

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

PRELIMINARY DECISION

of a
**Proposed Land Offering in the Unorganized Borough
Albert Creek Subdivision – ADL 419850**
AS 38.05.035 (e), AS 38.05.045

and its
RELATED ACTION(S):
None Proposed

COMMENT PERIOD ENDS 5:00PM, THURSDAY, MARCH 28, 2013

I. Proposed Action(s)

Primary Proposed Action(s): The primary proposed action of this Preliminary Decision of the State of Alaska, Department of Natural Resources (DNR), Division of Mining, Land, and Water (DMLW) is to offer for sale State-owned land for private ownership within the identified project area. Surveyed parcels will be offered for sale in a future offering under the methods as described herein.

Attachment A: Vicinity Map

Attachment B: Area Data Summary Table

Attachment C: Public Notice

Located within the Department's Northern Region, approximately 1.5 miles northeast of Central, 27 miles southwest of Circle, and 100 miles northeast of Fairbanks, the project area is within Section 23, Township 9 North, Range 14 East, Fairbanks Meridian, within the Unorganized Borough. The project area consists of approximately 600 acres identified for disposal by this proposed action. See Attachment A: Vicinity Map for a graphic depiction of the approximate location of the project area.

For the purposes of providing land for settlement in the Central area, if deemed feasible, DNR may develop a subdivision of no more than 25 parcels varying in size. Of note, if it is deemed necessary, DNR may consider parcels over 5 acres per the allowances listed in AS 38.04.020 (h) Land Disposal Bank. This proposed project area is located within the Unorganized Borough and therefore survey and platting will be completed to the relevant State subdivision standards. The project may be subdivided and offered in phases.

Proposed Related Action(s): NONE

Pursuant to AS 38.05.945 Notice, this notice will also be posted on the State of Alaska Public Notice website at <http://notes.state.ak.us/pn/> for at least 30 consecutive days. The public is

Preliminary Decision

for a Proposed Land Offering in the Unorganized Borough

Albert Creek Subdivision – ADL 419850

Page 2 of 10

invited to comment on the proposed action. See Section X Submittal of Public Comments at the end of this document and Attachment C: Public Notice for details on how to submit a written comment for consideration. If after consideration of timely, written comments this proposed action is approved, DNR will issue a Final Finding and Decision.

II. Method

DNR proposes to offer for sale the project area as described herein, through a future auction or another method under AS 38.05.045 Generally [Sale of Land]. If the parcels do not sell when offered at auction, they may be offered by another method under AS 38.05.045 Generally [Land for Sale].

III. Authority

The State of Alaska, Department of Natural Resources (DNR) has the authority under AS 38.05.035 (e) Powers and Duties of the Director and AS 38.05.045 Generally [Sale of Land] to sell State-owned land if, on preparation and issuance of a written finding, it is determined to be in the best interest of the State.

IV. Administrative Record

The administrative record for the proposed action(s) consists of the documentation contained in the project file, ADL 419850. Incorporated by reference is the classification order CL-NC-82-027, the Exploratory Soil Survey of Alaska (1979), and the following DNR case files relating to a former land offering in the area, a former Interagency Land Management Assignment (ILMA), and access easements as discussed throughout this document: ADL 417478, ADL 419433, ADL 409034, ADL 409468, and RS 237.

V. Scope of the Decision

The scope of this proposal, under the statutes described in the preceding Section III Authority of this document is limited and specific to DNR DMLW's proposal to offer State-owned land within the defined portion of the project area for disposal. The scope of this proposal does not include the control of post-patent use and DNR DMLW does not intend to impose deed restrictions for this purpose. The subdivision and offering may be conducted in phases.

VI. Description

See Attachment B: Area Data Summary Table for a brief listing of the key descriptions for the project area. Additional details are provided in the following paragraphs.

Location: Located within the Department's Northern Region, approximately 1.5 miles northeast of Central, 27 miles southwest of Circle, and 100 miles northeast of Fairbanks, the project area is within Section 23, Township 9 North, Range 14 East, Fairbanks Meridian. See Attachment A: Vicinity Map for a graphic depiction of the approximate location of the project area.

Legal Description: Section 23 excluding the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Township 9 North, Range 14 East, Fairbanks Meridian, located within the Fairbanks Recording District, Fourth Judicial District, Alaska.

Title: Information from Title Report No. 4231, current as of January 9, 2013 indicates the State of Alaska holds Tentative Approval to the land and mineral estate within the project area under

Preliminary Decision

for a Proposed Land Offering in the Unorganized Borough

Albert Creek Subdivision – ADL 419850

Page 3 of 10

Tentative Approval, dated October 23, 1980. The applicable State case file is GS 3394. On Tentatively Approved lands the State of Alaska has not yet received patent to the land. In accordance with 11 AAC 67.015 Land Available, DNR DMLW may conditionally sell the land. Should the State be denied title, the sale will be cancelled. The parcel is subject to the reservations, easements and exceptions contained in the federal patent.

Retained Interests: In accordance with AS 38.05.125 Reservation of Mineral Rights to Alaska, the State retains ownership of oil, gas, coal, ore, minerals, fissionable material, geothermal resources, and fossils that may be in or upon the land that it sells. 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. Under common law, this access reservation is superior to any and all surface uses. The State may also lease these interests to mineral developers or allow mining locations to be staked. However, AS 38.05.130 Damages and Posting of Bond also provides that the land estate (surface) owner will be compensated for damages resulting from mineral exploration and development.

Physical Characteristics: Attachment B: Area Data Summary Table describes the project area's physical characteristics. In addition, the following paragraphs describe the project area based on internal research and a field inspection conducted by DNR Survey staff on August 3, 2011. This is by no means a complete description of the project area and if this proposal is approved and the area offered for sale, it will be the responsibility of interested parties to inspect individual parcels prior to purchase to familiarize themselves with the physical characteristics of the land.

The Albert Creek Subdivision project area contains some wetland areas, primarily within the north-central portion of the project area. Subdivision design may include all or a portion of these wetland areas, or may design parcels to exclude portions thereof. See Attachment B: Area Data Summary Table for more information on the description of the project area.

Background: A portion of the Albert Creek Subdivision is a new offering. The Albert Creek subdivision project area contains a portion of the Albert Creek Remote Recreational Cabin Sites area (RRCS) offered in 2002 and 2012. The 2002 offering of the Albert Creek RRCS area did not create any parcels within this area. The Albert Creek North RRCS is currently open to staking by authorized parties through the 2012 offering until March 18, 2013. To date, there is presently one parcel in application status (ADL 419433) resultant from the 2012 offering. Authorized entrants may stake a parcel and apply for a lease through the end of the staking period. Should additional valid parcels be staked in this area prior to the end of the staking period, DNR DMLW will evaluate and consider such parcels in the design of this proposed subdivision. In an effort to reduce the cost of survey for this proposed subdivision and the Albert Creek RRCS staking area, this project if approved may be combined under a single survey contract with the RRCS staking area survey.

The subdivision project area also contains a former Inter Agency Land Management Assignment (ILMA) to the Division of Agriculture (ADL 409034). This ILMA was granted for use for a proposed Interior Plant Materials Center (PMC). The ILMA was issued on April 19, 1983, and expired on January 1, 2007. The site was never used for the PMC. There was limited action taken on the site in 1984, to include clearing of a 40-acre site and construction of an access road to the proposed PMC site. No action has been documented since that time.

Preliminary Decision

for a Proposed Land Offering in the Unorganized Borough

Albert Creek Subdivision – ADL 419850

Page 4 of 10

Pursuant to a recommendation for this proposed action, and concurrence from the Division of Agriculture, the ILMA was closed in October 2012.

Planning and Classification: The project area is not within any area plan. The area is classified Private Recreation through the Albert Creek Site Specific Plan, Land Classification Order (CL) NC-82-027. In accordance with 11 AAC 55.277 Existing Classifications, Private Recreation land will be considered to be classified Settlement land. The Albert Creek classification order does not contain any specific management intent or management guidelines for land disposals.

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

Mineral Order(s): The project area is closed to mineral entry via Mineral Closing Order (MCO) 201.

Mineral closing orders, where established, close an area to new exploration and development of locatable minerals such as gold, copper, platinum, etc. Such mineral orders do not apply to leasable minerals, including oil and gas leasing, coal leasing, shallow gas leasing, 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 exploration and development.

Mining activity would be incompatible with the past, current, and proposed land estate uses for land disposals. To allow new mineral location within the boundaries of the parcels encompassed by this decision could create serious conflicts between land estate and mineral estate users. Area plan mineral estate management policy states that, in general, areas scheduled for disposal will be closed to mineral entry prior to sale to minimize potential conflict between land estate and mineral estate users.

Hazardous Materials and Potential Contaminants: During field inspections in August 2011, staff did not observe any hazardous wastes, spills, or other potential contaminants within the area. Interested parties are encouraged to inspect the property and familiarize themselves with the condition and quality of the land prior to bid or application submittal. There are no known environmental hazards present within the project area, however, the State makes no representations and no warranties, express nor implied, concerning the existence or absence of any hazardous substances, hazardous wastes, contaminants, or pollutants on the land here proposed for conveyance. The State further assumes no liability for the removal of hazardous substances, hazardous wastes, contaminants, or pollutants, nor for the remediation of the site should such substances eventually be found.

Preliminary Decision

for a Proposed Land Offering in the Unorganized Borough

Albert Creek Subdivision – ADL 419850

Page 5 of 10

DNR DMLW recognizes there are potential environmental risks when previously vacant land is occupied. Many of the activities increasing these potential risks are regulated by other agencies, such as the regulation of septic system installation by the State of Alaska, Department of Environmental Conservation. Given the high degree of interest from both the legislature and citizens in sale of State-owned land, DNR DMLW is of the opinion that the benefits outweigh the potential risks.

Traditional Use Finding: The project area is located within the Unorganized Borough and a traditional use finding is therefore required per AS 38.05.830 Land Disposal in the Unorganized Borough. Information within the Land Classification Order case file indicates that the broader Albert Creek settlement area is used by hunters, trappers, recreationalists, and miners. Field inspection of the area indicates that there appears to be little use within the project area. Some trails are present within the area, however, access through the project area appears to be primarily winter use. There are several private residences in the immediate vicinity of the project area (on private land to the southeast) and the in greater Central area. Anticipated current and future usage of the Albert Creek area includes a mixture of seasonal recreational and full-time residential use.

There are no anticipated significant changes to traditional uses of the land and resources of this area as a result of the proposed action, other than a probable increase in the various traditional activities practiced on public land by nearby private-property owners. Additional information on traditional use is welcome during the public comment period and if this proposal is approved, we will address the information received in the Final Finding and Decision.

Local Planning: Where they exist, local zoning and related ordinances govern private land use. The project area is within the Unorganized Borough and platting actions are subject to State platting authority.

Access To, Within, and Beyond the Project Area: Access to the project area is via the Steese Highway to approximately mile 129.5, then via developed platted easements approximately 500 feet from the highway into the project area. There are public easements reserved via Alaska State Cadastral Survey of Sections 23-26 and 33-36 of Township 9 North, Range 14 East, Fairbanks Meridian. These easements include a 50-foot easement for public utilities and public access along the 1/16th section lines adjoining Tract B, and a 100-foot easement along the section line between Sections 23 and 26. The Section 23/26 section-line easement has been constructed to the project area. There is constructed access along the easterly boundary of Tract B, however this access route appears to be located outside of the platted easement. ADL 409468 is an issued easement, 60 feet in width, which crosses the project area in two locations. The Circle-Fairbanks Trail (RST 237) also appears to cross the western portion of the project area. Neither ADL 409468 nor RST 237 have yet been located in the field. Subdivision design may incorporate these easements in their current location, if located, or modify and fix the location as appropriate. As a result of this subdivision, if approved, additional access will exist along platted rights of ways established through subdivision design.

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 body of water or waterway is a navigable or public waterway and establish easements or right-of-ways as necessary to

Preliminary Decision

for a Proposed Land Offering in the Unorganized Borough

Albert Creek Subdivision – ADL 419850

Page 6 of 10

ensure unobstructed access to and along the body of water. Regulations dictating the creation of easements or right-of-ways under this statute include 11 AAC 51.035 Determination of Navigable and Public Water and 11 AAC 51.045 Easements To and Along Navigable and Public Water.

For the purposes of AS 38.05.127:

- navigable water are generally lakes larger than 50 acres in size or streams larger than 50 feet in average width;
- public waters are generally lakes larger than 10 acres in size or streams larger than 10 feet in average width; and
- waters may be determined public or navigable consistent with AS 38.05.965 (18) Definitions.

For the purposes of reserving access to public or navigable water under the aforementioned statutes and regulations, if a water body is determined to be public or navigable prior to disposal, a continuous easement extending upland from the ordinary high water mark will be reserved within parcels located along said waters. An alternate upland access route may be reserved if topography or obstructions prevent or make a continuous easement difficult. If a water body determined to be public is located entirely within a parcel, a public use access easement from the parcel boundary to and along the water body will be reserved and dedicated at the time of field survey. Refer to the Easements, Setbacks, and Retained Lands and Agency Comments sections for additional information.

No public or navigable water bodies have been identified within the project area. There is a small pond, approximately 7 acres in size, within the center of the project area. If this pond is determined to be 10 acres or larger, or there is an identified public use associated with this pond, the pond will be determined public and subject to easements and setbacks as described. Refer to the Building Setbacks From Public or Navigable Water and Easements, Setbacks, and Retained Lands sections of this document for additional information.

Building Setbacks From Public or Navigable Water: If subdivision is deemed feasible and public waters are determined to exist, DNR DMLW proposes to place a note on the final survey plat describing a building setback upland from the ordinary high water (OHW) mark of public and navigable water to protect access, fish and wildlife habitat, and personal property. Except for utilities, water-dependent structures whose purpose is access to or across the stream or lake, or minor accessory structures for uses that must be in or adjacent to the water body in order to function, structures and subsurface sewage disposal systems will not be permitted within the building setback. We will continue to develop and apply criteria as needed and the public is invited to comment. Refer to the Easements, Setbacks, and Retained Lands and Agency Comments sections of this document for additional information.

Easements, Setbacks, and Retained Lands: Parcels may be subject to a variety of easements, setbacks, and retained lands. Easements, setbacks, and retained lands will be identified on the subdivision plat and included in related informational documents. Final

Preliminary Decision

for a Proposed Land Offering in the Unorganized Borough
Albert Creek Subdivision – ADL 419850
Page 7 of 10

width and location of easements and reservations will be determined as part of the platting process.

Parcels may be subject to a variety of reservations or restrictions where appropriate, such as:

- a public access and utility easement along interior parcel boundaries;
- a 50-foot-wide public access easement on each side of surveyed or protracted section lines on State-owned land, unless formally vacated;
- a 50-foot continuous easement upland from the OHW mark of public or navigable water bodies;
- a building setback from the OHW mark of public or navigable water bodies;
- a survey easement from the nearest practical point on the property boundary to control monuments within the parcel and an easement with a radius around the control monument, and as applicable, a direct line-of-sight easement from the control station to an azimuth mark or other control monument.

Where appropriate, reservations and restrictions will be depicted on the plat and described in plat notes.

Survey, Platting, and Appraisal: Depending on agency and public commentary, physical conditions of the land, and access issues, DNR DMLW proposes to offer the property for sale. In order to offer the property, a combination of survey, subdivision, or plat may be required. This proposed project area is located within the Unorganized Borough, and therefore survey and platting will be completed to the relevant State subdivision standards.

In accordance with AS 38.05.840 Appraisal, an appraisal meeting DNR DMLW standards will be required within two years of the date fixed for the sale of any parcel developed under this proposed action.

VII. Agency Comments

Agency review of this project is being conducted concurrently with the Public Notice. Comments pertinent to this proposed action received during agency review will be considered and addressed in the Final Finding and Decision if the proposal proceeds to that step.

VIII. Alternatives and Discussion

DNR DMLW is considering the following alternatives:

Alternative 1: (Preferred) Survey and plat a subdivision consisting of up to 25 parcels varying in size and offer those parcels for sale. The development and offering of these parcels may be phased.

Alternative 2: Do not subdivide the project area prior to offering. Offer the project area as a single, 600-acre parcel.

Alternative 3: Offer the project area through the RRCS program, or include within the existing Albert Creek North RRCS project area.

Preliminary Decision

for a Proposed Land Offering in the Unorganized Borough

Albert Creek Subdivision – ADL 419850

Page 8 of 10

Alternative 4: (Status Quo) Do not offer this project area for private ownership. Retain the land in State ownership.

Article VIII, Section 1 of the Alaska Constitution states, in part, that, "...it is the policy of the State to encourage the settlement of its land..." Furthermore, AS 38.05.045 Generally [Sale of Land] has placed this charge with DNR. Alternative 1 provides a method for DNR to help meet the obligations laid out in the Constitution and statute. Alternative 1 maximizes public interest. This offering provides an opportunity for the public to obtain land for settlement in a desirable area. The subdivision as described will allow DNR DMLW to create a design that will maximize use of the land and provide the public a greater opportunity to purchase land within this area.

Alternative 2 does not maximize public interest and is not preferred. Due to the unique amenities of the area, location relative to the communities of Central and Fairbanks, the project area is better suited to subdivision prior to offering. Subdividing the project area prior to offering will maximize opportunity for conveyance to private ownership and better utilize this relatively small area that is suitable to higher settlement density than a single, 600-acre parcel. Additionally the opportunity to combine the survey contract for this and the Albert Creek North RRCS survey will assist in reducing the survey costs for both projects. Alternative 2 is not preferred.

Alternative 3 is not preferred. The Albert Creek Subdivision project area is not of sufficient size for an individual RRCS offering. Offerings through the RRCS program require larger areas to allow for more opportunity for individual site selection and minimization of staker conflict. Given the relatively small size of the project area, available access from the nearby highway, and that this particular location has apparently more continuous and higher quality soils than the surrounding area, it is more efficiently used for a designed subdivision with higher density settlement. Given the timing of this proposed action relative to the active RRCS staking period, it is not appropriate to include the subdivision project area into the RRCS project area. Surveying the subdivision in conjunction with the RRCS offering will take advantage of economies of scale, and jointly reduce survey costs.

Alternative 4 is not preferred. The Legislature and the public have indicated a desire for DNR DMLW to offer State-owned land for private ownership. Retention of this land would inhibit DNR DMLW from meeting its Constitutional and legislative obligations. Not offering the project area would deny many Alaskans the opportunity to obtain land in an area that is suited to settlement.

For the aforementioned reasons, Alternative 1 is the preferred alternative. Recommendation follows.

Preliminary Decision

for a Proposed Land Offering in the Unorganized Borough
Albert Creek Subdivision – ADL 419850
Page 9 of 10

IX. Recommendation

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

This is a Preliminary Decision and subsequent public and agency review may result in changes to the preferred alternative or disapproval of the proposed primary action.

/s/

Prepared by: Tim Shilling
Natural Resource Manager
Land Sales and Contract Administration Section
Division of Mining, Land, and Water
Department of Natural Resources
State of Alaska

14 February, 2013

Date

/s/

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

14 February, 2013

Date

Preliminary Decision

for a Proposed Land Offering in the Unorganized Borough

Albert Creek Subdivision – ADL 419850

Page 10 of 10

X. Submittal of Public Comments

See Attachment C: Public Notice for specific dates and conditions. Pursuant to AS 38.05.945 Notice, a public notice inviting comment on this Preliminary Decision will be posted on the State of Alaska Public Notice website at <http://notes.state.ak.us/pn/>. Notices will also be published in newspapers in statewide circulation and newspapers of general circulation in the vicinity of the land offering. In addition, notices will be mailed to parties known or likely to be affected by the action; relevant postmasters of permanent settlements; relevant municipalities if the land is within the boundaries of a municipality; relevant regional corporations if the land is within their corporation boundary; relevant village corporations if the land is within 25 miles of the village for which the corporation was established; and relevant soil and water conservation districts.

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

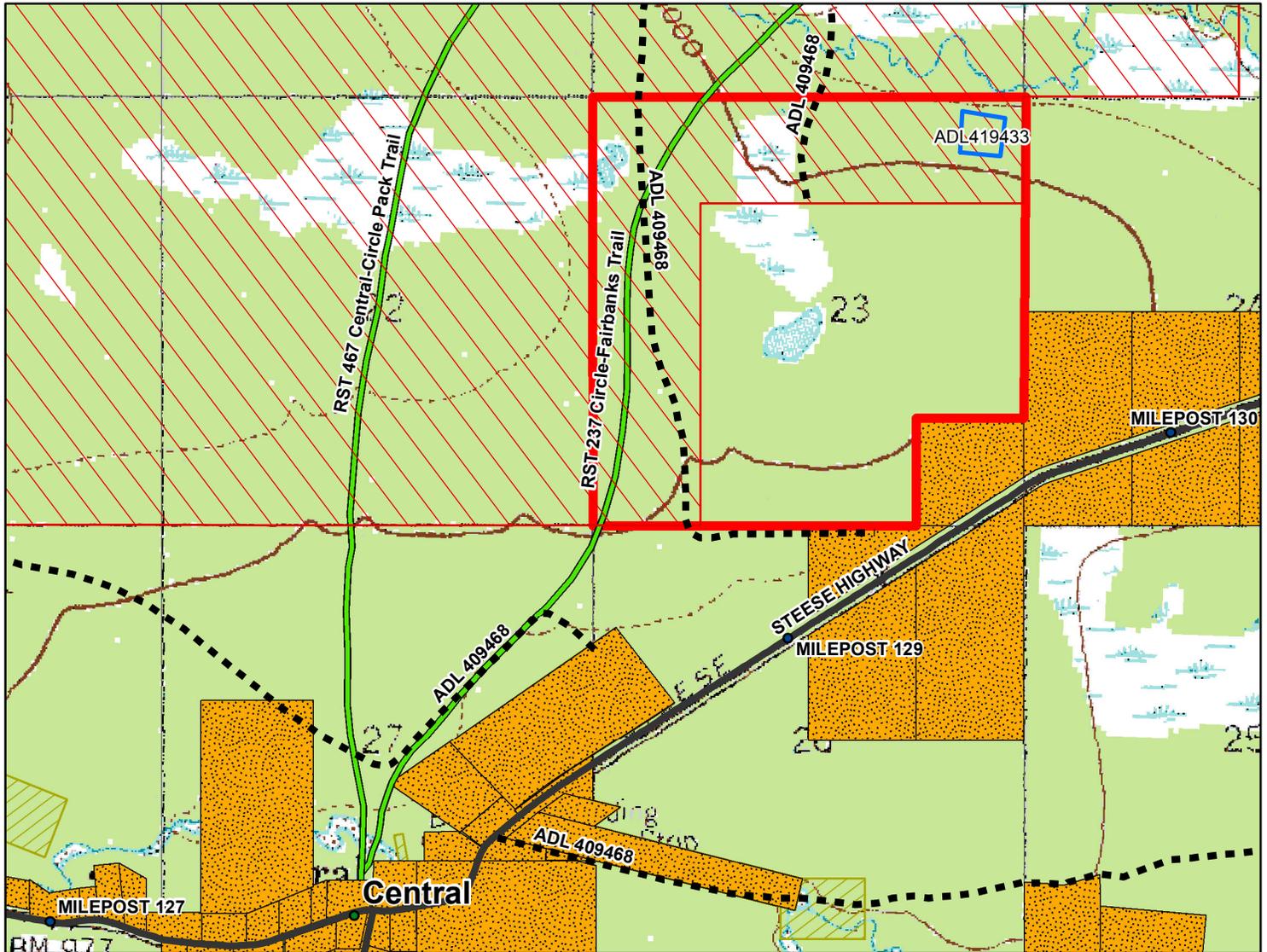
DNR DMLW will consider all timely comments. If timely, written comments received in response to this notice indicate the need for significant changes to the Preliminary Decision, additional public notice for the affected lands will be given. Reducing the amount of land offered and making minor changes to the proposed action will not be considered significant changes requiring additional public notice.

If the proposed action is approved and no significant change is required, the Preliminary Decision, including any deletions, minor changes, and summary of comments and Division responses, will be issued as a subsequent Final Finding and Decision without further notice. Only persons from whom the Department receives timely, written comment during the identified comment period will be eligible to file an appeal of the Final Finding and Decision. Upon approval and issuance of a Final Finding and Decision, a copy of the decision will be made available online at <http://dnr.alaska.gov/mlw/landsale/> and will be sent to any party from whom DNR DMLW LSCAS receives timely, written comment.



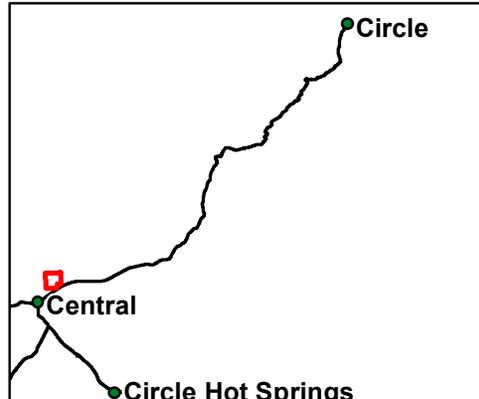
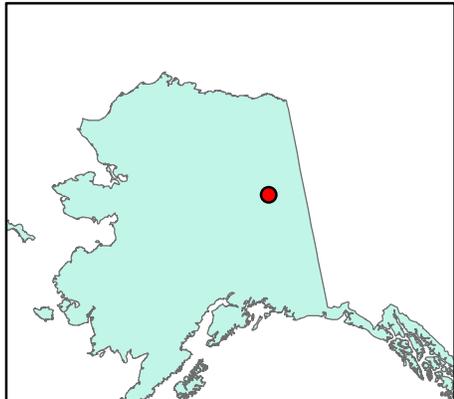
Attachment A: Vicinity Map

to the Preliminary Decision for a
Proposed Land Offering in the Unorganized Borough
Albert Creek Subdivision - ADL 419850



Legend

- Project Area
- RRCS Parcels
- RRCS Project Area
- Private Property
- Federal Action
- Easements
- RS 2477 trail



USGS QUAD 1:63,360
Circle C-2
For more information contact:
Tim Shilling
State of Alaska
Department of Natural Resources
Division of Mining, Land, and Water
3700 Airport Way
Fairbanks, AK 99709
Phone: (907)451-2734
Fax: (907)451-2751
Email: subdivision.sales@alaska.gov

This map is for graphic representation only. It is intended to be used as a guide only, and may not show the the exact location of all existing easements, reservations, or third party interests.



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

ATTACHMENT B: AREA DATA SUMMARY TABLE

to the
Preliminary Decision

for a
**Proposed Land Offering in an Organized Borough
Albert Creek Subdivision – ADL 419850**

Acreage	~600 acres
Proposed Number of Parcels, Acres per Parcel	Up to 25 parcels, varying in size from 5 to 40 acres
Location	Approximately 1.5 miles northeast of Central, 100 miles northeast of Fairbanks, and 27 miles southwest of Circle.
Area Access	Primarily via the Steese Highway, then via platted, developed easements ~500 feet from the highway into the project area. Access is constructed along the Section 23/26 section line from the highway to the project area.
Native Regional & Village Corporations within 25 miles	Doyon, Ltd. Regional Corporation and Danzhit Hanlaih Corporation (Circle)
Platting Authority, Coastal Issues, & Local Planning Considerations	The project area is within the Unorganized Borough and subject to the platting authority of the State of Alaska. Local communities, villages, and soil and water conservation district will receive public notice and an opportunity to comment. The project area is not within the zone of coastal influence.
Title	The project area appears to be tentatively approved to the State of Alaska via TA dated October 23, 1980. The applicable State case file is GS 3394
Legal Description	Section 23 excluding the SE1/4SE1/4, Township 9 North, Range 14 East, Fairbanks Meridian
Area Plan	The project area is outside of an area plan. The area is included within the Albert Creek site specific plan CL NC-82-027
Classification	Presently classified Private Recreation (Settlement via 11 AAC 55.277)

Preliminary Decision

for a Proposed Land Offering in the Unorganized Borough

Albert Creek Subdivision – ADL 419850

Page 2 of 2

Mineral Order	The project area is presently closed to mineral entry via MCO 201
Topographic Map	USGS Quad Circle C-2 The project area is generally very level, sloping gently down to the east. Slopes are typically 2-5%. Some wet areas appear to exist within the project area, including a small ~7-acre pond within the center of the project area.
Geologic Hazards	None identified. Should any geologic hazards be discovered in the future, they will be considered in the project's design and described in the project file and offering materials.
Soils	According to the Exploratory Soil Survey of Alaska, soils in the area are generally poorly drained silt loam. Ice-rich permafrost is likely present and shallow. Known soil concerns will influence the project's design and feasibility and such features will be described in the project file and offering materials where relevant.
Vegetation	Vegetation within the area is primarily mixed stands of black spruce, birch, shrubs, and tussocks.
Fire Hazards	The fire risk in this area is likely moderate. Although portions of the area are vegetated by black spruce, mixed spruce and deciduous stands are present within the area. A large portion of the area to the north, west, and south have burned in recent years, reducing the fuel load leading up to the project area. The area has a Full Fire Management option.
Navigable Waters	None identified. If additional water bodies are deemed public or navigable, DNR DMLW will comply with statutory requirements to provide access to and along said water bodies.
Public Waters	None identified. If additional water bodies are deemed public or navigable, DNR DMLW will comply with statutory requirements to provide access to and along said water bodies.
Anadromous Streams	NONE. Should additional streams be identified throughout the design phase, DNR DMLW will evaluate the appropriateness of buffers for such water bodies.
Flood Zone	Unknown. The project area is within the unmapped portion of the Yukon-Koyukuk Region.
Comments or Other Known Concerns	The project area includes the former proposed Plant Material Center ILMA (ADL 409034). The ILMA expired in January 2007, was not in use by the Division of Agriculture, and was closed in October 2012 pursuant to a request from LSCAS for this proposed project.

ATTACHMENT C: PUBLIC NOTICE

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

PUBLIC NOTICE

for a Preliminary Decision of a Proposed Land Offering:
Albert Creek Subdivision – ADL 419850

COMMENT PERIOD ENDS 5:00PM, THURSDAY, MARCH 28, 2013

This proposed project includes offering for sale surveyed parcels in a future offering under the method and the related actions as described in the Preliminary Decision document. The project may be subdivided and offered in phases.

Located within the Department's Northern Region, approximately 1.5 miles northeast of Central, 27 miles southwest of Circle, and 100 miles northeast of Fairbanks, the project area is within Section 23, Township 9 North, Range 14 East, Fairbanks Meridian, within the Unorganized Borough.

Project size: ~600 acres proposed development area, up to 25 parcels varying in size.

To obtain the notice, Preliminary Decision, or instructions on submitting comment, or to request auxiliary aids, services, or special accommodations, go to <http://notes.state.ak.us/pn/> or <http://dnr.alaska.gov/mlw/landsale/>. For assistance in obtaining the documents by an alternative method, contact DNR's Public Information Centers on State work days, Monday through Friday, between 10AM and 5PM in Anchorage at 907.269.8400 (TDD for the hearing impaired: 907.269.8411) or Fairbanks at 907.451.2705 (TDD for the hearing impaired: 907.451.2770), or the Southeast Land Section in Juneau at 907.465.3400 (TDD for the hearing impaired: 907.465.3888), or go to <http://dnr.alaska.gov/commis/pic/> for additional contact information. Individuals who require special assistance must request assistance from the Public Information Center in Anchorage no later than 4:00 PM, TUESDAY, MARCH 19, 2013.

Pursuant to AS 38.05.945 Notice, the public is invited to submit comment on these proposed actions for which notice is being conducted concurrently. If commenting on more than one proposed action, separate comments should be submitted for each. **The deadline for public comment is 5:00PM, THURSDAY, MARCH 28, 2013.** Only persons from whom DNR DMLW LSCAS receives timely, written comment during the identified comment period will be eligible to file an appeal of the Final Finding and Decision. Written comment may be received by fax, email or postal mail. To submit comments or for direct inquiries, contact Timothy Shilling, 3700 Airport Way, Fairbanks, AK 99709, fax at 907.451.2751, subdivision.sales@alaska.gov. If you have questions, call Timothy Shilling at 907.451.2734.

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

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