

# SETTLEMENT

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## Goals

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**Private Land Use.** Make available to present and future Alaskans suitable public land needed for private settlement purposes. DNR can identify and offer lands that have characteristics which make them suitable for year-round residence, seasonal residence, or self-sufficient remote residence, but once the land is sold the owner must decide how to use the land. DNR can not guarantee that, for instance, land sold to satisfy the demand for seasonal residences will not be used for permanent residences. Nor can DNR assure that future land owners will not demand public services and improvements such as schools. DNR is trying to satisfy five categories statewide. Within the planning area DNR will attempt to meet at least some of the demand for each of the following five categories of settlement. However, given the nature of demand for settlement lands in the region and the fact that there is little state land near existing communities or on the major rivers, the department's emphasis has to be on meeting demand for recreational use and seasonal residences.

**A. Recreational Use or Seasonal Residences.** This category is the most common use of land disposed of by the state. DNR will, where feasible, avoid poor quality sites, such as north-facing slopes, and offer quality sites with characteristics such as proximity to water, views, good hunting, or interesting topography. Because there is a limited supply of state land with characteristics that make it highly desirable, the state will have to offer some lands that do not have exceptional amenity values to meet the demand for recreational and seasonal use.

The state will also offer opportunities for short term-private use of state-owned lands through the state's remote cabin program (see the Remote Cabin section of this chapter).

**B. Year-round Residences or Community Expansion.** Although there is little state land

near existing communities, where it can, DNR will offer accessible land that is suitable to meet the needs of growing communities. This category serves people whose principal place of residence--and usually work--is or will be in the area of the disposal.

**C. Year-round, Relatively Self-sufficient Remote Residences.** DNR will provide opportunities for a few people who wish to pursue a remote, more or less self-sufficient lifestyle. Generally, the state will not offer tracts large enough for families to subsist on, but rather will offer smaller parcels adjacent to public land on which the public can gather firewood and houselogs and hunt and fish. Under current programs, homesteads are limited to 40 acres or less adjacent to public land on which the public can gather firewood and houselogs and hunt and fish.

This category, although important, will not be a high priority in the disposal program because it is expensive (due to survey costs) and requires a commitment of large amounts of public land to satisfy relatively few people; and it is less in demand than the preceding two categories.

**D. Settlement Associated With Natural Resource Development Projects.** The state will set a high priority on making land available for the development of new towns or the expansion of existing communities adjacent to major resource development projects. In some cases, the state must decide if leasing lands for a campsite or temporary settlement is preferable to selling land for a townsite.

**E. Industrial or Commercial Development.** To stimulate or facilitate economic development, DNR will sell, lease, or protect for future use suitable land for private, commercial, and industrial use. Requirements for these uses are highly site-specific, and disposal decisions will be made case by case as demands arise.

**Resource and Economic Impacts.** Contribute positively to other uses of natural resources and minimize the undesired impacts of land offerings on opportunities for resource use.

**Land Acquisition.** At this time it is the state's goal to provide individuals a range of options for acquiring title to state land. Under the current homestead and homesite programs state land may be acquired by various combinations of residing on the property, constructing a dwelling on the property, and purchasing the property. Public lands offered for private ownership under the general land disposal program will be sold for current, fair market value, subject but not limited to the exceptions noted in AS 38.05.055 and 38.05.057.

**Fiscal Impacts.** Minimize future fiscal costs to local or state government for services, wildfire management, and infrastructure requirements that result from settlement of state lands.

**Community and Social Impacts.** Minimize undesired changes in the character of life among nearby communities or residents caused by land disposal projects while considering the needs and demands of all state residents.

**Coordination With Local Governments and Landowners.** Coordinate state land offering programs with similar programs of local governments and major landowners to best achieve common objectives. Consider availability of land in private ownership when determining the amount, type, and location of state land offerings.

## **Management Guidelines**

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### **A. Planning and Coordination**

**1. Long-term Program.** Under this plan 33,855<sup>5</sup> acres may be offered for settlement. Another 12,150 acres with settlement potential are to be kept in public ownership for the short-term and classified resource manage-

ment. When the plan is reviewed in five years the resource management lands will be reexamined and a decision made whether to offer them for sale or keep them in public ownership.

With the exceptions that are noted in Chapter 3, the acreage offered in any given area designated for settlement may be adjusted up or down based on the amount of land determined suitable for offering during the land disposal and planning process.

The disposal program will be designed to make land available for at least 20 years to ensure that Alaskans have the opportunity to acquire public land in the future. The pacing of land disposals will be controlled through the statewide disposal plan and through the guidelines in Chapter 3. Specific guidelines are established for timing of land offerings in North Fork (subunit 1a), Big River Reoffer (subunit 13b), Boundary Lakes (subunit 15f), Aniak-Doestock (subunit 17d), Vinasale (subunit 5e), and Sleetmute North (subunit 15e).

**2. Competition.** Although the state will coordinate its offerings with those of other landowners, it may compete with the private sector or local governments if necessary to satisfy demand, provide market choice, or moderate prices.

**3. Local Plans.** DNR will comply with provisions of local comprehensive plans regarding the pace, location, and density of land development except to the extent that local requirements are inconsistent with a major overriding state interest.

**4. Design Review Boards.** In addition to holding public meetings, a local design review board will be established when, in the opinion of the Director of the Division of Land and Water Management, it would be a constructive way to involve persons affected by a disposal project.

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<sup>5</sup> The total acreage of land available will be at least 33,855 acres. This figure may increase if parcels are relinquished in the Big River area and reoffered for sale.

A design review board will consist of a maximum of five citizens and local government officials appointed by an appropriate local government official. Where local government does not exist or is unwilling to appoint such a board, DNR will make the appointments if sufficient interest exists.

The design review board is advisory and will participate in and review all stages of design, including location, design of parcel size, transportation routes, and open space. The board will make recommendations to the Director of the Division of Land and Water Management at appropriate times during the design process.

#### **5. Coordination with Local Governments.**

Where DNR and a municipality both have land, state land offering programs should be coordinated with similar programs of local government to best achieve common objectives. To this end, DNR would develop a joint disposal plan for state and municipal lands with any municipality that is interested. This plan would consider the municipality's fiscal planning for road extension priorities and its plans for levels of services in different areas. If a municipality has a comprehensive land use plan, that plan will provide direction for disposal priorities. The disposal plan should demonstrate what community objectives would be met and how the requested capital improvement funds would support municipality-wide priorities for roads and service extensions to benefit current and future residents. The disposal plan should demonstrate how increased access and development will promote use of other resources such as agriculture, mining, forestry and recreation, and thus provide statewide and regional benefits.

#### **B. Types of Offerings**

The types of offerings are established by the legislature and are subject to change. The following guidelines relate to several types of offerings available to the department at this time.

**1. Predesignated Parcels.** In areas where severe land use conflicts and inefficient use of

resources are expected to result from owner staking by the entrant, DNR may offer homestead parcels with predesignated boundaries.

#### **2. Staking Outside Designated Project Areas.**

Entrants are responsible for establishing the location of their parcels accurately. Title will not be granted to parcels located outside the boundaries of project areas. Entrants who incorrectly locate parcels outside designated areas may be given a second opportunity to stake within the proper area.

**3. Isolated Parcels of State Land.** The state has acquired--and will continue to acquire--isolated parcels of land through foreclosure, escheat, and other methods. The following guidelines apply to management and possible disposal of these parcels.

- **In or Near Existing Communities.** If the parcel is in or immediately adjacent to an existing community or past state land offering, the parcel can be offered for settlement unless it is appropriate as a site(s) for schools, gravel pits, roads, parks, sewer treatment plants, or other public facilities.

- **Parcels Near Other State Land.** If the parcel adjoins or is surrounded by other state land, it should be managed according to the management intent and guidelines applicable to the adjacent lands.

- **Parcels Not Near Other State Land.** Parcels, such as mineral patents federal or homesteads acquired in the middle of non-state lands should be considered for sale or exchange to the adjacent land owner.

#### **4. Leases for Private Recreation Cabins.**

Leases for private (non-commercial) recreational cabins are prohibited.

## **C. Protection, Management, and Enhancement of Other Resources**

**1. Protection of Life and Property.** The state will, to the extent feasible and prudent, discourage development in areas of flooding, unstable ground, significant avalanche risk, and other hazards. The department will achieve this objective by retaining public land, requiring building setbacks, or public education.

DNR will discourage development of non-water-dependent structures in the 100-year floodway by requiring necessary residential building setbacks and by providing available information about flood zones in land disposal brochures when a disposal is in a potential flood hazard area.

In drainages where the 100-year floodway has not been surveyed, the best available information will be used to determine the flood hazard zone that should remain in public ownership.

**2. Protection and Management of Valuable Environmental Processes.** In areas to be conveyed to private ownership, the state will provide a publicly owned open-space system to preserve important fish and wildlife habitats and natural areas such as shorelands, freshwater wetlands, riparian lands, watersheds, and surface and ground water recharge areas. (See policies on these subjects for details, especially: guideline H in the Fish and Wildlife Habitat section, Avoid Conflicts With Traditional Uses of Fish and Game.)

Wetlands with important hydrologic, habitat, or recreational values and adjacent buffer strips will be retained for open space. Systems of publicly owned land will be designed to provide the necessary linkage and continuity to protect or increase values for human uses and wildlife movements. In some places, large areas may be retained to provide adequate terrestrial habitat.

**3. Protection and Enhancement of Scenic Features.** The state generally will retain in public ownership unique natural features such as cliffs, bluffs and waterfalls, and foreground open space for panoramic vistas. Public access to such amenities will also be preserved-

Unusual land forms or scenic features will be retained in state ownership for enjoyment and use by the public. Such lands include islands in rivers or lakes unless land disposals can be designed to prevent negative effects on the scenic and recreational values of the area.

**4. Protection and Enhancement of Recreational, Educational, and Cultural Opportunities.** Project the need for and retain appropriate areas for outdoor recreation, trails, campsites, boat launches, historic sites, and areas for scientific study. Areas for intensive and dispersed use will be preserved. (See also Cultural Resources guideline B-3, page 2-9 regarding cultural resource surveys for land offerings.)

**5. Protection of Subsurface Resources.** Generally settlement areas designated by this plan avoid areas with high mineral potential, mining locations in good standings, existing coal leases, or moderate to high coal potential as defined in 11AAC 85.010.

**6. Protection of Material Sources.** Generally if a designated settlement area contains sand and gravel deposits, rock sources or other similar, high value material resources, a pit area will be identified before land offerings and retained in public ownership for future use.

## **D. Design**

**1. Provision of Public Land for Communities.** Project the need for and retain appropriate greenbelts, public-use corridors, personal-use woodlots, buffer areas, commons, building setbacks, sites for schools, gravel pits, roads, parks, and other public facilities such as sewer treatment plants and health clinics, and other open spaces to help create a desirable land use pattern in developing areas.

**2. Cost of Public Services.** In accordance with AS 38.04.010, DNR will attempt to guide year-round settlement to areas where services exist or can be provided with reasonable efficiency. State land that is located beyond the range of existing schools and other necessary public services or that is located where development of sources of employment is

improbable will be sited and designed to encourage seasonal use with sufficient separation between residences so that public services will not be necessary or expected. Wildfire management costs that result from settlement will be considered and minimized to the extent feasible.

**3. Provision of Access.** The State will ensure that legal, practical public access (landing areas, rivers, trails, or other options most appropriate to the particular situation) is identified and reserved within land offerings.

Within land offering areas made available through random staking or predesignated sites, section line or other easements should not be relied on for access without field inspection of the practicality of the route. Identified access will be described in the land offering brochure. Where needed to reduce the likelihood of conflicts with existing private owners, DNR may brush or flag public access routes to land offering projects.

When they exist and where DNR proposes a subdivision, DNR will comply with the applicable provisions of local government subdivision ordinances, including those concerning capital improvements. Where no subdivision ordinance is in effect, DNR will ensure actual physical access is available or can be developed (road, air, or water) to each new state subdivision project. The department will evaluate the need to construct new access to a subdivision case by case.

**4. Personal Use of Nearby Resources.** One of the considerations in deciding the location, size, and design of land disposal projects will be the nearby supply of resources such as firewood and houselogs and the expected demand from people who will own the parcels. Where it is anticipated that land recipients will want to use timber resources, nearby woodlots may be retained instead of selling individual parcels large enough to meet the personal use demands of the owner. This would provide some nearby public land on which firewood and houselogs can be gathered while keeping open options for other uses of those lands when access develops or new demands are identified.

**5. Subdivision Design.** If subdivisions are offered, they will be designed to preserve and enhance the quality of the natural setting and the recreational opportunities that make an area attractive to potential buyers.

The following slope and lot size standards should generally be applied in state subdivisions, assuming that the parcels have been reviewed and approved as required by Department of Environmental Conservation (DEC) regulations:

<u>Percent Average Slope</u>	<u>Minimum Lot Size</u>
0-12	1 acre
13-20	4 acres
21-30	10 acres
greater than 30	No development

Other procedures and standards for subdivision design will be as set forth in "Design of Residential and Recreational Subdivisions," in the Division of Land and Water Management's Policy and Procedures Manual.

**6. Boundaries of Settlement Designations.** Boundaries of land use designations shown on the maps in Chapter 3 may be modified through on-the-ground implementation activities -- for example, site planning for disposals -- if the modifications adhere to the management intent for the subunits affected.

**7. Easements.** Easements will be used as one means to acquire rights through privately owned lands needed for public use.

Easements generally will not be used to retain a public interest in lands within a subdivision. Instead, DNR will generally retain such lands in public ownership. Exceptions to this policy may be made where the interest protected is very limited such as for local pedestrian access that is not part of an integrated neighborhood or community trail system. This policy will minimize confusion between public use and private ownership rights.

### **E. Other Guidelines Affecting Settlement.**

Several other guidelines may affect settlement. See the following sections of this chapter:

- Agriculture
- Cultural resources
- Fish and wildlife habitat
- Forestry
- Lakeshore management
- Materials
- Public access
- Public and commercial recreation resources
- Stream corridors and instream flow
- Subsurface resources
- Trail management
- Transportation
- Wetlands management

## **Land Allocation Summary**

**Background.** Approximately 590,000 acres of state-owned or state-selected land have high suitability for settlement, or 4 percent of the total state-owned or state-selected area. These are lands with closed forests or open woodlands of white spruce and hardwoods that have some access by boat, plane, or road, or by trail from a nearby community. About 1.3 million acres -- remote forested lands or shrublands near access -- have low settlement suitability. Most high and moderate suitability lands are along the major rivers or in the valleys of the Alaska Range.

**Designated Settlement Areas.** Fourteen areas are designated for offering for private ownership over the next twenty years. These areas were chosen for the following reasons:

1. They offer attractive sites capable of supporting residential or private recreation use.
2. They have some present access, or areas where access could be developed with relative ease in the future.

3. Most of the land is state-owned; in some areas that are highly desirable for settlement, the land is state-selected.

4. Conflicts with fish and wildlife habitat, forest management, public recreation, mining, and other public uses are less than in other parts of the region that are capable of supporting settlement. However, because so much of the land suitable for settlement also is valuable for other uses, conflicts with other land uses inevitably exist on some of these areas.

5. There is likely to be public interest in disposal of the unit.

The disposal areas in the Kuskokwim Plan cover a total of approximately 372,000 acres, or 2.3 percent of the state-owned and selected lands in the region. Of this total, a net area of about 33,855 acres will be offered for private ownership. The project areas include approximately 55,700 acres of high suitability land, 68,000 acres with moderate suitability, and 55,100 acres rated low suitability.

There are disposal sites throughout the region, but the greatest number of sites are concentrated in the McGrath area and along the Kuskokwim River between McGrath and Stony River. These sites are designed to respond to interest in land sales from residents of the McGrath area, to provide sites for community expansion in and adjacent to this community, and to provide private recreation sites along the main river and the Sterling Landing Road for both local residents and other Alaskans. Two disposals are located near the communities of Aniak and Sleetmute. These are designed to make additional private land available near these communities if other landowners do not provide opportunities for private use or acquisition of land in the future. In response to requests for settlement lands near Red Devil, a new state selection is proposed along Fuller Creek with intent to offer land for sale if it is conveyed to state ownership. Several disposals are located in the Alaska Range to provide private recreation opportunities in accessible and very scenic areas. Offerings near Boundary Lakes, and along the North Fork, and Snohomish Hills areas provide sites

for private recreation or residential use in more remote areas.

In addition, five areas totaling 107,900 acres, are given "Resource Management" as the primary designation. Of this total, approximately 12,150 acres are suitable for settlement. Resource management areas have high value for both settlement and other surface uses. Because of potential conflicts between current uses and sale of land for private ownership, these areas will not be included in the lists of lands available for disposal nor designated with settlement a primary use.

However, they have some of the highest potential for settlement of any state land in the planning area. They will be kept in public ownership in the near term; when the plan is updated -- approximately every five years -- they will be reevaluated to determine whether they should continue to be retained in the public ownership, or offered for sale.

The areas designated for land offerings or resource management in the Kuskokwim Area are listed in Table 2.5.

**Table 2.5. Gross and Net Acreage of Kuskokwim Area Land Disposals and Resource Management Areas.**

<u>Name</u>	<u>Subunit Name</u>	<u>Gross Acreage</u>	<u>Net Acreage</u>	<u>Ownership</u>
North Fork	North Fork 1a	39,000 ac.	800 ac.	State
Appel II	Kuskokwim River 5b	16,300 ac.	3,000 ac.	NS/SS
Selatna	Kuskokwim River 5f	33,300 ac.	5,000 ac.	St.; NS/SS
McGrath Townsite	Kuskokwim River 5c	55 ac.	55 ac.	State
Vinasale	Kuskokwim River 5e	27,500 ac.	5,500 ac.	NS/SS
Nunsatuk North	Kuskokwim River 5g	23,000 ac.	4,600 ac.	SS; NS/SS
Dillinger River	North Alaska Range 13e	46,000 ac.	4,600 ac.	State
Big River Reoffer	North Alaska Range 13b	104,800 ac.	1,200+ac.	State
Big River South	North Alaska Range 13c	9,000 ac.	1,400 ac.	State
Mt. Rich Addn.	North Alaska Range 13d	14,000 ac.	2,100 ac.	State
Boundary Lakes	Holitna River 15f	15,400 ac.	1,400 ac.	State
Sleetmute North	Holitna River 15e	16,000 ac.	2,200 ac.	SS/NS; SS
Fuller Creek	Holokuk-Oskawalik R. 16c	18,600 ac.	600 ac.	Prop.Selec.
Aniak-Doestock	Aniak River 17d	<u>2,000 ac.</u>	<u>1,400 ac.</u>	State
<b>TOTAL</b>		<b>371,955 ac.</b>	<b>33,855+ ac.</b>	

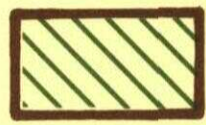
**Resource Management Areas**

Candle	Kuskokwim River 5d	10,900 ac.	2,400 ac.	SS
Nunsatuk	Kuskokwim River 5h	6,200 ac.	750 ac.	State
Dishna	Dishna-Iditarod 8a	30,700 ac.	3,100 ac.	State
Iditarod	Dishna-Iditarod 8b	14,700 ac.	2,200 ac.	State
Gagaryah	S. Alaska Range 12b	<u>45,400 ac.</u>	<u>3,700 ac.</u>	State
<b>TOTAL</b>		<b>107,900 ac.</b>	<b>12,150 ac.</b>	

## Settlement Areas

MAP 2.3

### SETTLEMENT AREAS

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**Future State Land Offerings**  
 Actual acreage planned for sale varies from 5 - 30 percent of the area shown.
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**Past State land Offerings**  
 Additional land available. In this area a portion of the developable land is available for additional settlement.
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**Past State Land Offering**  
 No additional disposal. In these areas most lands suitable for development has already been sold.
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**Resource Management Areas**  
 These areas will be kept in public ownership in the near term. When the plan is updated they will be reevaluated to determine whether they should be kept in public ownership or offered for sale.

— Management Unit Boundary

**Subsurface Resources.** Land scheduled for homesteading and subdivision sale will be closed to mining and mineral location at the end of the first year of the Land Availability Determination (LADS) process (that is, approximately 2 years before the anticipated land sale). Those portions of the area with few or no homesteads after staking may be reopened to mineral entry and location.

