. gold, copper, platinum, etc.). Such Mineral Orders do not apply to leasable minerals (e.g. oil, gas, coal, etc.), or exploration licensing for such, nor do they preclude reasonable surface access to these resources. However, AS 38.05.130 Damages and Posting of Bond, stipulates that the land estate owner will be compensated for damages resulting from mineral exploration and development.

Mining activity for locatable minerals would be incompatible with current and proposed land estate uses for land disposal. Allowing new mineral location within the boundary of the parcel encompassed by the decision could create conflict between land estate and mineral estate users. SSAP subsurface management policy states that, in general, areas or parcels scheduled for disposal will be closed to mineral entry prior to conveyance to minimize potential conflict between land estate and mineral estate users.

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Local Planning

The project area is zoned “Single-Family and Two-Family Residential District Low Density” by the Matanuska-Susitna Borough. The applicant should research zoning regulations to ensure intended use of the proposed conveyance aligns with local planning guidelines.

Flood Risk

The parcels are located in Zone X, an area of minimal flood hazard, on the Flood Insurance Rate Map panel 02170C8030E dated March 17, 2011, by the Federal Emergency Management Agency (FEMA).

IX. Traditional Use Findings

The subject parcels are located within the Matanuska-Susitna Borough, and a traditional use finding is therefore not required per AS 38.05.830 Land Disposal in the Unorganized Borough.

Additional information on traditional use is welcome during the public comment period, if this proposal is approved, DNR will address the information received in a subsequent FFD, if one is issued. See the **Section XVII. Submittal of Public Comments** and *Attachment C: Public Notice* for details on how to submit a comment.

X. Access, Including Access To and Along Public and Navigable Water

Public Access

Legal access is by platted rights-of-way, including North Anthony Road and West Anastasia Avenue for Tract A, North Claudia Road for Tract B, West Bruce Way and North Janet Road for Tract D, and North Dawn Road for Lot 14 of Block 9. Above-mentioned roadways all connect to the greater roadway network associated to the city of Houston. Not all rights-of-ways have been constructed.

Access to and Along Public or Navigable Waters

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

DNR DMLW Public Access Assertion and Defense has identified the unnamed creek in Tract B as anadromous and to be considered public water. All three lakes are categorized as navigable and public waters per AS 38.05.126 and AS 38.05.127.

ADF&G *Anadromous Waters Catalog* (AWC) also identified the anadromous stream, AWC 247-50-10330-2050-3025, and public water located in Tract B, with the stream mouth beginning at the southern end of Cheri Lake. The stream is documented to be associated with rearing coho salmon, and present chinook and sockeye salmon.

It should be noted that ADF&G requested that public access to Loon Lake should not be inhibited. Loon Lake has been stocked with rainbow trout since 1992. Also, if any near or in-water work is proposed at or below the ordinary high-water line associated to the anadromous

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stream in Tract B, a fish habitat permit and coordination with the Habitat Section in the Palmer office would be required. ADF&G recommends a 100-foot building setback and vegetated riparian buffer for the unnamed anadromous stream.

Easements and Setbacks

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

The subject parcel is unaffected by any section lines and the accompanying easements. However, section line easements are shown in the Cheri Lake Subdivision plat and are adjacent to Tracts A, B and D. AHFC needs to ensure that development remains on Tracts A, B, and D and to not inhibit access along any platted easement.

The subject parcel is unaffected by any known trails, RS2477 easements, utility easements, or other type of public access easement.

Building Setbacks from Navigable or Public Water: The SSAP requires a 100-foot building setback on anadromous and high-value resident fish waters. SSAP also requires a 100-foot riparian buffer on anadromous and high-value resident fish waters. The buffer and setback are concurrent, so the joint buffer and set back will be 100 feet on each side of the unnamed creek.

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

Subject to:

- An easement fifty (50) feet in width for public access, upland, abutting, and running in common with the ordinary high-water mark along Loon, Cheri, and Frog Lakes within Tracts A, B, D, and Lot 14, Block 9, Cheri Lake Alaska Subdivision, according to the plat recorded in the Palmer Recording District on December 2, 1963, as Plat No. 63-29, pursuant to AS 38.05.127 Access to Navigable and Public Water, 11 AAC 51.045 Easements To and Along Navigable and Public Water;
- An easement fifty (50) feet in width for public access, upland, abutting, and running in common with the ordinary high-water mark along each side of the unnamed creek within Tract B, Cheri Lake Alaska Subdivision, according to the plat recorded in the Palmer Recording District on December 2, 1963, as Plat No. 63-29, pursuant to AS 38.05.127 Access to Navigable and Public Water, 11 AAC 51.045 Easements To and Along Navigable and Public Water;
- A one hundred (100) foot building setback from the ordinary high-water mark on each side of the unnamed creek within Tract B, Cheri Lake Alaska Subdivision, according to the plat recorded in the Palmer Recording District on December 2, 1963, as Plat No. 63-29, in accordance with the Southeast Susitna Area Plan, April 2008,

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- A one hundred (100) foot riparian buffer from the ordinary high-water mark on each side of the unnamed creek within Tract B, Cheri Lake Alaska Subdivision, according to the plat recorded in the Palmer Recording District on December 2, 1963, as Plat No. 63-29, in accordance with the Southeast Susitna Area Plan, April 2008,
- All other valid existing rights, including reservations, and exceptions in the U.S. Patent, or other state or federal conveyance, and in acts authorizing the issue thereof; easements, rights-of-way, covenants, conditions reservations, notes of the plat, and restrictions of record, if any.

XI. Reservation of Mineral Estate

In accordance with section 6(i) of the Alaska Statehood Act and AS 38.05.125 Reservation, the State, in this decision, reserves unto itself the mineral estate, including oil and gas, and the rights expressed in the reservation clause of the statute, that being the right to reasonable access to the surface for purposes of exploring for, developing and producing the reserved mineral resources. Exploration and development, if any, which could occur, would be consistent with AS 38.05.130 Damages and Posting of Bond and other applicable statutes and regulations.

XII. Hazardous Materials and Potential Contaminants

There is no known contamination of, or hazardous materials on, the subject parcels. Additionally, no known contaminated sites exist within 1,500 feet of the parcels according to the Alaska Department of Environmental Conservation Contaminated Sites Program (DEC CSP).

The applicant is expected to inspect the subject parcels to ascertain the quality and condition of the land. The State makes no representations and no warranties, expressed or implied, concerning the existence or absence of any hazardous substances, hazardous wastes, contaminants, or pollutants on the land proposed for conveyance to the applicant. The State does not assume any liability for the removal of hazardous substances, hazardous wastes, contaminants, or pollutants, nor for the remediation of the site should such substances ever be identified.

XIII. Survey

Preliminary Survey Determination #20265058 dated April 15, 2026, from the DMLW Survey Section determined that the subject parcels are unsurveyed. The subject parcels do not meet the state's survey criterion for conveyance as there is insufficient monumentation to meet the requirements of 11 AAC 53.190. A Record of Survey is sufficient to satisfy State survey criteria and would not require platting authority approval.

XIV. Compensation and Appraisal

As a political subdivision of the state, AHFC is eligible for a public and charitable use conveyance under AS 38.05.810(a) at no cost. This is justified by the public purpose of the conveyance and discussed in detail in **Section VII. Background**.

XV. Decision

In reviewing AHFC's AS 38.05.810(a) application, DNR must: (A) determine whether AHFC qualifies for a no cost disposal under AS 38.05.810(a); (B) evaluate whether the disposal of this state land to AHFC is in the public interest and for a public purpose; (C) determine if a waiver of the reversionary interest in AS 38.05.810(g) is in the public interest; (D) consider the reasonably

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foreseeable cumulative impacts resulting from the conveyance of this land to AHFC; and (E) consider “the terms of the grant under which the land was acquired by the State.”

As the below confirms, DNR approves AHFC’s request. DNR finds that AHFC qualifies for a no cost conveyance of the land, that their proposed use of the land serves a public purpose and is in the public interest. DNR also waives the AS 38.05.810(g) reversionary interest, finding such a waiver is in the public interest. DNR finds that AHFC’s proposed disposal of state land is in the best interest of the State.

The following are natural resources and environmental aspects of the subject parcels that should be taken into consideration during disposal and future development:

According to the USFWS IPaC tool, there are no threatened or endangered species or critical habitat identified on the subject parcels.

The National Wetlands Inventory Map shows that the following categories of wetlands are found on the subject parcels:

- Tract A contains:
 - Freshwater Emergent Wetland habitat with Palustrine, Emergent, Persistent, Scrub-Shrub, Broad-Leaved Deciduous, and Seasonally Saturated components (PEM1/SS1B)
- Tract B contains:
 - Freshwater Forested/Shrub Wetland habitat with Palustrine, Scrub-Shrub, Needle-Leaved Evergreen, and Seasonally Saturated components (PSS4B).
 - Freshwater Forested/Shrub Wetland habitat with Palustrine, Scrub-Shrub, Broad-Leaved Deciduous, Needle-Leaved Evergreen, and Seasonally Saturated components (PSS1/4B).
- Tract D contains:
 - Freshwater Forested/Shrub Wetland habitat with Palustrine, Forested, Needle-Leaved Evergreen, and Seasonally Saturated components (PFO4B).
- Lot 14 of Block 9 contains:
 - Freshwater Forested/Shrub Wetland habitat with Palustrine, Scrub-Shrub, Needle-Leaved Evergreen, and Seasonally Saturated components (PSS4B).

See Attachment B Site Features.

Due to the environmental aspects of the subject parcels outlined above, it is recommended that AHFC consult with United States Army Corps of Engineers (USACE) prior to construction activities due to the recorded presence of wetlands. Additionally, ADF&G should be consulted to minimize the possibility of disturbance to the anadromous stream that could result from AHFC’s intended use of Tract B.

Further recommendations and comments regarding natural resources can be found in the **XVI. DMLW and Agency Review** section of this document.

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A. AHFC is eligible for a no cost disposal under AS 38.05.810(a).

Under AS 38.05.810(a), a no cost disposal of state land may be made to a “state or federal agency or political subdivision.” By statute AS 18.56.010, AHFC is “a public corporation and government instrumentality within the Department of Revenue...” AHFC is a political subdivision of the state and thus eligible for a no cost disposal under AS 38.05.810.

B. DNR finds that the proposed disposal of state land to AHFC for no cost is in the public interest and serves a public purpose.

In creating AHFC pursuant to AS 18.56, the legislature recognized that “...there exists a serious shortage of decent, safe, and sanitary residential housing available at low or moderate prices or rentals to persons of lower and moderate income. There also exist within the state remote, underdeveloped, or blighted areas where the development of decent, safe, and sanitary housing is necessary to economic growth.” Further the legislature found that “...the creation of the Alaska Housing Finance Corporation is essential to assist in the acquisition and development of land and the construction, rehabilitation, financing, management, maintenance, sale, and rental of dwelling units for persons of lower and moderate income or persons in remote, underdeveloped, or blighted areas and that these activities serve a public purpose in benefiting the people of the state...” and declared that “The Alaska Housing Finance Corporation is empowered to act on behalf of the state and its people in serving this public purpose for the benefit of the general public.” AS 18.56 clearly demonstrates the intent of the legislature to align AHFC’s purpose with public purposes and public benefit. This makes AHFC’s land conveyance application unique. AHFC is not simply a political subdivision of the State, but a political subdivision expressly tasked with undertaking development projects that benefit the general public and are for a public purpose².

The legislature using both “benefit of the general public” and “public purpose” in AS 18.56 dovetails with the language in AS 38.05.810 authorizing the DNR Commissioner to convey state land to a political subdivision like AHFC for less than fair market value (which can include a no cost conveyance) for projects that are in the “public interest” and serve a “public purpose.”

AHFC proposes using this state land to:

- Secure viable land for housing developments that can be advanced with private sector equity and local government support.
- Reduce or remove the land costs from the development equation.
- Leverage funds available to AHFC and their local government partners to bridge the gap between the resources needed to support development and the resources currently available to homebuilders.
- Build one new housing unit per 0.75 buildable acres, depending on water and sewer availability.

In addition to AHFC’s projects generally being for a public purpose and in the public interest under statute, AHFC specifically clarified in their application that their proposed use of these lands will be for a public purpose and in the public interest because it will:

² 11 AAC 98.010 Public Purpose.

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AS 38.05.810 Public and Charitable Use – ADL 234811

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- Facilitate development objectives that meet the needs and capacities of the community.

Where practicable, focus on lands that can be made available for cost-effective single family home builds.

The location of this land is also important to consider. Because this location already has platted access, is within the Matanuska-Susitna Borough, and is in close proximity to Houston, this land is in alignment with the intent of AS 38.04.010, which states “In making state land available for private use, the director shall seek to guide year-round settlement to areas where public services already exist, or can be extended with reasonable economy, or where development of a viable economic base is probable.”

For these reasons, DNR finds that a no cost conveyance to AHFC of the land described herein is appropriate under AS 38.05.810(a).

C. DNR determines that waiver of the statutory reversionary interest for this conveyance of state land to AHFC is in the public interest.

Under AS 38.05.810(g), DNR is required to “retain a reversionary interest on each” disposal it grants under AS 38.05.810. DNR “may waive the reversionary interest on a written determination that the waiver is in the public interest.”

The array of financing and investment tools available to AHFC relies in part upon the assurance that the land will remain under the long-term ownership of AHFC. Inclusion of a revisionary clause would impose a degree of uncertainty to long-term land ownership in the proposed conveyances of the parcels and would therefore limit the ability of AHFC to fully exercise the financing options available under statute. Furthermore, AHFC is proposing to establish residential units on the land, which is not a use that the State wants to manage or take on the liability for. In order to reduce management and liability concerns for the State, as well as to guarantee long-term predictability and a higher level of confidence for potential tenants, financiers, and investors, DNR waives the reversionary interest under AS 38.05.810(g).

D. There will be cumulative impacts associated with conveying these parcels to AHFC, but DNR finds those impacts will be mitigated.

In *Sullivan v. REDOIL*, the Alaska Supreme Court held “that consideration of cumulative impacts is constitutionally required [by DNR] throughout all phases of a project.”³ A *REDOIL* review of a project’s cumulative impacts must be completed for all DNR disposals.⁴ To comply with the Alaska Supreme Court’s direction in *REDOIL*, DNR must conduct a “whole-project analysis” that “takes into account all aspects of a project, considered as a whole *and its existing development context*.”⁵ DNR’s *REDOIL* review does not need to consider future and speculative impacts.⁶

³ *REDOIL*, 311 P.3d 625, 634 (Alaska 2013).

⁴ *ONC v. Boyle*, 579 P.3d 434, 439-440 (Alaska 2025)(quoting Alaska Const. art. VIII, §§ 1–2).

⁵ *REDOIL*, 311 P.3d at 636 (quoting *Greenpeace, Inc. v. State Office of Management and Budget*, 79 P.3d 591, 893–94 (Alaska 2003)) (emphasis added)).

⁶ *Id.*

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There are likely cumulative impacts related to the conveyance of approximately 42.64 acres of land out of state ownership for the purpose of developing affordable housing. The cumulative impacts that may result from conveyance of the subject parcels can reasonably be expected to include:

- Loss of public access to state land that is conveyed.
- Potential impacts to surface water resources resulting from infrastructure development, and impacts to subsurface water resources resulting from the water usage needs of new housing.
- Potential impacts to wildlife populations resulting from the loss of habitat.

Additional impacts are dependent on the specific nature of development that occurs and are therefore impossible to assess with reasonable accuracy. Through careful planning and coordination with state agencies, potential impacts can be minimized or mitigated to offset any detrimental impacts that may occur. AHFC will be subject to all applicable State permitting requirements.

The proposed conveyance will not close or vacate any legal easements or RS 2477 trails and several new easements, setbacks, and buffers are proposed ensure mitigation of impacts to public access, wildlife, and other resources. Full or partial vacation of section-line easements, RS 2477s rights-of-way, easements under AS 38.05.127, and any other easements reserved and managed by DNR will require a separate public process undertaken by both DNR's Easement Vacation Unit and the Matanuska-Susitna Platting Division.

E. The State acquired the land as school trust land and is treated as general grant land, which does not affect DNR's decision to convey the land to AHFC.

The parcel was patented to the State under the Alaska Statehood Act as school trust land (State Selection SCH 44). In 1978, the legislature converted the school trust from a land-based trust to a monetary trust and redesignated school trust lands as general grant lands (ch. 182, SLA 1978). In 2017, the Commissioner rescinded Department Order 143 which confirmed that lands granted in lieu of school trust lands under ANILCA § 906(b), and lands with BLM decisions issued after July 1, 1978, confirming title vested before that date, are also treated as general grant lands for disposition under Title 38. Further identifying that future disposals for land previously identified as school trust land will follow the same procedures as general state lands as prescribed by appropriate state statute

General grant lands were selected from vacant, unappropriated, and unreserved public lands to further the State's economic development and are managed for maximum use consistent with the public interest under AS 38.04 and AS 38.05, including conveyances for settlement and development. Accordingly, this parcel is treated as general grant land. AHFC's proposed use of development of affordable housing, aligns with the intended purpose of general grant lands and is consistent with AS 38.05.810(a)(1).

F. To conclude, DNR finds that disposal of the identified state lands to AHFC for no cost is in the best interests of the state.

DNR has determined that conveying the parcels for no cost is in the best interest of the state and in doing so that the conveyance serves a public purpose and is in the public interest.

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The legislature created AHFC as a state public corporation to invest in and develop housing projects that serve a public purpose and are in the public interest. AHFC would be satisfying its statutory goals, as well as the goals outlined in AS 38.05.810, with the proposed use of the subject parcels. The conveyance will enable AHFC to assist in the acquisition and development of land and the construction, rehabilitation, financing, management, maintenance, sale, and rental of dwelling units for persons of lower and moderate income or for persons in remote, underdeveloped, or blighted areas. Such uses provide a public benefit and serve a clear public purpose.

Conveying this land to AHFC for no cost reduces upfront land and capital costs to accelerate public-purpose development while still providing direct remuneration to the State for services rendered (e.g. survey costs) during the conveyance of the subject parcels. Conveyance at no cost also improves the rate of return on the project and de-risks private investment. This all supports AHFC's statutory mission by providing the necessary property rights needed to secure investment funding, to construct site improvements, and to develop affordable housing for Alaskans.

In the alternative, DNR could retain the subject parcels. By retaining the parcels, the land would continue to be used primarily for public recreation and would not support creation of affordable housing in the area. By conveying the land to AHFC, DNR would aid in the creation of affordable and quality housing, job creation, and private investment in the Houston area while still maintaining and protecting public recreation opportunities. As noted in **Section XV.**

Decision Subsection D, there are potential impacts associated with conveying this land out of state ownership; but DNR believes those impacts can be mitigated by the proposed stipulations and restrictions, or because additional public processes will be required for certain development. For these reasons, DNR finds that given AHFC's proposed use, retaining the parcels for continued DNR management is not in the public interest and would not serve a public purpose.

XVI. DMLW and Agency Review

Information and comments received from multiple sections within DMLW prior to and during agency review have been considered and included in the preparation of this PD. The conveyance application documents were distributed to State agencies for review from March 26, 2026, to April 24, 2026. The intent of an agency review is to request comments from agencies that may be affected by a conveyance decision. Agencies are given the opportunity to evaluate and comment on AHFC's land request to determine if the State should retain all or a portion of the subject lands, and if so, provide supporting reasons for the requested action. Additional timely comments received during the Public Notice period will be considered and addressed in a subsequent FFD, if one is issued.

DNR DMLW received brief comments of non-objection from the following agencies:

Department of Commerce, Community, and Economic Development, Department of Transportation and Public Facilities (DOT&PF), DNR Division of Oil and Gas (DOG), and DNR Division of Parks and Outdoor Recreation (DPOR).

DNR DMLW response: DMLW appreciates your review of the proposal.

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Alaska Department of Fish & Game (ADF&G): ADF&G had no objection and offered the following:

- Tract A: The southwestern parcel is adjacent to Loon Lake which has been stocked with rainbow trout since 1992. This parcel is also adjacent to the eastern public access to Loon Lake along Anastasia Ave. This eastern access is currently undeveloped but the activities on this parcel should not inhibit public access to Loon Lake.
- Tract B: The southeastern parcel comprises the southern end of Cheri Lake. This lake is not stocked but the drainage to the south is listed as anadromous (AWC: 247-50-10330-2050-3025) and provides important habitat for coho, Chinook, and silver salmon.
 - If the applicant intends to harden any stream or river crossings, building bridges, or installing culverts, withdraw water, modify banks, has in water work, or work at or below the ordinary high water line, they will need a fish habitat permit and will need to reach out the Habitat Section in the Palmer office.
- The SSAP provides for a 100-150ft riparian buffer and 100ft building setback around all anadromous streams. ADF&G recommends a 100ft building setback and vegetated riparian buffer with this conveyance.

DNR DMLW response: DMLW appreciates your review of the proposal. Your comments have been incorporated into this PD. A 100-foot riparian buffer and building setback will be established for the anadromous stream as well as an AS 38.05.127 easement on the stream and all three lakes. These will be included in the survey and patent, as appropriate. DMLW will provide a copy of the FFD to ADF&G once issued.

DNR DMLW Division of Geological and Geophysical Surveys (DGGS): DGGS offered the following:

Geologic Units: Alluvial deposits (significant), colluvial deposits, glacial deposits (significant), manmade deposits, lake deposits, paludal peat deposits (dominant)

Suitability For Construction: *Areas of clean sand and gravel may be suitable as a material resource, depending on their distribution, thickness, and ice content, as well as the thickness of any fine-grained surface cover. Materials on slopes may be unsuitable as a resource due to potential instability.*

Ice-rich areas susceptible to thawing and areas of poor drainage may be unsuitable as foundation material.

Use best construction practices.

Permafrost: Isolated (<10%)

Susceptibility To Frost Action: *Generally intense frost action where sediments are fine-grained and/or wet. Generally less intense where sediment is coarse-grained and/or well-drained. Bedrock may be susceptible to frost action along bedding planes or joints.*

Thaw Stability: *Thaw unstable where ice content is high, especially in areas of poor drainage. Generally, well-drained, coarse sediments are more thaw-stable than poorly drained, fine-grained sediments.*

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Surface Drainage and Flooding Potential: *Flooding is possible along streams in spring and during intense storms. Surface drainage is often poor near swamps and permafrost zones, especially where the sediment is fine-grained. Surface drainage is good along slopes where the soil is unfrozen as well as in coarse-grained sediment when it is unfrozen.*

Seismic Hazard: Very high; Standard best building practices should be used to accommodate the regional seismic hazard.

Landslide Hazard: Not described

Tsunami Hazard: Not applicable

Volcanic/Ashfall Hazard: Yes; This area has been subject to ash fall from erupting Alaska Peninsula volcanoes.

Radon: Radon, a naturally occurring cancer-causing radioactive gas, is modeled as high in this area, with limited testing (<https://maps.dggs.alaska.gov/radon/>). The Environmental Protection Agency's (EPA) Action Level for radon is 4 pCi/L; the EPA suggests homeowners consider radon mitigation for test results of 2–4 pCi/L. Any home, school, or building can have high levels of radon and should be tested.

Mineral Resources: No comment

Energy Resources: No comment

Optional Reference(s):

Reger, R.D., 1981, Geologic and materials maps of the Anchorage C-8 SE Quadrangle, Alaska: Alaska Division of Geological & Geophysical Surveys Geologic Report 65, 2 sheets, scale 1:25,000. <https://doi.org/10.14509/425>

DNR DMLW response: DMLW appreciates your review of the proposal. Your comments have been noted and will be provided to the applicant via this decision.

DNR DMLW Public Access Assertion and Defense (PAAD): PAAD offered the following:

- Loon Lake, Cheri Lake, and Frog Lake are navigable for title AS 38.04.062, as well as navigable and public waters AS 38.05.126, and AS 38.05.127. The outlet of Cheri Lake is also registered in ADFG's Anadromous Waters Catalog, and public water AS 38.05.126, and AS 38.05.127. Adequate public access to each must be maintained.
- Tract A: Maintain access to Loon Lake via Anastasia Avenue which provides a 50' section line easement.
- Tract B: There is no platted public access in Plat 63-29. PAAD recommends a replat of Tract B to provide public access to Cheri Lake. AS 38.05.127 did not exist until 1975 and Plat 63-29 was drawn in 1963. An alternative to replat would be establishing a public easement in the Decision and the Patent to AHFC. PAAD

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highly recommends the public access easement extend from N Claudia Road east to Cheri Lake, adjacent to Block 6, Lot 1.

- Tract D: maintain access to Frog Lake via North Dawn Road on the Section Line Easement.
- Lot 14, Block 9: it is recognized that there is no location to establish a public access easement on Lot 14.

DNR DMLW response: DMLW appreciates your review of the proposal. Your comments have been incorporated into this PD. Public access easements to the identified public waters will be maintained and included in the survey and patent as appropriate.

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

- DNR Division of Forestry and Fire Protection
- DNR State Historic Preservation Office
- DNR State Pipeline Coordinator's Office
- DNR Office of Project Management and Permitting
- Department of Environmental Conservation (DEC)
- Mental Health Trust Lands Office
- Palmer Soil and Water Conservation District

XVII. Submittal of Public Comments

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

Pursuant to AS 38.05.945 Notice, DNR is issuing public notice inviting comment on this PD and the draft mineral order.

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

DNR will consider all timely, written comments received. If analysis of such comments indicates the need for significant changes to the PD and draft mineral order, additional public notice for the affected lands will be given. Reducing the amount of land offered and making minor changes to any of the proposals will not be considered significant changes requiring additional public notice.

If the proposals are approved and no significant change is required, the PD and mineral order, including any deletions, minor changes, and summary of comments and DNR responses, will be issued as a subsequent FFD and Mineral Order 1343 without further notice. The related action will be developed separately. However, approval of any action is dependent upon one another. The related action will not proceed without approval of the primary proposal.

Only persons from whom DNR receives timely, written comment during the identified comment period will be eligible to file a request for reconsideration of the FFD and Mineral Order 1343. Upon approval and issuance of an FFD and the related action, a copy of the decision and all

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related actions will be made available online at <http://landsales.alaska.gov/> and sent with an explanation of the reconsideration process to any party who provides timely written comment.

DNR is prepared to accommodate individuals with disabilities by providing auxiliary aids, services, or special modifications in order to participate in this review. Individuals who may need such assistance should contact DNR's Public Information Center. For more information refer to *Attachment C: Public Notice*.

DEADLINE TO SUBMIT WRITTEN COMMENT IS 4:30 PM, MONDAY, AUGUST 31, 2026

XVIII. Stipulations

If approved for conveyance, the applicant will be required to comply with the following stipulations to complete the land conveyance:

A. Conditions

1. A notice to proceed to survey will be issued if no requests for reconsiderations are received, or when requests for reconsideration are resolved, after the issuance of the FFD. The applicant must hire a surveyor, and the surveyor must apply to the DMLW Survey Section for Survey Instructions. The applicants survey must be approved by DMLW and the local platting jurisdiction, if any, as set forth in the Survey Instructions. Survey costs must be borne by the applicant.
2. Upon approval and recording of the survey, a notice to proceed to purchase will be issued to the applicant. Within the time period specified in this notice, the applicant must submit the following to DNR:
 - A completed and signed Declaration of Intent form;
 - Patent application and recording fees. Fees are established under 11 AAC 05.100 Land Disposals, and 11 AAC 05.200 Recorder's Office, and are subject to change. Some fees have been reduced by Director's Order Number 3.
3. Prior to the completion of the purchase and issuance of a State conveyance document, the applicant must remain in good standing with respect to all terms of the Contract for the Sale of Real Property throughout its term, if such a contract is issued. The applicant must also remain in compliance with all applicable State and local ordinances and regulations, including all applicable taxes. Failure to do so may result in termination of the Contract for the Sale of Real Property, if such a contract is issued.

If extenuating circumstances delay any of the stipulations listed above, the applicant is responsible for notifying DNR and receiving approval from DNR for the delay with new timeframes for completion to be given. Failure to do this could result in the closure of the purchase application. The purchase cannot be completed until all the above stipulations have been satisfied.

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B. Restrictions and Reservations

A conveyance document will be issued subject to the following restrictions and reservations:

1. An easement fifty (50) feet in width for public access, upland, abutting, and running in common with the ordinary high-water mark along Loon, Cheri, and Frog Lakes within Tracts A, B, D, and Lot 14, Block 9, Cheri Lake Alaska Subdivision, according to the plat recorded in the Palmer Recording District on December 2, 1963, as Plat No. 63-29, pursuant to AS 38.05.127 Access to Navigable and Public Water, 11 AAC 51.045 Easements To and Along Navigable and Public Water;
2. An easement fifty (50) feet in width for public access, upland, abutting, and running in common with the ordinary high-water mark along each side of the unnamed creek within Tract B, Cheri Lake Alaska Subdivision, according to the plat recorded in the Palmer Recording District on December 2, 1963, as Plat No. 63-29, pursuant to AS 38.05.127 Access to Navigable and Public Water, 11 AAC 51.045 Easements To and Along Navigable and Public Water;
3. A one hundred (100) foot building setback from the ordinary high-water mark on each side of the unnamed creek within Tract B, Cheri Lake Alaska Subdivision, according to the plat recorded in the Palmer Recording District on December 2, 1963, as Plat No. 63-29, in accordance with the Southeast Susitna Area Plan, April 2008,
4. A one hundred (100) foot riparian buffer from the ordinary high-water mark on each side of the unnamed creek within Tract B, Cheri Lake Alaska Subdivision, according to the plat recorded in the Palmer Recording District on December 2, 1963, as Plat No. 63-29, in accordance with the Southeast Susitna Area Plan, April 2008,
5. Valid existing rights, including reservations, easements, and exceptions in the U.S. Patent, or other State or federal conveyance, and in acts authorizing the issue thereof; easements, rights-of-way, covenants, conditions, reservations, notes on the plat, and restrictions of record, if any.
6. Reservation of the mineral estate pursuant to Section 6(i) of the Alaska Statehood Act and AS 38.05.125 Reservation; and reservation of reasonably necessary access to the mineral estate in accordance with AS 38.05.130 Damages and Posting of Bond.
7. AS 38.05.810(g) Public and Charitable Use states that the commissioner shall retain a reversionary interest on each sale or other disposal granted under AS 38.05810(a) or (e) Public and Charitable Use, unless the reversionary interest is waived. In this case, the commissioner shall waive the reversionary interest clause.

Recommendation follows.

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AS 38.05.810 Public and Charitable Use – ADL 234811

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XIX. Recommendation and Preliminary Decision

This PD for the proposed disposal of State lands described herein is consistent with the overall management intent for State-owned land and the public interest.

Conveyance of this land to AHFC provides the maximum and best use of the land and thus is in the best interest of the state. The AS 38.05.810(a) conveyance of land to AHFC, a political subdivision of the State, for less than fair market value utilizes these parcels for the public purpose of providing opportunities for quality affordable housing to the local community.

This is a PD, and analysis of subsequent public review may result in changes. The FFD will address any significant issues or concerns during the public review process. If the applicant is unable to complete the stipulations, DMLW may decide to close this purchase application.

Finding: The recommended action may be in the best interest of the State. It is hereby approved to proceed to public notice.



for

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

July 28, 2026

Date of Signature



Attachment A : Vicinity Map

Alaska Housing Finance Corporation - ADL 234811

Proposed Noncompetitive Conveyance AS 38.05.810

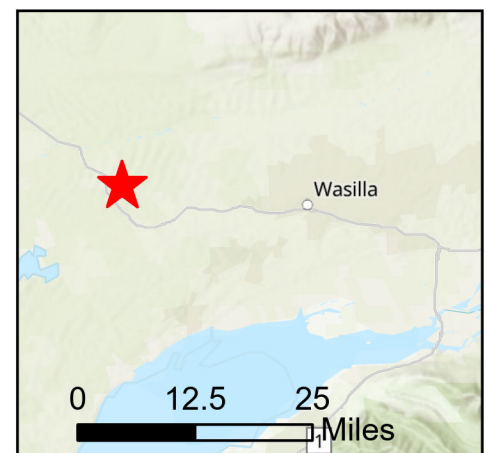


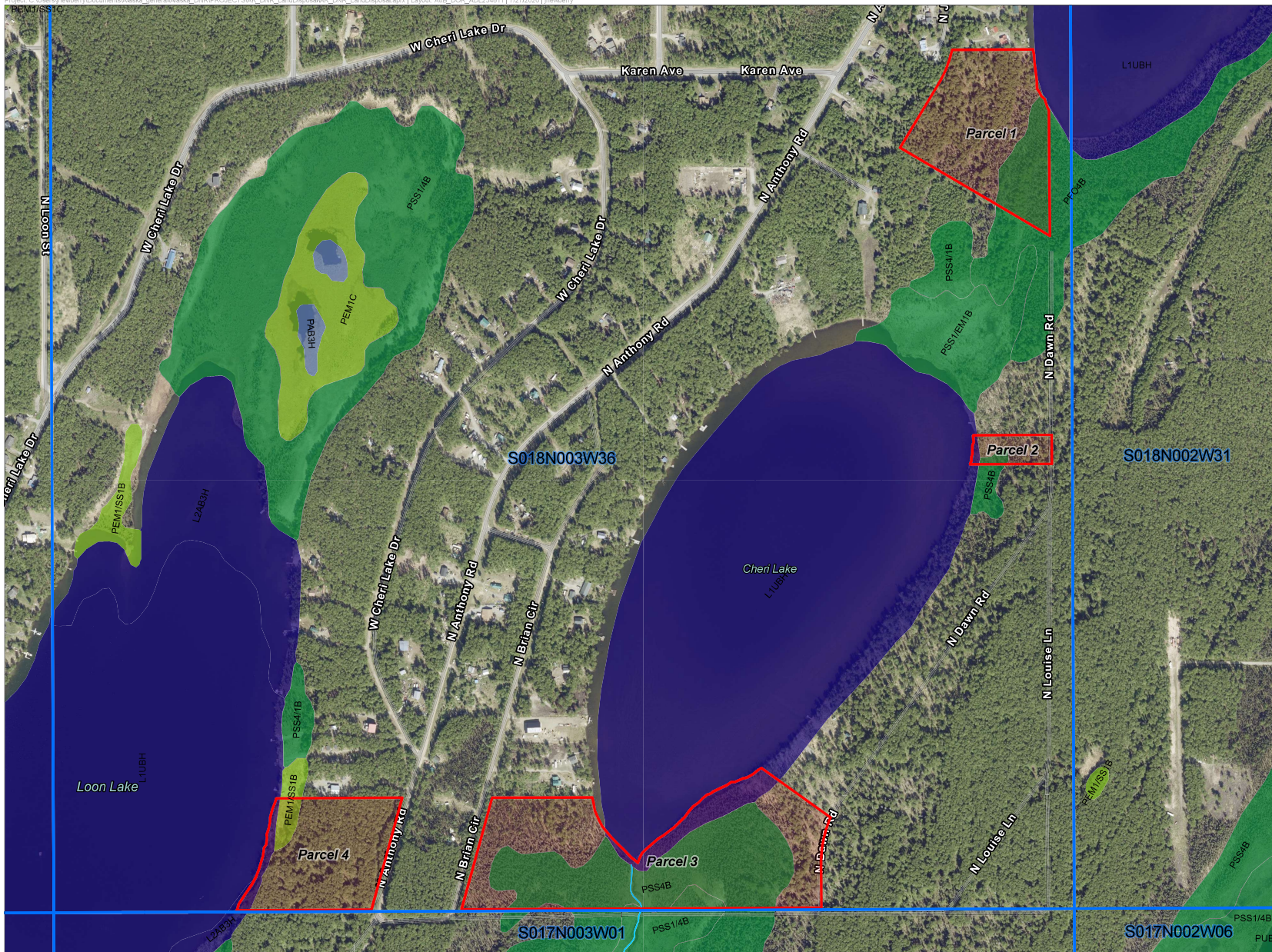
USGS Quad 1:63,360: Valdez A-6

Portions of Section 36, Township 018N,
Range 003W, Seward Meridian

For more information contact:
Andrew Miller
Department of Natural Resources
Division of Mining, Land and Water
Land Conveyance Section
Phone: 907-269-8599
Fax: 907-269-8916 Email:
andrew.miller@alaska.gov

CM 7/27/2026

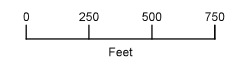




-
-  ADL234811
 Anadromous Rivers/Streams
 Freshwater Emergent Wetland
 Freshwater Forested/Shrub Wetland
 Freshwater Unconsolidated Bottom
 Lake
 Public Land Surveying System -Sections

For More Information Contact:
Andrew Miller
Department of Natural Resources
Division of Mining, Land and Water
Land Conveyance Section
Phone: 907-269-8599
Fax: 907-269-8916
Email: Andrew.miller@alaska.gov

Data Sources:
ESRI Streaming Imagery, State Of Alaska GeoPortal



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

Attachment C: PUBLIC NOTICE

**Requesting Input for Proposed Noncompetitive Sale to
Public and Charitable Applicant - ADL 234811
AS 38.05.810**

COMMENT PERIOD ENDS 4:30 PM, MONDAY, AUGUST 31, 2026

The Alaska Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW) is conducting a public notice for a noncompetitive land sale located approximately 1.5 miles southeast of Houston. The legal description is Tracts A, B, D, and Lot 14, Block 9, Cheri Lake Alaska Subdivision, according to the plat recorded in the Palmer Recording District on December 2, 1963, as Plat No. 63-29, aggregating 42.64 acres, more or less.

To obtain the notice, Preliminary Decision (PD), or instructions on submitting comment, go to <https://dnr.alaska.gov/mlw/landsales/> or <https://aws.state.ak.us/OnlinePublicNotices/>. For assistance in obtaining the documents by an alternative method, to request auxiliary aids, services, or special accommodations, contact DNR's Public Information Centers on State work days, Monday through Friday, between 8:30 AM and 4:00 PM in Anchorage at (907) 269-8400 or Fairbanks at (907) 451-2705 or the Southeast Land Office in Juneau at (907) 465-3400 or TTY: 711 for Alaska Relay or 1-800-770-8973 or go to <https://dnr.alaska.gov/commis/pic/> for additional contact information. Individuals who require special assistance must request assistance from the Public Information Center in Anchorage no later than 4:00 PM, Monday, August 24, 2026.

Pursuant to AS 38.05.945 Notice, the public is invited to submit comments on the Preliminary Decision. **The deadline for public comment is 4:30 PM, MONDAY, AUGUST 31, 2026.** Only persons from whom DNR DMLW receives timely, written comment during the identified comment period will be eligible to file an appeal of the Final Finding and Decision (FFD). Written comment may be received by fax, email, or postal mail. To submit comments or for direct inquiries, contact Andrew Miller by mail at 550 West 7th Ave, Suite 640, Anchorage, AK 99501 or by fax at (907) 269-8916 or by email at andrew.miller@alaska.gov. If you have questions, call Andrew Miller at (907) 269-8599.

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

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

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

DRAFT MINERAL ORDER No. 1343

 X **Closing Lands to Mineral Entry** Opening Lands to Mineral Entry

I. Name of Mineral Order: Proposed Public & Charitable Non-Competitive Conveyance to Alaska Housing Finance Corporation (AHFC) – ADL 234811 Lot 14, Blk 9 Cheri Lake Subdivision.

II. Reason for Mineral Order: This Mineral Order is based upon the attached *Commissioner's Administrative Finding*, applicable statutes, and the written justification contained in the following:

- Southeast Susitna Area Plan (SSAP) 2008, SSAP Plan Determination SC-08-001-D08; and
- Preliminary Decision Proposed Public & Charitable Non-Competitive Conveyance to Alaska Housing Finance Corporation (AHFC) – ADL 234811 Lot 14, Blk 9 Cheri Lake Subdivision, July 28, 2026, and the subsequent Final Finding and Decision for same

III. Authority: AS 38.05.185 Generally and AS 38.05.300 Classification of Land.

IV. Location and Legal Description: Located within DNR's Southcentral Region, within the Matanuska-Susitna Borough, more specifically described as:

Lot 14, Block 9, Cheri Lake Alaska Subdivision, according to the plat recorded in the Palmer Recording District on December 2, 1963, as Plat No. 63-29, containing 1.359 acres, more or less.

V. Mineral Order: This order is subject to valid existing rights and is issued under the authority granted by AS 38.05.185 – AS 38.05.275 and AS 38.05.300 to the Alaska Department of Natural Resources. In accordance with AS 38.05.185(a), I find that the best interests of the State of Alaska and its residents are served by the closure of the lands described in this mineral order to entry under mineral location and mining laws of the State of Alaska. The above-described lands are hereby **closed** to entry under the locatable mineral and mining laws of the State of Alaska.

Concur:

Christianna Colles, Director
Division of Mining, Land and Water
Department of Natural Resources

Date

Approved:

John Crowther, Commissioner
Department of Natural Resources

Date

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

**DRAFT ADMINISTRATIVE
FINDING MINERAL ORDER
NO. 1343
Closing Lands to Mineral Entry**

**Proposed Noncompetitive Sale for Public and Charitable Use – Alaska
Housing Finance Corporation – ADL 234811**

Pursuant to AS 38.05.035 Powers and Duties of the Director, the State of Alaska, Department of Natural Resources, Division of Mining, Land and Water (DMLW) proposes to issue a Final Finding and Decision to convey State-owned land to the Alaska Housing Finance Corporation (AHFC) through a noncompetitive public and charitable conveyance, ADL 234811. As noted in the Preliminary Decision – Alaska Housing Finance Corporation Public & Charitable Non-Competitive Sale, issued July 28, 2026, the subject parcel is within Unit H-16 of the Southeast Susitna Area Plan (SC-08-001) Plan Determination SC-08-001-D08. The attached mineral order includes the legal description of the area to be closed to mineral entry.

DMLW requests the mineral estate of approximately 1.359 acres, identified in the attached mineral order, be closed to mineral entry and location in accordance with AS 38.05.300 Classification of Land for land disposal. Mining activity on the subject parcel would be incompatible with the current and proposed land estate use. The land does not contain any known mineral deposits and was not selected for mineral value. There are no mining claims on the land.

Public notice of the comment period for the proposed mineral order was conducted in accordance with AS 38.05.945 Notice. The Department did not receive objections or comments regarding the proposed mineral order from the public or agencies during the comment period.

In accordance with AS 38.05.185(a) Generally and AS 38.05.300 Classification of Land, I find that the best interests of the State of Alaska and its residents are served by the closure of the land to entry under the mineral location and mining laws of the State of Alaska, as described by Mineral Order (Closing) No. 1343.

Approved:

John Crowther, Commissioner
Department of Natural Resources

Date