

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

DRAFT of SPECIAL EXCEPTION

to the
Prince of Wales Island Area Plan

related to the
Proposed Coffman Cove Loop Subdivision – ADL 108055

Name: Coffman Cove – Chapter 1 Introduction

Location: Management Unit 6 – Coffman Cove, Subunit 6a

Authority: The authority to revise plans derives from *AS 38.04.065 (b) Land Use Planning and Classification; 11 AAC 55.030 (f) Land Use Plan* defines when a revision constitutes a special exception. The authority to approve special exceptions has been delegated from the Director of the Division of Mining, Land, and Water (DMLW) to Section Managers and Regional Managers by Department Order DO 03.

Current Plan: Currently, the Prince of Wales Island Area Plan (POWIAP) Chapter 1 - reads, "Portions of State land at Goose Creek, Control Lake, Naukati, Coffman Cove, and Exchange Cove will be managed for commercial or industrial activities."

Proposed Special Exception: This special exception to the POWAP exempts Coffman Cove from the list of areas to be managed for commercial or industrial activities only.

Explanation: The POWIAP was adopted in 1985, revised in 1998, and amended in 2008. At that time it was determined that this management unit is appropriate for commercial or industrial development only. The Land Sales and Contract Administration Section conducted a scoping meeting with city administrators and citizens of the City of Coffman Cove on February 26, 2014. Individuals at the meeting indicated their desire for residential land disposals in this area, and not commercial and industrial activities. They indicated a preference for commercial activity to be restricted to areas closer to the town center (approximately 1.5 miles away). There is a demand from the public to obtain Settlement-classified land in the area. As this language falls within Chapter 1, a special exception is required to exempt this individual proposed action from this intent without changing the management intent for the entirety of the planning area.

Assessment: There is a continuing demand for land in this area, there is a proposed land offering in the area, and the area of the offering is classified Settlement-commercial. The proposed action only affects Settlement-classified land within the management unit. This constitutes a one-time, limited-purpose variance of the plan's provisions. This action is also not inconsistent with the management intent for Settlement-classified land, which is to provide the public with opportunities for private ownership. In order to effectuate

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the proposed land offering, there is no other alternative other than to process this exception to the area plan.

Requirements of AS 38.04.065 (b): The factors identified in this section of statute have been considered in the Preliminary Decision for ADL 108055 issued on _____, 2015 and the proposed action is consistent with statute.

Decision: The standards for a special exception have been reviewed and have been met. The Land Sales and Contract Administration Section of the Division of Mining, Land, and Water, Department of Natural Resources finds that the special exception to the Prince of Wales Island Area Plan, as described above, meets the criteria for special exceptions under 11 AAC 55.030 (f) and is hereby approved.

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

Date

Approved: Mark Myers
Commissioner
Department of Natural Resources,
State of Alaska

Date

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Reconsideration Provision

A person affected by this decision who provided timely written comment or public hearing testimony on this decision may request reconsideration, in accordance with 11 AAC 02. Any reconsideration request must be received within 20 calendar days after the date of "issuance" of this decision, as defined in 11 AAC 02.040(c) and (d) and may be mailed or delivered to the Commissioner, Department of Natural Resources, 550 W. 7th Avenue, Ste. 1400, Anchorage, Alaska 99501; faxed to 1-907-269-8918; or sent by electronic mail to dnr.appeals@alaska.gov. If reconsideration is not requested by that date or if the commissioner does not order reconsideration on his own motion, this decision goes into effect as a final order and decision on the 31st calendar day after issuance. Failure of the commissioner to act on a request for reconsideration within 31 calendar days after issuance of this decision is a denial of reconsideration and is a final administrative order and decision for purposes of an appeal to Superior Court. The decision may then be appealed to Superior Court within a further 30 days in accordance with the rules of the court, and to the extent permitted by applicable law. An eligible person must first request reconsideration of this decision in accordance with 11 AAC 02 before appealing this decision to Superior Court. A copy of 11 AAC 02 may be obtained from any regional information office of the Department of Natural Resources.