

August 2, 2021

TO: Borough Assembly

FR: Liz Cabrera

RE: FFD for ADL 108579

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**BACKGROUND:**

In March 2021, the borough submitted comments to the DNR regarding its proposal to convey certain selected lands on Mitkof Island. The borough objected to two specific parcels being retained by the state:

- Blind Slough LTF/Olsen's Log Dump – 2.96 acres (Tract 37, Section 8, T61S, R81E)
- Waterfront Lot Near Woodpecker Cove - 10.4 acres (East ½ of Lot 3, Section 13, T62S, R81S)

The DNR just issued a *Final Finding and Decision* stating the state will retain these parcels.

The borough has 20 days to file an appeal if it so chooses.

If no appeal is filed, the decision goes into effect 31 days after the date the notice is signed.

The state is proposing to retain these two parcels based on recommendation of the AK Dept. of Forestry and the USDA Forest Service.

**OLSEN'S LOG DUMP** - Tract 37 (See attached map) – This is a very small strip of uplands. The tidelands are not eligible for selection by the borough and will be retained in state ownership. Tract 37 is basically the access point for the LTF and was deeded to the State but reserved by the USFS until such time the FS had no further use.

The State and USFS have indicated the LTF is critical for Forest Management. The Borough makes no claim to the LTF tidelands and noted that conveying the upland Tract 37 with existing right of access would preserve future use of the LTF.

In reading the FFD, the state does not discuss the borough's recommendation to convey with access rights.

**WOODPECKER COVE** - East ½ of Lot 3 (see attached map) – This is half of a waterfront lot close to the Woodpecker Cove LTF. The AK Department of Forestry stated it needs this land, which is currently undeveloped, for a transition zone and future reconfiguration of the LTF site for multiple use. The borough did not object to the state retaining the LTF site nor the adjacent Lot 2. The borough's objection was to the state retaining an additional 10+ acres for a "transition zone".

**DISCUSSION:**

The likelihood of a successful appeal is low.

While DNR does not directly address the borough's comments, a successful appeal would need to demonstrate the borough interest outweighs the state's interest. The state has no written criteria outlining what constitutes best interest. The DNR Commissioner makes the final decision.

While these selections represent, the borough's priorities and are adjacent to existing infrastructure, there is a significant amount of land yet to be adjudicated, over 12,000 acres.

<b>ADL</b>	<b>Selections</b>	<b>Proposed for Conveyance</b>	<b>Postponed</b>	<b>Rejected</b>	<b>Remaining to be adjudicated</b>
108579	1,804	1,421	240	143	240
108981	701	616		85	0
108982	1,579				1,579
108983	6,348.87				6,348.87
108984	4,126.32				4,126.32
	<b>14,559.19</b>	<b>2,037</b>	<b>240</b>	<b>228</b>	<b>12,294.19</b>

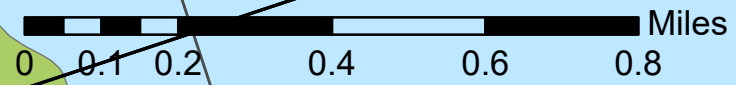
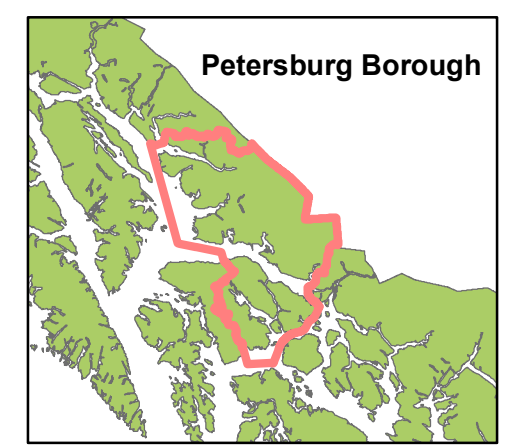
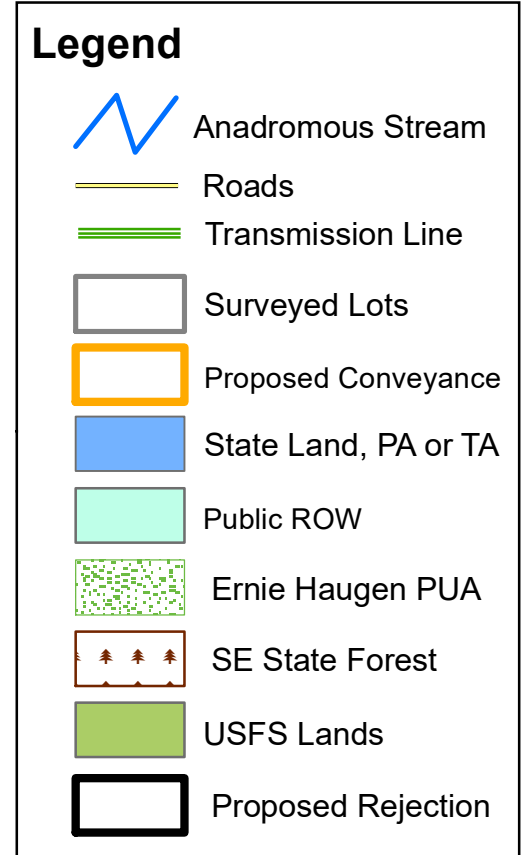
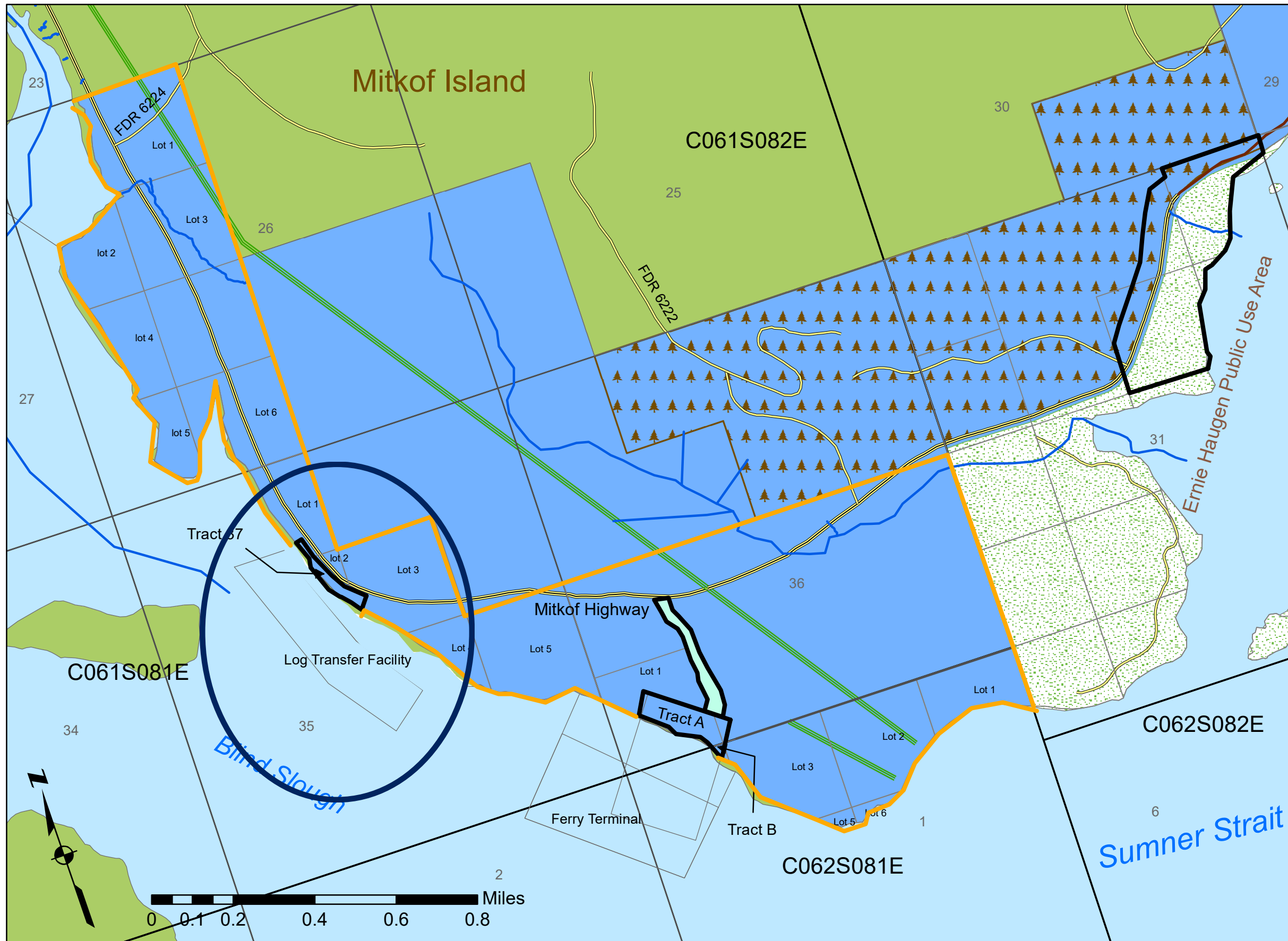
NB: The borough's entitlement is 14,208 acres.

# Petersburg Borough Municipal Selections

## ADL 108579

Preliminary Decision

### Blind Slough



This map is for graphic representation only. It is intended to be used as a guide only and may not show the exact location of existing surveyed parcels or show all easements and reservations. Source documents remain the official record.

Created by: SOA-DNR-DMLW-LCS

February 2021

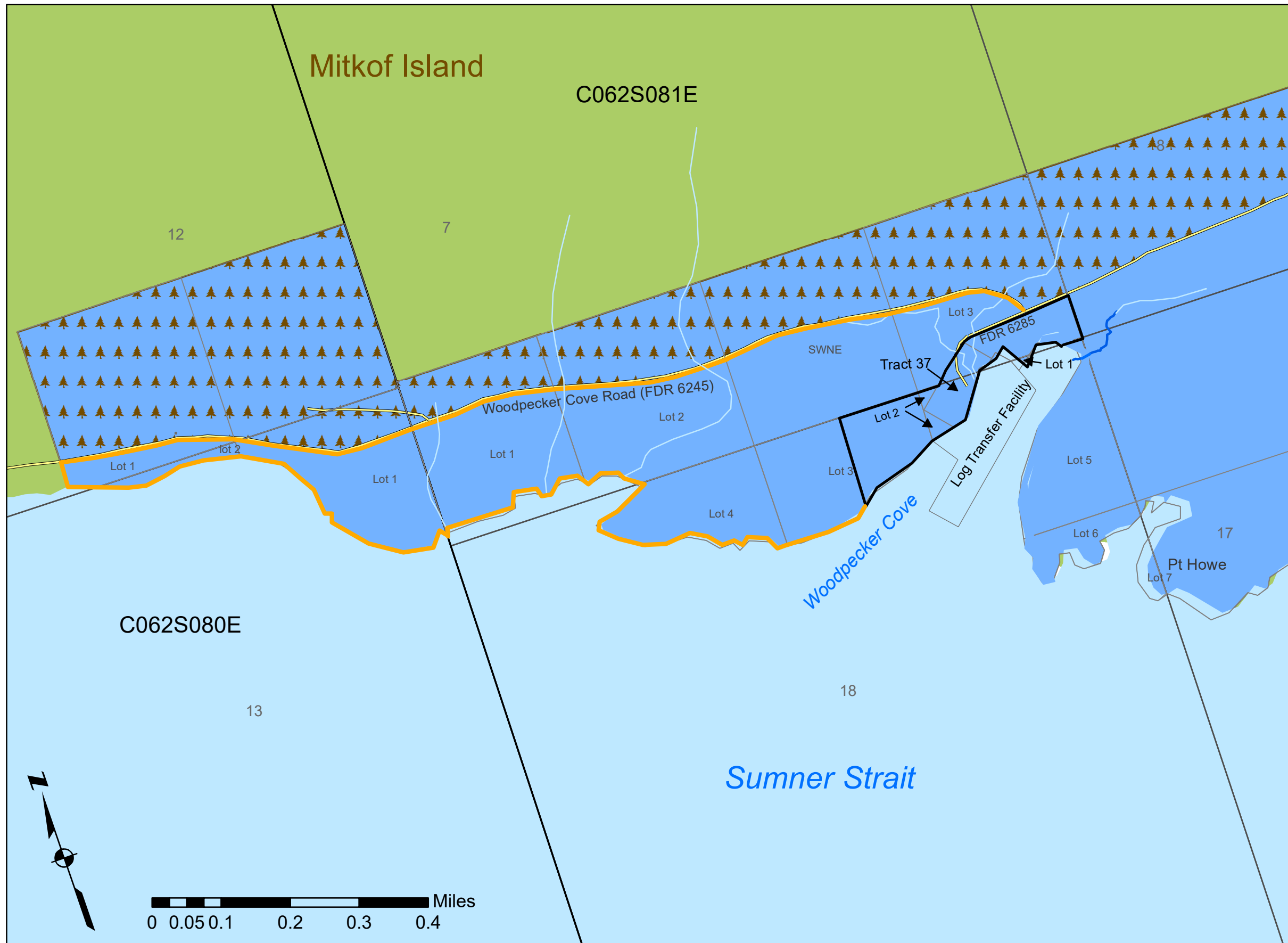
# Petersburg Borough

Municipal Selections


**ADL 108579**

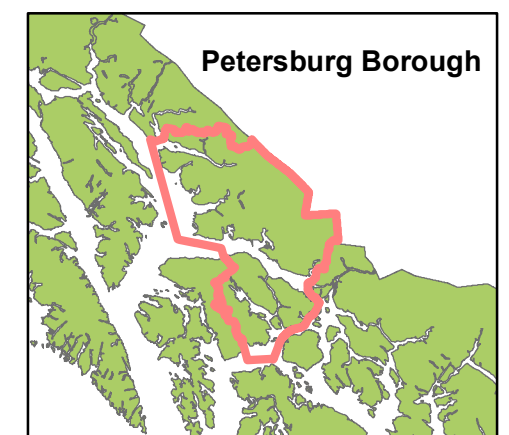
Preliminary Decision

## Woodpecker Cove



### Legend

-  Anadromous Stream
-  Roads
-  Surveyed Lots
-  Proposed Conveyance
-  State Land, PA or TA
-  SE State Forest
-  USFS Lands
-  Proposed Rejection



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