

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

AMENDMENT TO THE
FINAL FINDING AND DECISION

Coffman Cove Loop Road Subdivision, Phase I – ADL 108055
AS 38.05.035(e), AS 38.05.045

This Amended Final Finding and Decision is based on a Final Finding and Decision (FFD) issued December 15, 2015 offering State-owned land for private ownership within the Coffman Cove Loop Road Subdivision project area. Public notice will be issued for this Amended Final Finding and Decision.

Summary of the Decision:

The December 15, 2015 FFD for ADL 108055 affirmed the Preliminary Decision (PD) dated March 5, 2015 and approved providing land for settlement in DNR's Southeast Region, approximately one mile southwest of Coffman Cove on Prince of Wales Island. The FFD approved offering a subdivision of no more than 75 parcels varying in size from approximately 1 acre to 5 acres, along with larger remainder tracts. While the project area is within the Unorganized Borough, it is within the city limits of the City of Coffman Cove (City), which has platting authority. Survey, platting, and road construction will be subject to the relevant local platting authority, subdivision standards, and ordinances of the City.

During the public notice period, the City submitted comments on the proposed subdivision. Specifically, the City requested that all lots that front Coffman Cove Road highway be accessed from a platted subdivision road rather than the highway. The City further stated that it would make the necessary changes to its subdivision ordinance to ensure that parcel owners would be prohibited from developing access via the highway. DMLW responded and confirmed that lots would be accessed by internal platted roads wherever possible to minimize direct access to the highway. Final subdivision design would include dedication of access through the platting process, and plat notes would be included on the final plat where appropriate. Lastly, DMLW confirmed that lot owners would be required to abide by City code for access once the ordinances prohibiting highway access to individual lots are implemented.

Following the FFD, the lots were surveyed through Alaska State Land Survey (ASLS) No. 2016-02 and filed as Plat No. 2018-6 in the Petersburg Recording District on January 23, 2018, and Plat No. 2018-1 in the Ketchikan Recording District on January 23, 2018. ASLS 2016-02 created platted access for Lots 1-9, Block 3 via Grassy Flats Lane, a dedicated right-of-way (ROW) intersecting with Coffman Cove Road. The platting of the access ROW created Tract A,

a 1.90-acre parcel between Coffman Cove Road and Grassy Flats Lane. Tract A has been serialized as DNR case file ADL 108851.

Discussion:

In 2019, the City reported to DMLW that property owners in Block 3 of the Coffman Loop Road Phase I subdivision were requesting vacation and relocation of the Grassy Flats Lane and Coffman Cove Road highway intersection due to a hazardous blind corner. The property owners requested to relocate the intersection to where the old Forest Road 3030 intersects Coffman Cove Road opposite of Lots 3 and 4, Block 3, of the Coffman Loop Road Phase I subdivision. Grassy Flats Lane has not been constructed, and property owners have been using the existing Forest Road 3030 roadbed on state-owned land within Tract A to access their lots.

On November 15, 2019, staff from the DMLW Survey Section attended a special City of Coffman Cove Platting Board meeting to address the property owners' request. The Survey Section staff presented several options to address the vacation request:

1. Deny the request. *This would not resolve the trespass use of the old roadbed within Tract A near Lots 2 & 3, Block 3.*
2. Vacate the dedicated intersection and replace with a dedication over the existing Forest Road 3030 roadbed intersection with Coffman Cove Road (in front of Lots 3 & 4, Block 3). *This would resolve the trespass currently being used by Lots 2 & 3, Block 3 across the state-owned Tract A. This does not address terrain constraints for constructing Grassy Flats Lane to the remaining Block 3 lots.*
3. Transfer ownership of Tract A to the City. *This would transfer the responsibility of the vacation/dedication of a new intersection solely to the City since they are the Platting Authority and would have management of the ROWs of Tract A & Grassy Flats Lane. However, this would require either a municipal entitlement (City has no entitlement remaining) or public & charitable sale, both of which require another decision. Management of the trespass would be transferred to the City.*
4. Complete a Commissioner's dedication of Tract A for ROW deed to the City. *A vacation of the dedicated intersection would not be required since both Grassy Flats Lane and Tract A would be a dedicated ROW. The dedication of Tract A for ROW to the City would resolve the trespass across state land. Road construction for Grassy Flats Lane can include the construction of a new intersection/approach to Coffman Cove Road. The City can allow the current use of the old roadbed until such time as the remaining Block 3 lots require road construction.*

During the November 15, 2019 meeting, the Survey Section staff, City Mayor, and Platting Board agreed to move forward with a Commissioner's dedication of Tract A for ROW deed to the City.

Modifications to the Decision:

The *Access To, Within, and Beyond Project Area* heading of section VI *Description* in the PD states that "Additional platted rights-of-ways are part of the project concept that will designate

access through the subdivision to all lots on to state lands.” This amendment specifies that Tract A will be dedicated to the City as a ROW to the public. The City will be responsible for creating dedicated access to all lots within Lots 1 -9, Block 3. Approval of platting actions and dedication of ROWs will require separate processes and public notices under City requirements.

Other than the changes noted herein, all of the terms and conditions of the Final Finding and Decision and Preliminary Decision (ADL 108055) remain as written and approved.

____ signature on file _____
John King, Adjudicator
Natural Resource Specialist III

____ April 9, 2021 _____
Date

Approval:

____ signature on file _____
Rachel Longacre, Section Manager
Land Conveyance Section

____ April 9, 2021 _____
Date

A person affected by this decision may appeal in accordance with 11 AAC 02. Any appeal must be received within 20 calendar days after the date of "issuance" of this decision, as defined in 11 AAC 02.040(c) and (d) and may be mailed or delivered to the Commissioner, Department of Natural Resources, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska 99501; faxed to 1-907-269-8918, or sent by electronic mail to dnr.appeals@alaska.gov. Under 11 AAC 02.030, appeals and requests for reconsideration filed under 11 AAC 02 must be accompanied by the fee established in 11 AAC 05.160(d)(1)(F), which has been set at \$200 under the provisions of 11 AAC 05.160 (a) and (b). If no appeal is filed by the appeal deadline, this decision goes into effect as a final administrative order and decision of the Department on the 31st day after issuance. An eligible person must first appeal this decision in accordance with 11 AAC 02 before appealing this decision to Superior Court (11 AAC 02.020(a) and (b)). A copy of 11 AAC 02 may be obtained from any regional office of the Department of Natural Resources.