

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

PRELIMINARY DECISION
Nenana-Totchaket Agriculture Phase One – ADL 233703

Proposed Land Offering in the Unorganized Borough
AS 38.05.035(e), AS 38.05.045

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

PUBLIC COMMENT PERIOD ENDS 5:00PM, WEDNESDAY, MAY 26, 2021

I. Proposed Action(s)

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Attachment A: Vicinity Map

Attachment B: Public Notice

Public is also invited to comment on the proposed related actions:

Draft Mineral Order (Closing) MO 1255

Primary Proposed Action: 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), Land Conveyance Section (LCS) is to offer for sale State-owned land within the identified project area. If approved, surveyed parcels will be offered for sale.

LCS proposes to sell land within the Nenana-Totchaket Agriculture Phase One subdivision project area for the purpose of providing land for agriculture by developing no more than 1000 parcels varying in size from 5 acres to 640 acres. The project area consists of approximately 35,000 acres identified for disposal by this proposed action. The project area will be offered in multiple stages.

If this proposed primary action is approved, the actual area offered for sale may consist of all or only a portion of the overall project area. After consideration of public comment, the size and boundaries of the project area will be described in a subsequent Final Finding and Decision (FFD), if the project proceeds to that step. Additional adjustments may be made prior to survey, as described in the applications to the platting authority, as needed to reserve areas for public use, minimize conflicts between uses, or ensure compliance with platting requirements. Although actions under this proposal are limited to the stated maximums, additional offerings may be authorized under future proposals, which could increase the density of privately-owned parcels within, adjacent to, or near the project area.

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Proposed Related Action: The related action will be developed separately, however; public notice is being conducted concurrently.

Mineral Order (Closing): DNR proposes to close the project area to new mineral entry. There are no mining claims within the project area. Refer to the Mineral Activity and Order(s) subsection of this document for more information on this proposed related action.

This related action will be developed separately. However; approval of the proposed actions is dependent upon one another in that one action will not proceed without approval of all actions.

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 being conducted concurrently.

Public Meeting: LCS will be holding two public meetings to discuss the proposal and share information about the project area. An in-person and online public meeting will be held in Fairbanks, Tuesday April 20, 2021, at 6 PM, located at the State of Alaska DNR Office, 3700 Airport Way. A second in-person only public meeting will be held in Nenana, Wednesday, April 21, 2021 at 6 PM, located at the Nenana Public Library, 106 E 2nd and Market Street. Refer to the public meeting flyer or <https://dnr.alaska.gov/mlw/landsales/public-notice/> for more information.

See **Section XVII. Submittal of Public Comments** at the end of this document and *Attachment B: Public Notice* for details on how to submit a comment for consideration. If, after consideration of timely, written comments, LCS moves forward with the proposal, a Final Finding and Decision will be issued.

II. Method of Sale

LCS proposes to offer for sale land within the project area as described herein, through a future offering under *AS 38.05.045 Generally*.

Parcels offered through this action are offered fee-simple for the surface estate only. Agricultural parcels offered through this action will be subject to perpetual agricultural covenants per *AS 38.05.321 Restrictions on Sale, Lease, or Other Disposal of Agricultural Land*. For more information about the land sales program, please visit <https://dnr.alaska.gov/mlw/landsales/>. For more information about agriculture lands in Alaska, please visit <http://dnr.alaska.gov/ag/>.

III. Authority

DNR has the authority under *AS 38.05.045 Generally* 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, as required by *AS 38.05.035(e) Powers and Duties of the Director*. Article VIII, Section 1, of the Constitution of the State of Alaska states "It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest." Pursuant to *AS 38.05.055 Auction Sale or Sealed Bid Procedures*, bidders for commercial or agriculture land are not required to have been an Alaska resident for one year preceding the date of the sale. In addition, if it is deemed appropriate,

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DNR has the authority to develop and offer parcels larger than 5 acres under the allowances listed in *AS 38.04.020(h) Land Disposal Bank*. *AS 38.05.321 Restrictions on Sale, Lease, or Other Disposal of Agricultural Land* provides the authority for selling land subject to agricultural covenants.

For related actions, *AS 38.05.300 Classification of Land*, and *AS 38.05.185 Generally* allow for mineral orders.

IV. Administrative Record

The project file, Nenana-Totchaket Agriculture Phase One - ADL 233703, constitutes the administrative record for this proposed action. Also incorporated by reference are:

- Yukon Tanana Area Plan for State Lands (YTAP, adopted 2014) and associated land classification files;
- *Alaska Interagency Wildland Fire Management Plan (2020 Review)*;
- *Alaska Department of Fish and Game Catalog of Waters Important for the Spawning, Rearing, or Migration of Anadromous Fishes*;
- *USDA, Natural Resource Conservation Service Custom Soil Report for this project, dated August 12, 2020*
- DNR case files: access easements ADL 409501, ADL 413135, and ADL 421606; agreement ADL 214785; and, other cases, documents, reports, etc. referenced herein.

V. Scope of the Proposal

The scope of this proposal, under the statutes described in the preceding **Section III. Authority**, is limited and specific to LCS's proposal to offer State-owned land within the defined project area for disposal and to conduct the proposed mineral order as described herein. The scope of this proposal does not include the control of post-patent use and LCS does not intend to impose deed restrictions for this purpose, other than the reservation of perpetual agricultural covenants for parcels sold under that authority. The project may be conducted in multiple stages.

VI. Location

The project area is located within DNR's Northern Region, approximately 5 miles West of Nenana, within Sections 1-12 and 15-31, Township 4 South, Range 9 West, Fairbanks Meridian, and Sections 1-36, Township 4 South, Range 10 West, Fairbanks Meridian, within the Unorganized Borough. The project area consists of approximately 35,000 acres identified for disposal by this proposed action.

Platting Authority: The project area is within the Unorganized Borough and is subject to the State of Alaska platting authority.

Native Regional and Village Corporations: The project area is within the boundaries of the Doyon Limited regional corporation. The village of Nenana is within 25 miles of this proposed action and notice will be sent to (Nenana) Toghoththele Corporation and Nenana Native Council.

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VII. Property Description

The project area's property description is defined as:

- Township 4 South, Range 9 West, Fairbanks Meridian, that portion of the following protracted sections:
 - Section 1-8 all;
 - West1/2 of Section 9;
 - West1/2 of Section 10;
 - N1/2 of Section 11;
 - NW1/4 of Section 12;
 - That portion of the S1/2 of Section 11 and SW1/4 of Section 12 lying north of a line connecting the SW corner of Section 11 to the C1/4 corner of Section 12;
 - N1/2 of Section 15;
 - Sections 16-20 all;
 - N1/2 of Section 21;
 - N1/2 of Section 29;
 - Section 30 all;
 - N1/2 of Section 31;

According to the plat accepted by the Department of the Interior, Bureau of Land Management (BLM) on February 3, 1978; and,

- Township 4 South, Range 10 West, Fairbanks Meridian:
 - Sections 1-36 all;

According to the plat accepted by the Department of the Interior, Bureau of Land Management (BLM) on February 3, 1978;

All containing 35,000 acres more or less, as depicted on the attached map.

VIII. Title

Title Report No. 21048, current as of July 29, 2020 indicates the State of Alaska holds fee title to the land and mineral estate within the project area under Patent 50-80-0086 (GS 424) dated May 27, 1980 and Patent 50-81-0165 (GS 1027), dated September 14, 1981. The applicable State case files are GS 424 and GS 1027. The parcel is subject to the reservations, easements and exceptions contained in the federal patent.

State Reservations 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 [of Rights to Alaska]*, the State retains ownership of the mineral estate 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 and silver, etc.), and leasable minerals (such as oil, gas, coal, etc.).

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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 surface 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 provides that the land estate owner will be compensated for damages resulting from mineral exploration and development.

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 unmeandered, and the State holds and controls all navigable or public water in 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 XIII. Access To, Within, and Beyond Project Area** of this document.

The Bureau of Land Management has determined that there are no waters determined navigable within the project area

Where they exist within the project area, State third-party interests will be described in land sales brochures.

IX. Physical Characteristics and Hazards

Information about the project area is based on internal research, information received during agency review, and an on-ground field inspection conducted on July 29-30, 2020 and March 2, 2021. 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.

Terrain and Major Features: The landscape is generally level with rolling hills and scattered kettle ponds, consistent with the uplands of the surrounding region. There are localized areas of micro-topography that contain remnants of alluvial fans and stream terraces. Evidence of the 2009 wildfire is present in burned, downed trees and stumps.

View: The majority project area has a distant view of the Alaska Range and local rolling hills. There are also water views scattered within the project area.

Vegetation: The vegetation within the project area is varied and primarily determined by terrain and the effects of the 2009 Minto Flats South wildfire. The low-lying areas that are wet with bogs and ponds have moss and short herbaceous plants; as the landscape rises and becomes more dry, mixed berries, willows, alders, and other small to medium woody plants can be found. In the areas described as "uplands", a mix of early-mid growth and mature birch, spruce, and poplar are present.

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Soils: Soils within the project area generally consist of Nenana silt loam (42%) and similar other silt loams (collectively 85% of the overall soils) that is undulating, rolling, or nearly level. They are well drained with a depth to restrictive features of more than 80 inches. The profile pattern (85% of the overall soils) is as follows: the top few inches are decomposed plant material, mid-depth is typically silt loam, and additional silt loam and sand-silt at full depth. Approximately 77% of the soils in the project area are categorized as non-irrigated capability class IV. The soil is considered frost free for 80-120 days. Non-irrigated capability class IV soils are considered appropriate for agricultural development. However, the Natural Resources Conservation Service (NRCS) defines these soils as having severe limitations that reduce the choice of plants or that require very careful management, or both. A significant factor in the soil classification for agriculture development is the climate. Understanding that climate, in conjunction with plant choice and soil class, will determine success in agriculture crop production. NRCS will be performing a more detailed soil report for the project area during 2021. The subsequent soil report will provide valuable information in the agriculture capability and design of offered parcels.

Wetlands: Wetlands exist scattered within portions of the project area. There are less than five percent of freshwater emergent wetlands and freshwater forested-shrub wetlands in the project area as estimated from the National Wetlands Inventory map. Dredging or filling of wetlands may require a permit from the US Army Corp of Engineers.

Geologic Hazards: Geologic hazards are common throughout Alaska. Information gathered during field inspection did not indicate any specific geologic hazards for this area. Should any geologic hazards be discovered in the development of this proposal, information will be included in offering materials.

Fire Information: Pursuant to observations from the field inspection, the current fire risk in the area is likely low. Fire history indicates that the region has experienced periodic wildfires throughout the decades. Most recently all the project area was burned in the 2009 Minto Flats South wildfire.

Potential for wildland fire is high in interior Alaska and other certain parts of the state. Landowners with structures are encouraged to follow the Alaska Wildland Fire Coordinating Group *Firewise Alaska* recommendations. Offering materials include information regarding wildland fire prevention.

Fire management options and policies for the area are identified in the Alaska Interagency Wildland Fire Management Plan available from DNR Division of Forestry. The current fire management option for most of the project area is “Modified (July 10).” The policy on areas with the “Modified” management option reads, “Before the conversion date, fires occurring within Modified will receive priority after the protection of Critical and Full areas. After the conversion date, the priority is low for the allocation of initial action forces and equal to Limited. Modified allows for a response to wildfire that tailors the initial action to the time of year that the fire starts. It provides for an initial response designed to protect identified sites early in the season when the probability is high that they will eventually be affected; but later in the year allows fire-related land-use and resource objectives to be accomplished in a cost-effective manner while still

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providing appropriate levels of site protection.” It also states that the designation of a fire management option does not ensure protection from wildfire, that a protection response will be based on various factors, and “Ultimately, it is the responsibility of [landowners] to mitigate and minimize risk to their property before it becomes threatened by a wildfire.”

Flood Hazard: There is no Flood Insurance Rate Map available for the project area. There is potential for seasonal flooding and erosion of parcels adjacent to water bodies, especially in low-lying areas.

Water Resources: All surface and subsurface waters on all lands in Alaska are a public resource, subject to appropriation in accordance with the Alaska Water Use Act (AS 46.15). No water rights have been identified within the vicinity of the project area. There is no well or water quality information within the area. Potential water sources in the area include surface water collection from various kettle ponds and small lakes. Water quality is unknown. Additional information on wells, water quality, and drinking water may be obtained from the Alaska Department of Environmental Conservation.

Utilities: No known services exist within or in the immediate vicinity of the project area.

Waste Disposal: There are no waste disposal facilities within or in the immediate vicinity of the project area. All on-site wastewater disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

X. Background

The project area is within Management Unit K-32, Kantishna Region, of the Yukon Tanana Area Plan. The entire unit K-32 encompasses 148,502 acres, the proposed project area consists of approximately 35,000 acres. University Land is within portions of Sections 9 and 10, Township 4 South, Range 9 West, Fairbanks Meridian. There are Native Lands adjacent to the project area in Township 3 South, Range 9 West, Fairbanks Meridian. All other adjacent land is state land and there have been no previous land offerings in the area. Current uses of the area are limited but include hunting, trapping, personal use wood cutting and wood salvage, and travel through the project area. Portions of the eastern portion of the project area were used for oil and gas exploration and led to the upgrade of a large portion of Totchaket Road, and the construction of two other roads terminating at gravel pads. This infrastructure has been left in place and provides constructed access and increased opportunity for development within the project area.

The Nenana-Totchaket Agriculture Phase One proposal is an updated modern-version project originating from a compilation of numerous reports, projects, studies, proposals, and plans since the 1970s. The Nenana-Totchaket region overall has been identified as an area that has suitable agriculture potential. In 1982, the Alaska Agricultural Action Council (AAAC) reported that “Nenana-Totchaket will play a particularly important role in the future of Alaska agriculture.” Additionally, AAAC noted that the area’s access to the Parks Highway and Alaska Railroad, lower elevation than Delta, and not conflicting with other resource development are all important factors in recognizing the potential for efficacious agriculture opportunities. During this time, even though there was high interest and potential for development, no progress was made due to a lack of access to the area.

First drafted in the 1980s and adopted in 1985, the Tanana Basin Area Plan (TBAP) designated a rather large area as agriculture west of the town of Nenana and the Tanana and Nenana

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rivers. Ever since this time the area has been designated and classified as agriculture. The current Yukon Tanana Area Plan (YTAP) adopted in 2014, also has classified and designated the area as agriculture along with management intent and guidelines. The proposed development of agriculture on state land in this area has been discussed early on (1970s and 1980s) and a scoping meeting was held in Nenana in December of 1980. During this meeting topics of infrastructure and timelines were discussed. Throughout this progression the major issue that prevented further advancement was the lack of access. This obstacle has recently been resolved, as the Nenana River bridge has been constructed and is open for standard highway vehicles via Totchaket Road ADL 409501, which provides direct access to access the project area.

The primary goal of the proposed Nenana-Totchaket Agriculture Phase One project is the same as it has been since the 1970's, to develop and create agriculture opportunities for individuals through disposal and ownership of state land. The Division of Agriculture (DAg) has held meetings regarding the future of land sales, and continuously receives comments regarding preferred parcel size and layout. DAg has developed different development strategies for this project: large parcels, traditional parcels, and phased offerings. During discussion and consultation with DAg, DMLW proposes to offer a phased approach with a mix of traditional and large agriculture parcels in multiple offerings over time.

Proposed development provides for a variety of parcel sizes with the intention of creating large scale, small scale, and personal use agriculture. LCS proposes to subdivide and offer a variety of parcel sizes, suitable for a variety of potential uses. Parcels sold for agriculture, subject to perpetual agricultural covenants, will be no smaller than 20-acres in size. LCS may create smaller parcels, in areas of less agricultural-suitable soils, or where topography or infrastructure make siting larger parcels more difficult or less practical. LCS proposes a minimum parcel size for non-agricultural parcels of no smaller than five acres. Any offering of non-agricultural parcels will require a separate Area Plan Amendment and Land Classification Order, which will require a subsequent public notice. Parcel size and location will be developed using information gathered from soil surveys, research, LiDAR data, infrared imagery, and on-site field inspection that will establish limits and options for design of parcels and road construction.

Development of the entire project area at once is prohibitively expensive and time consuming. The initial offering is planned to focus on areas with existing constructed access and is intended to offer agriculture parcels varying in size. Offering a variety of parcel sizes will allow for a variety of different agricultural uses, from small recreational agriculture and agrarian lifestyle farms to larger scale commercial agricultural operations.

Once developed, the Nenana-Totchaket Agriculture Phase One project will be closer to fulfilling DAg goals for agriculture and be consistent with the development goals found in the YTAP. The project will also provide economic opportunities from the development of land and the production of plants and animals.

Agricultural parcels are sold under the authority of *AS 38.05.045 Generally*; however, they are sold with perpetual agricultural covenants in accordance with *AS 38.05.321 Restrictions on Sale, Lease, or Other Disposal of Agricultural Land*. These covenants, in part, limit the use of the land to agricultural purposes and restrict the future subdivision of the parcel. Currently parcels sold subject to agricultural covenants may only be subdivided once and any resultant parcels may not be less than 40-acres. Additionally, when lands are sold for agricultural purposes they are subject

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to clearing and development requirements based on the percentage of available cropland. For the purpose of determining required development, “cropland” is defined as land that:

- after being cleared is capable of producing, at a minimum, such commercial crops as grasses for seed, grain for cereal, or frost hardy vegetables;
- is arable and at least 97 percent free of surface stoniness (stones greater than three inches);
- with slopes less than 12 percent;
- has mineral soil depths over aggregate or sand measuring at least 10 inches;
- is capable of draining satisfactorily following conversion to farm land; and,
- is not subject to frequent flooding.

The amount of clearing required, if any, will be listed in the offering brochure. The clearing and development of an agricultural parcel is prohibited until the required State Farm Conservation Plan (11 AAC 67.177) has been submitted by the purchaser to the DNR Division of Agriculture (DAg). Following the approval from the Director of DAg and the Fairbanks Soil and Water Conservation District, the clearing and development of the purchased parcel may begin.

XI. Planning and Classification

The project area is within Yukon Tanana Area Plan (YTAP, adopted January 3, 2014), Kantishna Region, Unit K-32. Lands within this unit are currently designated Agriculture, and classified Agriculture under Land Classification Order No. NC-10-005. The project area consists of portions of the K-32 management unit within Township 4 South, Range 9 West, Fairbanks Meridian and Township 4 South, Range 10 West, Fairbanks Meridian. LCS reviewed the general management intent of the area plan and management unit for consistency with the proposed offering.

Kantishna Region Considerations: Unit management intent is to manage the unit for its agricultural values and that agricultural land disposals are appropriate during the planning period. Management intent provides that forestry activities are also appropriate within this area and may occur independently of or can precede an agricultural land disposal. If a timber harvest is scheduled far in advance of agricultural operations, the land should be reforested to protect soils. The DAg should be consulted prior to any forest management activity, especially commercial timber harvest. Protect cultural resources.

The proposed Nenana-Totchaket Phase One subdivision is an agricultural subdivision, consistent with the management intent of the unit. Some personal use firewood harvest and timber salvage has occurred within the unit and may continue until parcels are sold. After parcels are sold, timber will be managed according to the Farm Conservation Plan. Cultural resources are present in the vicinity, though none have been identified with the project area. The DNR, Division of Parks and Outdoor Recreation, Office of History and Archaeology (OHA) did not provide comment during or prior to Agency Review of this proposed project. OHA will be notified should any discovery of cultural resources occur during the development of this project and offering material will include information regarding archaeological sites.

Area-wide Considerations: LCS reviewed the guidelines in Chapter 2: Areawide Land Management Policies of the Yukon Tanana Area Plan. LCS will incorporate these

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considerations into the design and development of the project. Lands to be retained in public ownership, conditions, and reservations will be included on the plat and in offering materials as appropriate. Specific area-wide management intent and management guidelines affecting this proposal are discussed below.

Agriculture: The management guidelines for agriculture land disposals provide the following guidelines:

- Agricultural land disposals under AS 38.05.321 may only occur within areas designated Agriculture Land. There may be instances where areas classified Settlement may also be appropriate, within specific areas of the site, for agricultural land disposals. The entire Nenana-Totchaket Phase One project area is designated Agriculture Land.
- Agricultural sale areas may be less than 40 acres, if in the opinion on the Division of Agriculture (DAg) and in the written decision under AS 38.05.035(e), it is determined that such an action is in the best interests of the state. DAg has provided extensive guidance to LCS and has given the opinion that it is appropriate to offer some parcels within Nenana-Totchaket Agriculture Phase One less than 40 acres. LCS proposes to develop a variety of parcel sizes as described above; however, currently LCS does not propose any agriculture parcels under 20-acres.
- Agricultural land disposals shall be consistent with the requirements of statute and regulation, and agricultural land cannot be used for other purposes that would preclude its eventual use for agriculture. Specifically, land conveyed under this authority may only be used for agricultural purposes or for purposes that do not conflict with the use of the land for agriculture, and purchase and development of agricultural parcels is subject to a farm conservation plan. Offering materials will inform potential purchasers of the requirements and covenants. Additionally, management guidelines provide that agricultural sale adjoining areas designated Habitat or settlement shall evaluate the need for measures to minimize impacts to those areas. The project area is surrounded by other Agriculture designated land and Water Resources land. Some parcels within the project area may be sold not subject to agricultural covenants; however, these will require a separate action to amend the designation to settlement, and these lands are intended to provide support to agricultural development in the area. Finally, management guidelines provide that generally, agricultural land disposals should not occur within mapped floodways. There are no mapped floodways within the project area. Parcel size and location will be developed using information gathered from soil surveys, research, LiDAR data, infrared imagery, and on-site field inspection, and subdivision design will attempt to avoid or minimize around poorly drained areas.

Cultural Resources: Management guidelines for cultural resources provide for the identification, protection, surveying, and reporting of cultural resources. Generally, a 50 foot or greater buffer is required around significant cultural resources. Review of the Alaska Heritage Resources Survey indicates there are two reported sites in the vicinity, but outside of the project area. Additionally, if determined by OHA during an agency review of a proposed land disposal that a cultural survey may be required, further coordination between OHA and DMLW prior to the land disposal is warranted;

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and that cultural surveys should be considered where OHA reported sites exist or where there is a high potential for such sites to exist. OHA did not provide comment during or prior to Agency Review of this proposed project. OHA will be notified should any discovery of cultural resources occur during the development of this project and offering material will include information regarding archaeological sites.

Fish and Wildlife Habitat: Management guidelines for fish and wildlife habitat apply to areas designated Habitat. However, the Alaska Department of Fish and Game (ADF&G) was consulted during agency review and provided some species-specific information. Refer to section **XVI. DMLW and Agency Review** for more information.

Forestry: Management guidelines in relation to forestry provide that harvests are considered appropriate in areas designated agriculture; however, consultation with DMLW and DAg is required prior to harvest. Timber harvest is appropriate on parcels sold for agriculture if the harvest is consistent with the Farm Conservation Plan. Management guidelines also provide for the salvage of damaged trees on all land designations unless specifically prohibited. The 2009 Minto Flats South wildfire significantly reduced any harvest potential, however increased the opportunity of damaged tree salvage. Salvage of damaged trees will continue to be allowed, subject to appropriate permits, until parcels of land have been disposed into private ownership through land sales.

Material Sites: Management guidelines for material sites provide that material sites are necessary to and are a type of use that is often associated with the construction and maintenance of roads, and therefore an essential component of the road construction process. Generally, if an area contains sand and gravel deposits, rock sources or other similar, high value material resources, a material source area should be identified during design and retained in state ownership for future use. The majority of the project area soils consist of silt loams over sand or sandy substratum and is generally considered a poor source for material. However, if a location within the project area is found that has potential for high value material resources, it may be appropriate to retain in state ownership for a material site. DNR is currently working with the NRCS for additional soil sampling in the project area.

Settlement: This section provides management guidelines regarding planning and coordination with local plans and governments; types of settlement and land offerings; protection, management, and enhancement of other resources; and design. These guidelines have been considered in the development of this proposal. LCS and DAg have been in coordination with the City of Nenana and other agencies through the development of this proposal, the design of the project area will account for access and uses of the surrounding area. The Nenana-Totchaket Agriculture Phase One subdivision is primarily an agricultural subdivision; however, LCS may create smaller parcels, in areas of less agricultural-suitable soils, or where topography or infrastructure make siting larger parcels more difficult. These parcels may be sold for settlement, not subject to agricultural covenants. This will require an amendment of the YTAP and a Land Classification Order to amend the designation and classification from Agriculture Land to Settlement Land. This will be a separate process including a separate public notice.

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Shorelines and Stream Corridors: Management guidelines establish access easements, building setbacks, and buffers in order to ensure opportunities for a variety of recreational activities within publicly owned stream corridors, protect fish and wildlife habitats along waterbodies, protect water quality, and provide for needed water dependent uses. The width of each access easement, building setback, and buffer varies and is specific to its primary purpose and the potentially impacted waterbody. There are a few unnamed public or navigable water bodies within the proposed project area. Any parcels adjacent to these waterbodies will be subject to a 50-foot continuous easement upland from the Ordinary High Water mark (OHW) (in accordance with *AS 38.05.127 Access To Navigable or Public Water*) and a minimum 50-foot building setback from the OHW. Refer to the *Access To and Along Public or Navigable Waters* sub-section for more information.

Management guidelines provide for an easement or buffer 50-feet on each side of sensitive environmental features such as riverine or lacustrine wetlands. The project area contains multiple small relatively isolated wetland areas, however none of these have been identified as particularly high-value, and LCS does not propose to impose an easement or buffer along these wetlands within the project area. Management of wetlands on within individual parcels will be addressed in the Farm Conservation Plan.

Public Access: Management guidelines for public access provide that reasonable access will be provided across state lands to other public and private lands and rerouting of trails may be permitted to minimize land use conflicts, reduce duplication in trail routings, or minimize habitat destruction. Existing legal access will not be precluded unless equivalent access is available. Before selling, leasing, or otherwise disposing of the land estate, DNR will dedicate roads and reserve public use easements pursuant to the requirements of 11 AAC 51.015. LCS intends to reserve all current easements within, and in the vicinity of, the project area. Refer to section **XII. Access To, Within, and Beyond Project Area** for more information.

The proposed offering is consistent with area-wide land management policies and general management intent of the YTAP and management unit K-32.

Mineral Order (Closing): Mining activity on the project area would be incompatible with the current and proposed land estate uses. The land does not contain any known mineral deposits and was not selected for mineral values. There are no mining claims on the land.

Mineral Activity and Order: No mineral activity has been identified on these lands. The entirety of the project area (approximately 35,000 acres) will be closed to new mineral entry if the mineral order is approved in accordance with *AS 38.05.185 Generally* and *AS 38.05.300 Classification of Land* for a land disposal. The proposed mineral order, if approved, will close the area to new mineral entry only and will not affect current existing mining claims.

Mineral orders which close an area to mineral entry, close the applicable area to new exploration and development of locatable minerals. Such mineral orders do not apply to leasable minerals (such as: oil, gas, coal, etc.), or exploration licensing for such, nor do they

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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 for locatable minerals 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, a determination is required that mineral entry and location is incompatible with significant surface uses in order to close state-owned lands to mineral entry.

Local Planning: The project area is within the Unorganized Borough, and the State does not pursue zoning of private lands.

XII. Traditional Use Finding

The project area is within the Unorganized Borough, and a traditional use finding is therefore required under *AS 38.05.830 Land Disposal in the Unorganized Borough*. Information obtained from the YTAP, research, Agency Review, and site inspection indicates that the project area appears to be currently used for: hunting, trapping, access to property outside of the project area, and personal use wood harvest and salvage tree harvest. LCS recognizes that as lands are sold and developed, it will impact traditional uses by removing some of the lands from public use. However, the project area is surrounded by large amounts of State-owned land which will currently remain open to public use. Additionally, the area is being offered for agriculture, which can improve food security for the state, help bolster the economy, provide new jobs, and generally provide a greater positive impact to the state of Alaska. Impacts on existing resource users will be minimized by: potentially offering portions of the project area while retaining land in public ownership, retaining access routes within and beyond the project area, and continuing to follow the area plan management guidelines for the area. Additionally, the project area will be developed and offered in phases over multiple years, allowing continued use of the State lands until sold. Additional information on traditional use is welcome during the public comment period and if this proposal is approved, LCS will address the information received in a subsequent Final Finding and Decision, if one is issued. See the **Section XVII. Submittal of Public Comments** at the end of this document and *Attachment B: Public Notice* for details on how to submit comment.

XIII. Access To, Within, and Beyond Project Area

Access to the project area is via Totchaket Road ADL 409501, an easement, 500-feet in width extending approximately 29-miles from the Nenana River bridge through the project area and terminating at the westerly boundary of Township 4 South, Range 12 West, Fairbanks Meridian. Where the Totchaket Road crosses through University of Alaska (UA) land, the UA has granted a 100-foot wide easement. The road is a developed gravel road for the first approximately 12-miles, (approximately 6.5 miles within the project area) before continuing as a minimally developed trail. Standard highway vehicles may be used to access the first approximately 6.5 miles of the project area.

Access within the project area ranges from developed gravel roads to off-road vehicle trails. The Commissioner's Line Trail (ADL 413135 and 421606) departs from the Totchaket Road in the eastern portion of the project area and continues northwest for several miles beyond the project

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area. This trail has historically been used for access (primary winter access) to private property along the Tanana and Kantishna Rivers, access into the south end of Minto Flats State Game Refuge, and access to timber resources. LCS proposes to dedicate a 100-foot ROW along this route. There are two constructed roads within the eastern portion of the project area, which depart the Totchaket road heading north, ending at developed pads associated with the prior oil and gas exploration. Both of these roads provide constructed access within the project area and will be dedicated ROWs. There are a number of other trails evident in the area, which appear to be remnants from prior seismic activity. These trails were not observed to be in use during field inspections, and LCS does not propose to retain access on them. LCS encourages public comment on current access uses within the project area.

LCS proposes to dedicate multiple access routes within the project area as part of subdivision design. Subdivision and road design will account for topography, soils, and access to lands beyond the project area where possible. Section line easements will be retained in accordance with *AS 19.10.010 Dedication of Land for Public Highways* and *11 AAC 51.025 Section-line Easements*, or may be dedicated as part of subdivision design. As part of subdivision design, some section-line easements may be vacated in accordance with *AS 19.30.410 Vacation of Rights-of-Way* and *11 AAC 51.065 Vacation of Easements*, which will require a separate process.

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 AAC 51.035 Determination of Navigable and Public Water*, and *11 AAC 51.045 Easements To and Along Navigable and Public Water*, and *11 AAC 53.450, Buffer Strips, Reserved Areas, and Public Easements*.

For the purposes of *AS 38.05.127*:

- navigable waters 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 (21) Definitions*.

Basket Lake (approximately 50 acres) is the largest waterbody in the project area. The southern shoreline is located along, and within, the easement for the Totchaket Road ADL 409501. This lake appears to meet the criteria of navigable waters. There are two un-named waterbodies (approximately 10 acres) located in Sections 3 and 15, Township 4 South, Range 9 West, Fairbanks Meridian. These lakes have been determined to be public. Parcels will be subject to access reservations in accordance with *AS 38.05.127 Access to Public or Navigable Water* and a 50-foot building setback from the OHW of the water bodies described, as well as any additional water bodies identified as public or navigable prior to completion of survey in accordance with the YTAP. If any additional public water bodies are discovered, parcels will be subject to access reservations in accordance with *AS 38.05.127 Access to Public or Navigable Water*, and a 50-foot building setback from the OHW of the water body.

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Building Setbacks from Public or Navigable Water: If the proposed project is deemed feasible, LCS proposes to place a note on the final survey plat describing a building setback upland from the OHW of public or navigable water to protect access, fish and wildlife habitat, and personal property. Structures and subsurface sewage disposal systems will not be permitted within the building setback, 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.

Easements, Setbacks, and Reservations: Subdivision design may include a variety of easements, setbacks, and retained lands, which will be identified on the subdivision plat and included in related documents. Standards for easements are provided in *11 AAC 51.015* or by local platting ordinances.

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

- public access easements;
- utility easements;
- a 50-foot-wide section-line easement on each side of surveyed or protracted section-lines on State-owned land in accordance with *AS 19.10.010 Dedication of Land for Public Highways* and *11 AAC 51.025 Section-line Easements*; section-line easements may be vacated under *AS 19.30.410 Vacation of Rights-of-Way* and *11 AAC 51.065 Vacation of Easements* as part of the subdivision development;
- a 50-foot continuous easement upland from the OHW of public or navigable water bodies in accordance with *AS 38.05.127 Access To Navigable or Public Water*;
- a minimum 50-foot building setback from the OHW of public or navigable water bodies, in accordance with the area plan; and
- a 5-foot 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 5-foot 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.

XIV. Hazardous Materials and Potential Contaminants

During ground field inspections conducted on July 29-30, 2020 and March 2, 2021 field staff did not observe any environmental hazards within the project area. An old refrigerator was observed near Basket Lake, along with minor litter adjacent the Totchaket Road. There are no known environmental hazards present within the project area; however, the State makes no representations and no warranties, express or 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. Interested parties are encouraged to inspect the

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property and familiarize themselves with the condition and quality of the land prior to bid or application submittal.

LCS recognizes there are potential future 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. This risk is no greater than when vacant private land undergoes development. Given that this land was specifically designated Agriculture for transfer into private ownership and given the high degree of interest from both the legislature and citizens in transferring State-owned land into private ownership, LCS is of the opinion that the benefits of offering the land outweigh the potential risks.

XV. Survey, Platting, and Appraisal

After evaluating public comment and conditions of the land, DNR will determine if it is in the State's best interest to offer the proposed project area. In order to offer the property, a combination of survey, subdivision, and/or platting actions may be required.

The project area is located within the Unorganized Borough, and therefore survey and platting will be subject to State of Alaska subdivision standards.

In accordance with *AS 38.05.840 Appraisal*, an appraisal meeting DNR standards will be required within two years of the date fixed for the sale of any parcel developed under this proposed action. Even though the sale of project area parcels in multiple offerings over time will mitigate "flooding" the market, the two-year appraisal requirement must still be followed.

Project research and development includes consideration of economic factors utilizing market data and project development costs compiled by DNR DMLW staff, to evaluate the economic feasibility of a project. Since it commonly takes several years for the project development process, *AS 38.05.840* ensures the current market conditions are addressed in order to obtain a realistic minimum bid or purchase price for the sale of State land.

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 preliminary decision. Agency review was conducted from January 29, 2021 through February 19, 2021. Comments pertinent to this proposed action received during agency review have been considered and addressed below. Additional timely comments received during the Public Notice period will be considered and addressed in a subsequent Final Finding and Decision, if one is issued.

DNR DMLW LCS received brief comments of non-objection from the following agencies:
DNR Division of Parks and Outdoor Recreation (DPOR) State Parks

DNR DMLW LCS Response: LCS appreciates your review of the proposal.

ADF&G Comment: ADF&G stated that they do not have any major objections to the proposed offering, and offered the following comments:

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ADF&G Comment: ADF&G noted that the area is known to be popular with local subsistence moose hunters and expects that the Minto/Nenana Fish and Game Advisory Committee will have concerns about both increased pressure that may result from the proposed development as well as the privatization of what is currently public land. ADF&G advised that DNR make efforts to ensure that these users are reached during the public review period.

DNR DMLW LCS Response: LCS appreciates your review of our proposal. LCS will ensure that that the Minto /Nenana Fish and Game Advisory Committee will receive public notice and will take into consideration any comments or concerns that may be brought to attention. Additionally, public meetings will be held in both Nenana and Fairbanks in an attempt to reach potentially affected users.

ADF&G Comment: ADF&G noted that given the extensive size of the offering, there is potential for rare wildlife and plant species to occur within the project area. ADF&G described that Northern Bog Lemmings (NBL) are currently a Candidate Species under the Endangered Species Act (ESA) undergoing a Species Status Assessment, and that although records for the project area are not available, NBLs have been documented nearby. ADF&G noted that, it is unlikely that the potential development of this parcel would constitute the “take” of individuals under the ESA and would be unlikely to negatively impact NBL populations at the state level, and that additional research is currently underway by ADF&G Threatened, Endangered and Diversity (TED) Program and collaborators to further assess NBL status in Alaska.

DNR DMLW LCS Response: LCS appreciates information about the possibility of NBLs within the project area.

ADF&G Comment: The Alaska Center for Conservation Studies maintains a database of rare plant species in Alaska in collaboration with ADF&G TED Program. Similarly, several rare plant species have been documented in the general Nenana area, although the project area has not been surveyed. Given known habitat affiliations, it is feasible that the project area contains the following rare plant specimens:

- **Gentianopsis barbata ssp. Barbata*
- *Carex atherodes*
- *Carex atratiformis*
- **Botrychium alaskense*
- *Salix athabascensis*
- *Astragalus williamsii*

*Identified in the Bureau of Land Management’s (BLM) Alaska Special Status Species List-2019 (attached) as Watchlist Species

DNR DMLW LCS Response: LCS appreciates your review of our proposal. LCS recognizes that there are rare plant species potentially within the project area.

Salcha-Delta Soil and Water Conservation District (SDSWCD) Comment: The SDSWCD stated that they believe 5-acre parcels to be too small for agricultural parcels, and recommended a 20-acre minimum for agricultural parcels. The SDSWCD recommended LCS sell a mix of much larger parcels, including parcels up to 640-acres. The SDSWCD also recommended that settlement and commercial parcels be restricted to areas where soils are

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unsuitable for agricultural production, noting that soils with good agricultural production potential are limited in Alaska and should be reserved for agricultural development. SDWSCD also noted that they would like to see a map showing the layout of the different parcel sizes and how they are distributed.

DNR DMLW LCS Response: LCS appreciates your review of our proposal. As described above, parcels sold for agriculture, subject to perpetual agricultural covenants, will be no smaller than 20-acres in size. LCS may create smaller parcels, in areas of less agricultural-suitable soils, or where topography or infrastructure make siting larger parcels more difficult or less practical. LCS proposes a minimum parcel size for non-agricultural parcels of no smaller than five acres. However, any offering of non-agricultural parcels will require a separate Area Plan Amendment and Land Classification Order, which will require a subsequent public notice. LCS proposes to offer a variety of parcel sizes to allow for a variety of different agricultural uses, from small recreational agriculture and agrarian lifestyle farms to larger scale commercial agricultural operations. LCS has not yet completed a final subdivision design for the project area. Final project design will account for agency and public comments, as well as additional information received from NRCS soil testing and additional field inspection as appropriate.

Homer Soil and Water Conservation District (HSWCD) Comment: The Homer Soil and Water Conservation District offers general support of the proposed Nenana-Totchaket Agriculture Phase One. HSWCD advises to be thoughtful on the interspersal of agriculture and non-agriculture parcels.

DNR DMLW LCS Response: LCS appreciates your review of our proposal. As described above, LCS may create smaller parcels, in areas of less agricultural-suitable soils, or where topography or infrastructure make siting larger parcels more difficult or less practical.

Division of Oil and Gas (DOG) Comment: (DOG) does not have any objection to the proposed disposal. DOG has not issued any third-party authorizations on the subject land, nor are there any pending applications or activity in the vicinity. DOG requested that LCS inform potential purchasers that the State reserves oil, gas, minerals, fissionable material, geothermal resources, and fossils that may be in or upon the land that it conveys in accordance with Section 6(i) of the Alaska Statehood Act and Alaska Statute 38.05.125. The State also reserves the right to enter the land for the purposes of exploring for, developing, and producing these mineral resources. A mineral order closing the area to locatable mineral entry, if any, does not apply to leasable mineral resource exploration, development, or production.

DNR DMLW LCS Response: LCS appreciates your review of our proposal. Land offering brochures routinely inform potential buyers of the State's reservation of the mineral estate, oil and gas rights, and right of exploration and development of resources. LCS will ensure that this information continues to be issued for potential buyers.

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

- University of Alaska Land Management;
- Alaska Railroad;
- Alaska Association of Conservation Districts;
- Soil and Water Conservation Districts
 - Fairbanks SWCD
 - Wasilla SWCD
- Department of Commerce, Community, and Economic Development
- Department of Environmental Conservation;
- Department of Natural Resources;
 - Division of Agriculture;
 - Division of Forestry
 - DPOR, Office of History and Archaeology
 - Mental Health Trust Land Office;
 - Office of Project Management and Permitting;
 - State Pipeline Coordinator's Section;
 - Division of Geological & Geophysical Surveys;
- Department of Transportation and Public Facilities.

XVII. Submittal of Public Comments

See Attachment B: Public Notice for specific dates and conditions.

Pursuant to *AS 38.05.945 Notice*, LCS is issuing public notice inviting comment on this Preliminary Decision and 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 to hold a public hearing.

LCS will consider all timely, written comments received. If analysis of such comments indicates the need for significant changes to the Preliminary Decision 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 Preliminary Decision and draft mineral order including any deletions, minor changes, and summary of comments and LCS responses will be issued as a subsequent Final Finding and Decision and Mineral Order 1255 without further notice. All related actions will be developed separately. However, approval of any action is dependent upon one another. One action will not proceed without approval of all actions.

Only persons from whom LCS receives timely, written comment during the identified comment period will be eligible to file a request for reconsideration of the Final Finding and Decision and Mineral Order 1255. Upon approval and issuance of a Final Finding and Decision OR these

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

LCS 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 the Department's Public Information Center. For more information refer to *Attachment B: Public Notice*.

DEADLINE TO SUBMIT WRITTEN COMMENT IS 5:00 PM, WEDNESDAY, MAY 26, 2021

XVIII. Alternatives and Discussion

LCS is considering the following alternatives:

Alternative 1: (Preferred) Survey and plat agriculture parcels consisting of up to 1000 parcels no smaller than 5 acres and offer those parcels for sale. The development and offering of these parcels will be completed in multiple stages. This proposal includes the mineral order.

Alternative 2: (No Action) Do not offer this project area for private ownership. Retain the land in State ownership.

Article VIII, Section 1 of the Alaska Constitution 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." Furthermore, *AS 38.05.045 Generally* has placed this charge with DNR, and the legislature has provided funding to administer the land sale program.

Alternative 1 provides a method for DNR to meet the obligations laid out in the Constitution and statute and maximizes public interest. This offering provides an opportunity for the public to obtain land for agriculture in a desirable area. This proposal, if approved in a subsequent Final Finding and Decision, will allow LCS to create and design agriculture parcels which will provide for the best use and development of the land. Alternative 1 provides the greatest opportunity for more Alaskans to purchase land within this area. Due to the large amounts of agricultural-suitable soils of the area, desirable growing conditions of the region, and the creation of the newly completed bridge across the Nenana River creating necessary access, the project area is best suited to agriculture and offering. This proposed project can improve food security for the state, help bolster the economy, provide new jobs, and generally provide a positive impact to the state of Alaska. Alternative 1 is preferred.

The related actions are necessary to allow for the offering of the project area. The primary action and related actions are dependent upon one another, and if DNR does not approve the project, the related actions will not be processed.

Alternative 2 does not meet the legislative and public desire for DNR to offer State-owned land for private ownership. Retention of this land would inhibit DNR from meeting its constitutional, statutory, and legislative goals. Not offering the project area would deny many Alaskans the

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opportunity to obtain land in an area that is suited to agriculture and consistent with the area plan. Alternative 2 is not preferred.

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

Recommendation follows.

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XIX. Recommendation

This Preliminary Decision for the proposed disposal of State lands and Mineral Order 1255 described throughout this document and its attachments are consistent with the overall management intent for State-owned land. Alternative 1 is the preferred alternative because it provides the maximum opportunity for offering State land to the public and helps meet the mission of the agricultural and land sales programs. The Preliminary Decision described above, as represented by the preferred alternative, has been reviewed and considered. I find that the recommended action may be in the best interest of the State and that it is hereby approved to proceed to public notice.

This is a Preliminary Decision, and analysis of subsequent public review may result in changes to the preferred alternative of the proposed disposal of State lands, and/or Mineral Order 1255. If the decision is approved, Mineral Order 1255 will accompany and precede any Final Finding and Decision issued.

/s/

Prepared by: Damon Hampel
Natural Resource Specialist II
Land Conveyance Section
Division of Mining, Land and Water
Department of Natural Resources
State of Alaska

April 8, 2021

Date

/s/

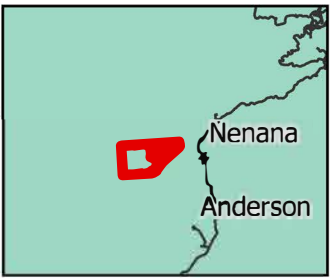
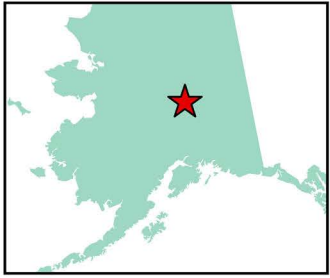
Approved by: Tim Shilling
Natural Resource Manager II
Land Conveyance Section
Division of Mining, Land and Water
Department of Natural Resources
State of Alaska

April 8, 2021

Date



Attachment A: Vicinity Map Nenana-Totchaket Agriculture Phase One ADL 233703



Project Area

Easement

Nenana

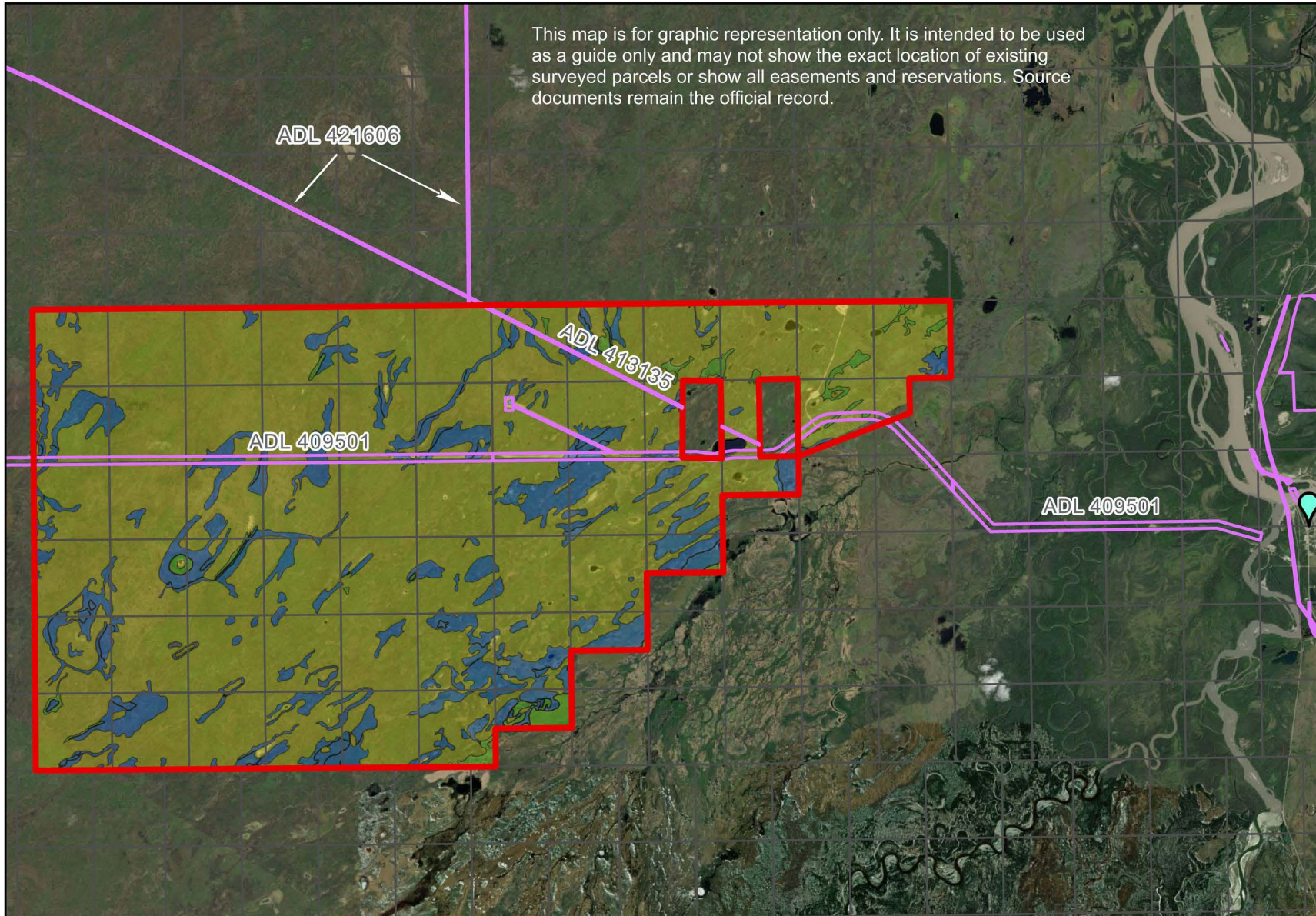
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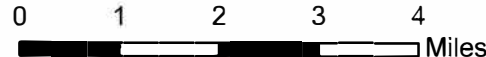
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USGS QUAD 1:63,360
Fairbanks C-5 & 6
For more information contact:
Damon Hampel
Department of Natural Resources
Division of Mining, Land, and Water
Land Conveyance Section
Phone: 907-269-8537
Fax: 907-269-8916
Email: land.development@alaska.gov

Sections 1-12, 15-21, and 29-31, Township 4 South, Range 9 West, Fairbanks Meridian

All Sections Township 4 South, Range 10 West, Fairbanks Meridian



STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND & WATER
LAND CONVEYANCE SECTION

ATTACHMENT B: PUBLIC NOTICE

Requesting Input for
a Proposed Land Offering:
Nenana-Totchaket Agriculture Phase One – ADL 233703

COMMENT PERIOD ENDS 5:00PM, WEDNESDAY, MAY 26, 2021

This proposed project includes offering for sale surveyed parcels in a future offering under the method described in the Preliminary Decision document, including the proposed related action. The project may be offered in multiple offerings over time.

Location: Located within DNR's Northern Region, approximately 5 miles West of Nenana, within Sections 1-12 and 15-31, Township 4 South, Range 9 West, Fairbanks Meridian, and Sections 1-36, Township 4 South, Range 10 West, Fairbanks Meridian

Project size: approximately 35,000 acres proposed development area

LCS will be holding two public meetings to discuss the proposal and share information about the project area. An in-person and online public meeting will be held in Fairbanks, Tuesday April 20, 2021, at 6 PM, located at the State of Alaska DNR Office, 3700 Airport Way. A second in-person only public meeting will be held in Nenana, Wednesday, April 21, 2021 at 6 PM, located at the Nenana Public Library, 106 E 2nd and Market Street. Refer to the public meeting flyer or <https://dnr.alaska.gov/mlw/landsales/public-notice/> for more information.

To obtain a copy of the Preliminary Decision and Mineral Order, or instructions on submitting comment, go to <http://landsales.alaska.gov/> or <http://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 10AM and 5PM in Anchorage at 907-269-8400, Fairbanks at 907-451-2705, or the Southeast Land Office in Juneau at 907-465-3400 (TTY for the hearing impaired for all locations: 711 for Alaska relay or 800-770-8973), 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, Monday, May 17, 2021.

Pursuant to AS 38.05.945 Notice, the public is invited to submit comment on the Preliminary Decision or Mineral Order 1255 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, WEDNESDAY, MAY 26, 2021.** Only persons from whom DNR DMLW LCS 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 email, fax, or postal mail. To submit comments or for direct inquiries, contact Damon Hampel: land.development@alaska.gov, fax # 907-269-8916, or 550 W. 7th Avenue, Ste. 640, Anchorage, AK, 99501. If you have questions, call Damon Hampel at 907-269-8537.

If no significant change is required, the Preliminary Decision and related action including any minor changes and a summary of comments and responses, will be issued as the Final Finding and Decision, Mineral Order 1255, without further notice. A copy of the Final Finding and Decision and related action will be sent to any persons who commented timely on the Preliminary Decision.

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