

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

# PRELIMINARY DECISION

**ADL 233850**  
**East Peak Resort**  
Application for Lease  
AS 38.05.070

This Preliminary Decision (PD) is the initial determination on a proposed disposal of interest in state land and is subject to comments received during the public notice period. The public is invited to comment on this PD. The deadline for commenting is **11:59 May 26, 2023**. Please see the Comments section of this decision for details on how and where to send comments for consideration. Only the applicant and those who comment have the right to appeal the Final Finding and Decision (FFD).

**Proposed Action:**

The Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), Southcentral Regional Land Office (SCRO) has received a request from East Peak Resort (EPR; applicant) to lease 800 acres of land, more or less, for 55 years for the purpose of developing a four-season resort located near Valdez, Alaska. The location of the project area is further described as being within Sections 32, 33, and 34, Township 8 South, Range 5 West, Copper River Meridian.

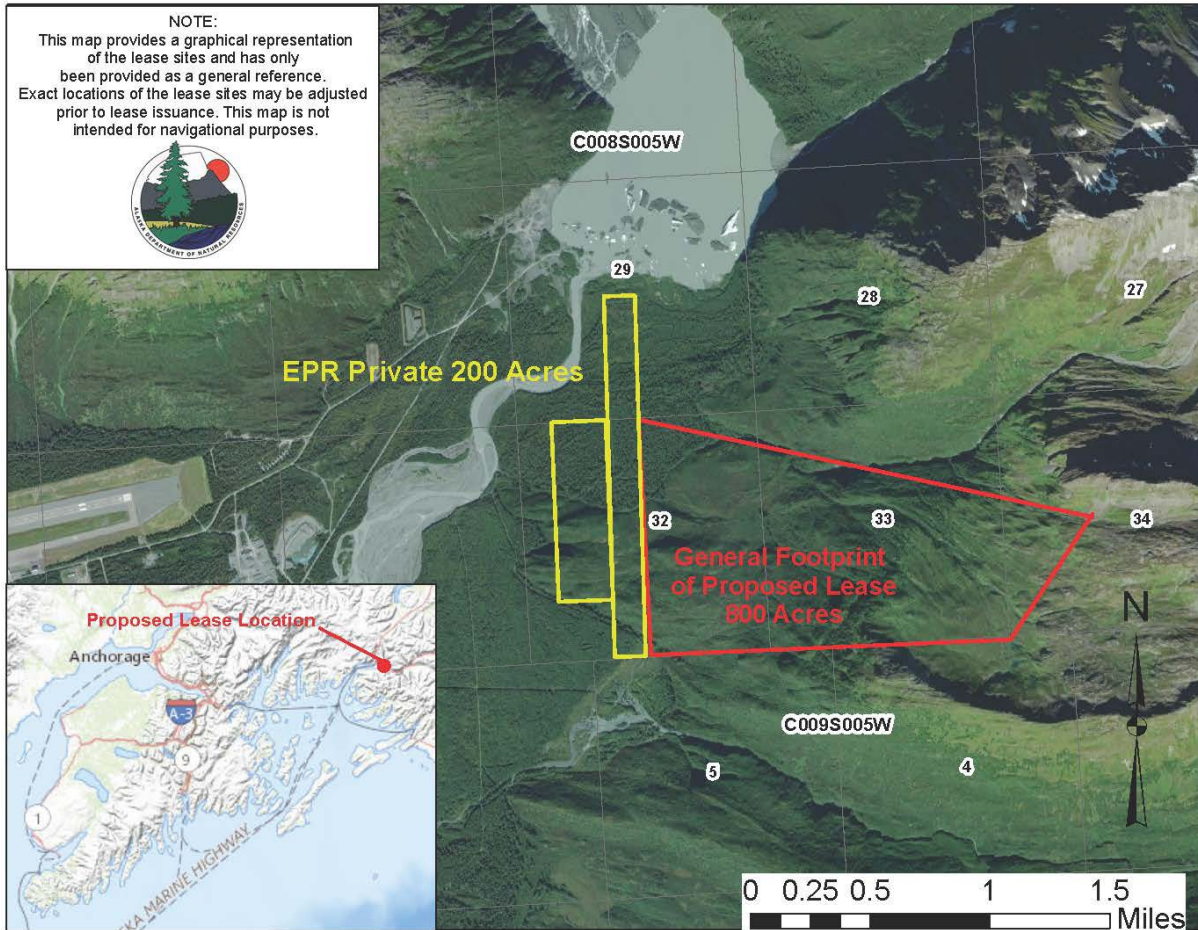
The proposed lease would encompass approximately 800 acres, located on State owned lands bordering City of Valdez land and private land. The proposed lease would be used in conjunction with 200 acres of privately owned uplands and an associated authorized permit for the use of state uplands.

SCRO is considering the issuance of a 20-year lease to EPR for the construction, operation, and maintenance of a four-season resort in Valdez; SCRO would issue an Entry Authorization (EA) for construction of the lease site prior to lease issuance.

**Scope of Review:**

The scope of this decision is to determine if it is in the State's best interest to issue ADL 233850.

**Figure 1: Overview Map of Project Area**



**Authority:**

This lease application is being adjudicated pursuant to AS 38.05.035(b)(1) and AS 38.05.035(e) Powers and Duties of the Director; AS 38.05.070(b) Generally; and AS 38.05.945 Notice.

The authority to execute the PD, FFD, the EA, and the lease has been delegated to the Regional Managers of DMLW.

**Administrative Record:**

The administrative record for the proposed action consists of the Constitution of the State of Alaska, the Alaska Land Act as amended, applicable statutes and regulations referenced here-in, the Prince William Sound Area Plan and other classification references described herein, and the casefile for the application serialized by DNR as ADL 233850.

**Legal Description, Location, and Geographical Features:**

The state land where this proposed lease is located is described as follows:

- **Legal description:** Sections 32, 33, and 34, Township 8 South, Range 5 West, Copper River Meridian.
- **Geographical location:** Valdez
- **Approximate Lat/Long:** 61° 7' 52" N, 146° 9' 3" W
- **Area geographical features:** Alpine
- **Existing surveys:** None
- **Municipality/Borough:** City of Valdez/Unorganized Borough
- **Native Corporations/Federally Recognized Tribes:** Chugach Alaska Corporation/Chenega Corporation
- **Size:** 800 acres, more or less

**Title:**

The State of Alaska holds fee title to the subject land under U. S. Patent No. 50-80-0079 and U. S. Patent No. 50-95-049, dated May 16, 1980 and August 30, 1995 respectively. A DNR Title Report (RPT-22058) issued on August 12, 2021, from DMLW’s Realty Services Section attests that aside from the usual reservations for ditches, canals, railroads, telegraph and telephone lines, and water rights, there are two other State authorizations within the proposed lease site:

- LAS 27888, DMLW Permit, Miscellaneous Land Use, Issued, 907 Snowcat, LLC
- LAS 27890, DMLW Permit, Miscellaneous Land Use, Issued, City of Valdez

It should be noted that both permits noted above are a part of the applicant’s snowcat operations and should not pose any issue to the proposed lease.

**Third Party Interests:**

No third-party interests are known at this time.

**Classification and Planning:**

The project area is subject to the Prince William Sound Area Plan, Management Unit 21, Subunit 21A: Mountains (map number 21). Subunit 21A is designated as Resource Management which converts to the classification of Resource Management Land. The Management Intent for Unit 21A is to be retained in state ownership and managed for multiple use. It further states that portions of Unit 21A have been identified as a future downhill ski area (3-163). Under Management Guidelines, Unit 21A is identified as containing crucial mountain goat habitat of which it states that “near crucial mountain goat winter range, activities will avoid or minimize damage to important components of the habitat including important vegetation or topographic features and avoid or minimize visual or audible disturbances sufficient to disrupt mountain goat use of the habitat” (3-167).

The development of a downhill ski area is consistent with the classification and management intent of the area plan. More coordination with Alaska Department of Fish and Game (ADF&G) may be

necessary to determine proximity of the proposed lease to what is considered “crucial mountain goat habitat.”

**Traditional Use Findings:**

Because the proposed lease parcel is not located within an organized borough, additional consideration is required under AS 38.05.830 to the potential effect of the lease on population density and traditional uses of the land.

The proposed leasehold falls within ADF&G Game Management Unit (GMU) 6D. In the 2021/2022 Alaska Hunting Regulations, ADF&G lists black bear, brown/grizzly bear, deer, mountain goat, moose, wolf, and wolverine as huntable species within the unit. The 2021/2022 Alaska Trapping Regulations for this GMU list beaver, coyote, red fox, lynx, and several other furbearers.

As stated above, the Prince William Sound Area Plan identifies portions of the unit that the proposed lease falls into as containing crucial mountain goat habitat.

**Access:**

Access to the parcel would be via section line easements.

**Access Along Navigable and Public Waters:**

AS 38.05.127 require that before leasing land, we determine if a body of water is navigable and/or public waters and if it is, that we provide for easements or reservations as necessary to ensure free access to and along the waterbody. The waters of Slater Creek run through a portion of the proposed lease parcel and is neither navigable nor public water as defined per AS 38.05.965(21). If it is otherwise determined through public comment, that the portion of Slater Creek within the lease is indeed public water, SCRO may establish an easement.

**Public Trust Doctrine:**

Pursuant to AS 38.05.126, all authorizations for this site will be subject to the principles of the Public Trust Doctrine; specifically, the right of the public to use navigable or public waterways and the land beneath them for navigation, commerce, fishing, hunting, protection of areas for ecological studies, and other purposes. These rights must be protected.

**Agency Review:**

An agency review was conducted on September 20, 2021. The deadline for agency comments was October 11, 2021.

The following agencies were included in the review:

- DNR DMLW - Mining
- DNR DMLW - Water

- DNR DMLW- Land Sales
- DNR DMLW Realty Services
- DNR DMLW Survey Section
- DNR Division of Oil and Gas
- DNR Division of Oil and Gas, State Pipeline Coordinator Section
- DNR Natural Resource Conservation and Development Board
- DNR Office of History and Archaeology
- DNR Parks & Outdoor Recreation
- Alaska Department of Commerce, Community, and Economic Development
- Alaska Department of Environmental Conservation
- Alaska Department of Fish and Game - Habitat
- Alaska Department of Fish and Game - Wildlife Conservation
- Alaska Department of Transportation and Public Facilities
- National Oceanic and Atmospheric Administration
- U.S. Army Corps of Engineers
- U.S. Coast Guard
- U.S. Environmental Protection Agency
- U.S. Fish and Wildlife Service
- U.S. Department of the Interior, Bureau of Land Management

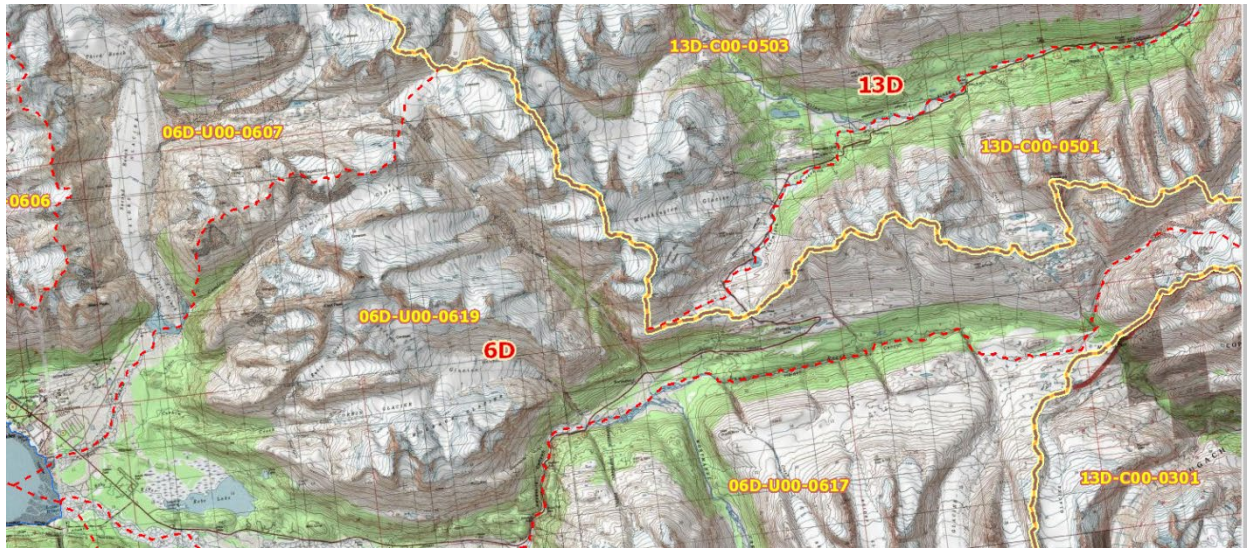
ADF&G Comment:

This land is within the Prince William Sound Area Plan, Management Unit 21, Subunit 21A – Mountains. I have attached the map from the area plan with Sections 32, 33, and 34 highlighted. Crucial Mountain Goat Habitat has been identified within portions of subunit 21A. While the map does not have any “Mountain goat winter range” marked in the project area, this plan was developed in 1988 and therefore an assessment of more current data about mountain goat habitat in the area is warranted. The Area plan states:

“Near crucial mountain goat winter range, activities will avoid or minimize damage to important components of the habitat including important vegetation or topographic features, and avoid or minimize visual or audible disturbances sufficient to disrupt mountain goat use of the habitat.”

At this time ADF&G has not identified any portion of the lease area as crucial mountain goat winter range. However, the proposed lease area is within Uniform Coding Unit 0619 (see below) and this area is used by both mountain goat and bear hunters. The five-year average harvest for black bears is 5 bears. The mountain goat hunt in Uniform Coding Unit 0619 has been open since 2013 with 42 hunters reporting use of the area and 17 mountain goats harvested.

ADF&G provided map of Uniform Coding Unit 0619



--ADF&G Recommendations--

ADF&G recommends that the lease allow for hunter access during the corresponding seasons. The mountain goat hunt in this area is from October 1<sup>st</sup> – October 31<sup>st</sup>. The black bear hunt in this area is from September 10<sup>th</sup> – June 10<sup>th</sup>. The grizzly bear hunt in this area is October 15<sup>th</sup> – May 25<sup>th</sup>.

ADF&G also recommends limiting the term of the lease from 55-years to 5 or 10 years. The shorter lease term will allow ADF&G to assess the impacts of development and use on the local wildlife, habitat, and public access in a reasonable time frame and make appropriate recommendations.

SCRO Response:

SCRO acknowledges ADF&G's recommendation for allowing hunter access during corresponding seasons. The purpose of the proposed lease would be to facilitate recreational activities such as skiing, and user conflicts between skiers and hunters may arise. Additionally, access to the proposed leasehold is through private uplands. In the interest of public safety, ski areas must have the ability to restrict public access during specific operations and/or locations and points of access closure, if necessary, must adhere to in stipulation.

SCRO is recommending an initial lease term of 20 years and not 55 years as requested by EPR. This shorter timeframe will allow SCRO and ADF&G to take into consideration any potential impacts to the land and address them at the time of lease renewal, while balancing EPR's commercial development of the lease. ADF&G is encouraged to accompany SCRO staff on any future field inspections.

Survey Section Comment:

1. “Plat 80-11 VRD, Notes 12 and 13 reserve 127 easements along Slater Creek, except within Tract B which is common to the west boundary of ADL 233850. Slater Creek may be determined to be public waters within ADL 233850 so if a 127 is not to be reserved in continuity with Plat 80-11 to the west than the PD for ADL 233850 should address 11 AAC 51.045(a) and (b) with respect to AS 38.05.035(e). Otherwise 127’s may be reserved during the survey or an Amendment to the Decision might be necessary.”
2. “11 AAC 53.190 (2) will require a primary monument every half mile along the boundary of ADL 233850. This is very rugged country and will add significant cost to the survey prior to lease issuance.”

SCRO Response:

Currently, it is the determination of DMLW that the portion of Slater Creek that runs through the proposed lease is neither navigable nor public water. If it is otherwise determined through public comment, SCRO may establish a .127 easement.

Additionally, the applicant will be informed through this decision of the Survey Section’s comments regarding potential survey requirements that may add substantial cost to survey the lease parcel.

Lease Discussion:

In 2007 and 2019 EPR purchased a cumulative 200 acres located near Valdez, Alaska from the City of Valdez for the purpose of future ski resort development. On July 13, 2021, EPR submitted an application, serialized as ADL 233850, for a state land lease adjoining their privately owned uplands for a term of 55 years. EPR is requesting a lease footprint of 800 acres for the development of a ski area. The proposed development of the lease parcel would be completed in stages, with the initial authorization consisting of the construction of ski trails, an access road, and a 10’ x 16’ warming hut on state land. EPR currently operates a snow cat service in the area authorized under land use permit LAS 27888. The initial lease would authorize the use of snow cats within the lease boundary for the transportation of clientele to ski terrain.

The proposed lease will be subject to the terms of SCRO’s standard lease document (available for review upon request) and any stipulations based, in part, upon the following considerations.

Development Plan:

The Development Plan (DP) attached to this decision (Attachment A) and dated July 8, 2021 is under consideration by SCRO. Should the proposed lease be granted, it is anticipated that the DP will need to be updated throughout the life of the lease as activities and/or infrastructure are added or removed. All updates must be approved, in writing, by SCRO before any construction, deconstruction, replacement of infrastructure, or change in activity. SCRO reserves the right to

require additional agency review and/or public notice for changes that are deemed by SCRO to be beyond the scope of this decision.

**Hazardous Materials and Potential Contaminants:**

Large volumes of fuel will be stored on the applicant's privately owned uplands and used to fuel various equipment used in the construction, operation, and maintenance lease. Any future request to store hazardous substances within the leasehold will need to be approved in writing by SCRO.

The use and storage of all hazardous substances must be done in accordance with existing federal, state, and local laws. Debris (such as soil) contaminated with used motor oil, solvents, or other chemicals may be classified as a hazardous substance, and must be removed from the lease site and disposed of in accordance with state and federal law.

**Lease Performance Guaranty (bonding):**

In accordance with AS 38.05.035 and AS 38.05.860, EPR will be required to submit a performance guaranty (bond) in the amount of \$15,000.00. This bond will remain in place for the life of the proposed lease. The bond amount is based upon the level of development, amounts of hazardous material and/or substances on site, and the perceived liability to the State. This bond will be used to ensure the applicant's compliance with the terms and conditions of the lease issued for their project. This bond amount will be subject to periodic adjustments and may be adjusted upon approval of any amendments, assignments, reappraisals, changes in the DP, changes in the activities conducted, or changes in the performance of operations conducted on the authorized premises, and as a result of any violations to one or more of the authorizations associated with this project.

SCRO reserves the right to require a reclamation bond in the event of noncompliance issues during the term of the lease or near the end of the life of the project.

**Insurance:**

EPR will be required to submit proof of liability insurance to SCRO, with the State of Alaska listed as a "NAMED" insured party. EPR will be responsible for maintaining such insurance throughout the term of the EA and the lease.

**Survey:**

In accordance with AS 38.04.045, EPR must complete an approved survey according to the requirements and standards of DMLW's Survey Section prior to lease issuance. The draft survey must be submitted for review to the Survey Section within **one year** of issuance of the survey instructions. If the submitted survey is accepted by DMLW, the measurements identified will be used to accurately calculate the total acreage. The survey must depict the leased boundaries.



**Entry Authorization:**

SCRO is proposing to authorize EPR entry onto state land through the issuance of an EA, for a term of three years, to allow time for completing the required survey and appraisal for the lease site. The proposed EA would be issued after the FFD goes into effect. The effective date of the EA will be the start of the lease term length.

The annual fee for the proposed EA will be set at \$2,000.00. Should the appraisal report indicate that the value of the land is greater than anticipated, the shortfall must be remedied before the lease will be issued.

**Compensation and Appraisal:**

In accordance with AS 38.05.840, State-owned land may only be leased if it has been appraised within two years before lease issuance. EPR will be required to provide an appraisal of the lease site before the proposed lease will be issued. Once the appraisal has been approved by DMLW, the annual lease fee will be set at the fair market value of the proposed lease site. Furthermore, in accordance with AS 38.05.105, the proposed EA and lease will be subject to reappraisal at five-year intervals after the issuance of the proposed authorization.

**Visitor Day Use Fee:**

Per 38.05.073(m)(5) commercial recreation authorizations are subject to a \$4.00/day “Visitor Day” fee under 11 AAC 96.250(18), for each client using state land. *A Visitor Day is defined as meaning all or any part of a calendar day which a commercial recreation client is present, with each client representing a separate visitor day if multiple clients are present at any time during a calendar day.* This fee is collected once a year and will be due on the same day as the annual fee.

**Ski Safety Act:**

If authorized, as an established ski area the lease and lessee will be subject to provisions of the 1994 Ski Safety Act as outlined in AS 05.45 and will be required to submit an annual operations plan to SCRO per AS 05.45.040.

**Subleasing:**

Subleasing is permissible through AS 38.05.095, if the proposed lease is approved. A sublease is defined as improvements not owned by the lessee that are located within the leasehold on the land or located on structures owned by the lessee. A sublease pertaining to the proposed lease includes but is not limited to, user agreements, license agreements, communication site agreements, or any contracts between the lessee and other commercial entities. All potential subleases must first be approved in writing by SCRO. Depending on the activity of any potential subleases, SCRO is reserving the right to reevaluate the need for further agency review and/or public notice before making a determination on the appropriateness of the proposed sublease. Sublease compensation to the State will be determined by SCRO according to AS 38.05.073(m), under the authority of AS

38.05.075(a) Leasing Procedures. In any case, the sublease fee for commercial activities will not be less than 25% of the annual fee paid to leaseholder by the sublessee.

**Assignment of Lease:**

The proposed lease, if issued, may be transferred or assigned to another individual or corporation only with written approval from the DMLW. A lease will not be assigned to an entity if that entity does not meet the statutory requirements of the lease, or if the lessee is considered not to be in “good standing” with DMLW or any other agency authorization. DMLW reserves the right to amend the terms of the lease prior to assignment.

**Reclamation:**

In accordance with AS 38.05.090(b), all lessees must restore their lease site to a “good and marketable condition” within 120 days after termination of the lease. What level of reclamation constitutes as being “good and marketable” is at the discretion of SCRO.

**Competitive Interest:**

During the 30-day Public Notice period, SCRO is soliciting interest under AS 38.05.070(d) to determine if there is interest from other companies in developing this site for a similar purpose. If there is a qualified competing interest, SCRO may proceed with a competitive auction. If no interest is expressed, then SCRO will proceed with a negotiated lease to EPR.

To be considered as a qualified potential bidder expressing interest in a competitive auction, a person must express interest in writing before the expiration of this 30-day public notice period and submit a complete application with a development plan within the 30 days following the end of the public notice for solicitation of competitive interest.

**Public Notice of the Preliminary Decision:**

Pursuant to AS 38.05.945, this PD will be advertised for 30-day public comment period. Notice will be posted on the Alaska Online Public Notice System at <http://aws.state.ak.us/OnlinePublicNotices/Default.aspx> and the post office located in Valdez. Courtesy notices will also be mailed or emailed to neighboring property owners, permit/lease holders, and other interested parties on April 26, 2023, for a 30-day public comment period.

**Comment(s):**

This decision is subject to both public and agency comments, and all comments received by the comment deadline will be considered in the FFD. Only those who comment, and the applicant have the right to appeal the FFD.

**Written comments about this project must be received in this office no later than**

**11:59 on May 26, 2023 to be considered.**

To submit comments, please choose one of the following methods:

Postal: Department of Natural Resources  
Division of Mining, Land and Water  
Southcentral Regional Land Office  
ATTN: Todd Derks  
550 West 7<sup>th</sup> Avenue, Suite 900C  
Anchorage, AK 99501-3577  
Email: todd.derks@alaska.gov  
Fax: (907) 269-8913

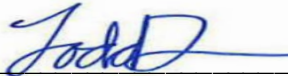
Questions about the lease portion of this project can be directed to Todd Derks at (907) 269-8549.

If public comments result in significant changes to the Preliminary Decision, additional public notice will be given. To be eligible to appeal the Final Finding and Decision, a person must provide written comments during the Preliminary Decision comment period per AS 38.05.035(i)-(m).

*Signature page follows*

**Recommendation:**

DMLW has completed a review of the information provided by the applicant, examined the relevant land management documents, and has found that this project is consistent with all applicable statutes and regulations. SCRO considered three criteria to determine if this project provided the best interest to the State and the development and enjoyment of its natural resources. The criteria include direct economic benefit to the State, indirect economic benefit to the State, and encouragement of the development of the State’s resources. This authorization provides a direct economic benefit to the State with the collection of fees for ADL 233850 and an indirect economic benefit through the encouragement and development of the State’s resources. The authorization of this lease may be in the State’s best interest as it would continue to provide development and enjoyment of the Valdez ski industry. If no competitive interest is shown during the public notice period of this PD, it is recommended that SCRO issue a 20-year lease to EPR. If competitive interest is submitted, SCRO may proceed with a competitive auction.



4/25/2023

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Todd Derks, Natural Resource Specialist 3

Date

Southcentral Regional Land Office, Division of Mining, Land and Water

**Preliminary Decision:**

It is the determination of the Division of Mining, Land and Water that it may be in the State’s best interest to issue a state land lease for 20 years to EPR, as described above. EPR will be required to submit the required bond, provide proof of liability insurance, and first year of EA fees. After deliverables are received, SCRO will issue an EA allowing EPR entry on to state land for the purposes of construction and completion of the required survey and appraisal. This PD shall now proceed to Public Notice.



4/26/2023

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Samantha Carroll, Regional Manager

Date

Southcentral Regional Land Office, Division of Mining, Land and Water

**Attachments**

Attachment A – Development Plan

Attachment A  
Development Plan



July 8, 2021

Leasing Manager  
Brittany Smith  
State of Alaska Department of Natural Resources  
550 W. 7<sup>th</sup> Ave., Suite 900C  
Anchorage, AK 99501

Brittany,

East Peak Resort (EPR) is proposing to lease state land within the Municipality of Valdez, AK. The proposed acreage will facilitate the construction of an access road, development of ski trails and a future mid-mountain warming hut.

In 2007, Rydor Enterprises (RE) purchased 100 acres from the City of Valdez for the purposes of resort development. In 2011, 907 Snowcat (907) obtained LAS-27888 authorizing seasonal cross-country travel to facilitate transportation of winter recreationalists on state land. Winter recreation consists of sightseeing, skiing-snowboarding, and fat-tire downhill biking. In 2019, an additional 100 acres was purchased from the City of Valdez by Camicia Creek Land Holdings to widen the footprint of the base area. EPR organized in 2021 to interface with DNR and manage the upland development.

A pre-application meeting was held May 27<sup>th</sup>, 2021 and based upon EPR intentions a lease was identified as the appropriate path forward. Proposed activities as follows:

1. Access Road: The improvements will allow for an extended snowcat season and provide the addition of summer recreational activities within the area.
2. Trails: To be utilized primarily for winter recreation and may include hiking and mountain biking. Activities include hand brushing alder vegetation from the mid to lower mountain creating "last run" areas to the bottom and facilitate operations during times of low visibility.
3. Warming Hut: Proposed to be located mid-mountain and allow for small overnight groups and daytime leisure activities. The warming hut is in the conceptual stage.

Attached is the application, development plan, environmental risk questionnaire and supporting documentation.

During the review process, feel free to contact me anytime to discuss any comments, additional information or documentation required for consideration.

Regards,

A handwritten signature in blue ink, appearing to read "Nate Smith".

Nate Smith  
Owner / Registered Agent  
East Peak Ski Resort, LLC

# Attachment A Development Plan

## Development Plan

### Narrative

EPR is applying to lease state land to facilitate the development of a 4-season resort in Valdez. One component of the development is the creation of an access road from the lower mountain starting from RE owned land then across DNR land leading to the mid-mountain area. The improvements will allow for overall trail stability, extend the snowcat operational season and provide the addition of summer recreational activities. Ground modification of the vegetative mat is proposed for the purpose of construction, maintenance, and repair of the existing trail with the use of heavy equipment.

The current condition of the corridor interferes with snowcat travel and poses risks to users throughout the winter season. Early season can be problematic due to the required snow accumulation to cover alder stumps and boulders as well as construct a sidehill in crux areas. Utilizing snow within a twenty-foot wide corridor through thick alders to build a snowcat road over obstacles is a limiting factor and reduces the winter operational timeframe significantly. Warming temperatures and solar radiation in the spring affect the access as the snow melts. The same alder material and boulders again become hazards as they begin to protrude from the trail. Alder vegetation that has not been removed at ground level has the risk of entangling with the equipment and is a hazard to users as the corridor is used as a "last run" of the day for skiers that 907 entertains.

The second component of the development addresses user hazards further with the creation of trails. Proposed trails would be utilized primarily for winter recreation and may include hiking and mountain biking. Activities would include brushing alder vegetation from the mid to lower mountain creating "runs" and facilitate operations during periods of low visibility.

### Access Road Development

Using a combination of mid-sized excavator and bulldozer, vegetative mat within the existing corridor will be displaced to accomplish the development. The excavator would be used to remove alder stump vegetation remaining from previous clearing and grubbing activities as well as displacing the top layer of aggregate. The bulldozer will compliment the process by smoothing the remaining surface of the corridor. Hand methods would be used to remove alder branches that impede on the twenty-foot swath. Removed vegetation and large rocks will be neatly stacked or pushed to the edge of the road as not to interfere with the access.

Displaced aggregate from the improvement activities could be used as fill as required to achieve the overall objective in some localized areas. Further, the construction of switchbacks is anticipated in a few areas for the purpose of elevation gain as the terrain rise over run increases.

Improvements have been divided into three zones as methods of construction and terrain conditions change with the gain in elevation.

- Zone A
- Zone B
- Zone C

# Attachment A Development Plan

Descriptions as follows:

## **Zone A**

Proposed methods consist of using the excavator to remove and stack alder material as well as displace any large rocks to the side of the corridor. The bulldozer would then follow behind smoothing the remaining surface. Following these activities hand methods using chainsaws would be implemented to cut back any protruding alder branches that fall/bend into the designated twenty-foot swath.

## **Zone B**

Improvement methods within Zone B will be conducted in the same manner as Zone A with the addition of constructing switchbacks for the purpose of gaining elevation. This is anticipated from the start of Zone B working to the to the mid-point. Switchbacks will be constructed using the excavator to displace aggregate then using it to develop the trail. From the mid-point of Zone B to the end point the existing corridor follows natural terrain features complimenting the trail development and limits construction of switchbacks.

## **Zone C**

Using the same construction methods used in Zone B development activities will consist of short switchbacks for the purpose of elevation gain. Natural terrain features will be used to assist with the construction activities limiting the displacement of aggregate.

The included photographs provide an overview the trail improvement area to include the designated Zones and the proposed path of development.

As this is an activity with many variables to include undulating terrain, varying aggregate, weather considerations and equipment limitations, EPR has proposed an overall area. At any time, development could be halted due to the nature of what is encountered and the means necessary to continue. Photographic and GPS documentation of the activities and the progression thereof will be provided to DNR as requested. Also proposed, is the maintenance and or repair of the trail during the summer seasons as conditions dictate providing access year-round.

# Attachment A Development Plan

## **Warming Hut**

Proposed to be located mid-mountain and allow for small overnight groups and daytime leisure activities. The warming hut is in the conceptual stage and anticipated to be developed within three to five years.

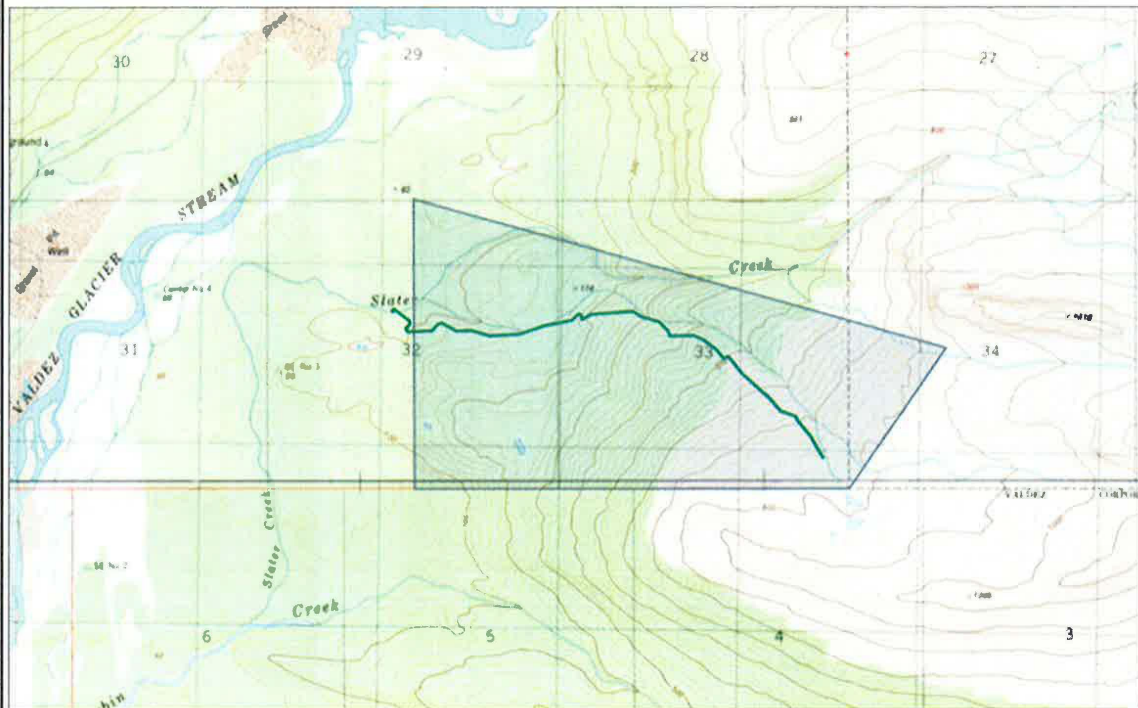
## **Hazardous Substances**

Diesel fuel, gasoline, motor oil, glycol, transmission and hydraulic fluids will be present. The majority of fueling activities will take place on RE property utilizing a one-hundred-gallon fuel cell during the summer access road development. It is anticipated that during some portions of the work, heavy equipment may be staged on state land and accessed by ATV's. Fueling of the equipment would be accomplished with five-gallon containers. In some instances, up to four each, five-gallon containers may be stored on state land for no longer than a few days and in a manner to prevent spills. Any equipment oil changes will be performed on RE property. During the trails development it is anticipated that chainsaws and associated fluids will be appropriately staged on the mountain.

Thorough daily equipment inspections will be used as a first line of defense for spill prevention and identify potential failure points that could produce a spill. These inspections will be conducted at the beginning of the operational shift as well as periodically throughout the day. If leaks or small drips are identified during the inspection, they will be addressed. Equipment hydraulic lines and associated fittings will be maintained and in good condition prior to commencing activities. A spill kit consisting of absorbents, shovel, impermeable oily waste bags, duct tape and nitrile gloves will be in proximity of the equipment and appropriately labeled for spill response activities. If a spill is identified, operations will be halted for immediate investigation and response activities. The source will then be identified and secured. When necessary drip pans will be utilized to capture fluids. Disposal of oily waste will be conducted in accordance with local guidelines. Further, any spills greater than 1 gallon will be reported to DEC.



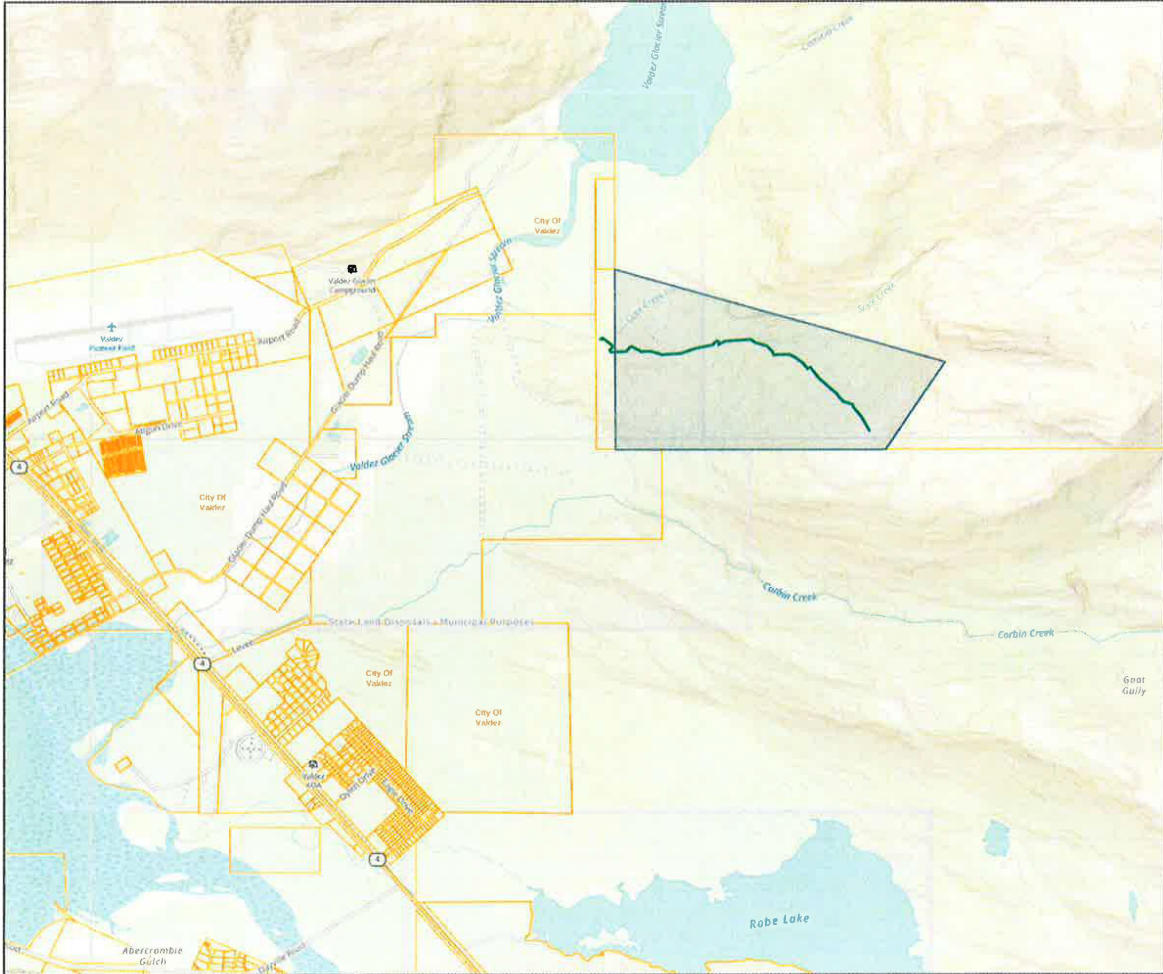
Attachment A  
Development Plan



Date Prepared: 7/8/2021	Applicant's Name: NATE SMITH
STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES DIVISION OF MINING, LAND AND WATER	
DIAGRAM	
Sec. (s) <u>32, 33, 34</u> Township <u>05</u> Range <u>SW</u> Meridian <u>Copper River</u>	
Scale: 1" =	<u>VALDEZ, AK</u>
SHEET <u>1</u> OF <u>1</u>	File #

# Attachment A Development Plan

## Overview in relation to the Valdez Municipal Airport



Proposed lease area shaded in grey. The green line indicates the current snowcat trail

# Rydor Enterprises



## Initial Footprint

- ✿ 100 acres
- ✿ Purchased 2007

# Camicia Creek Land Holdings



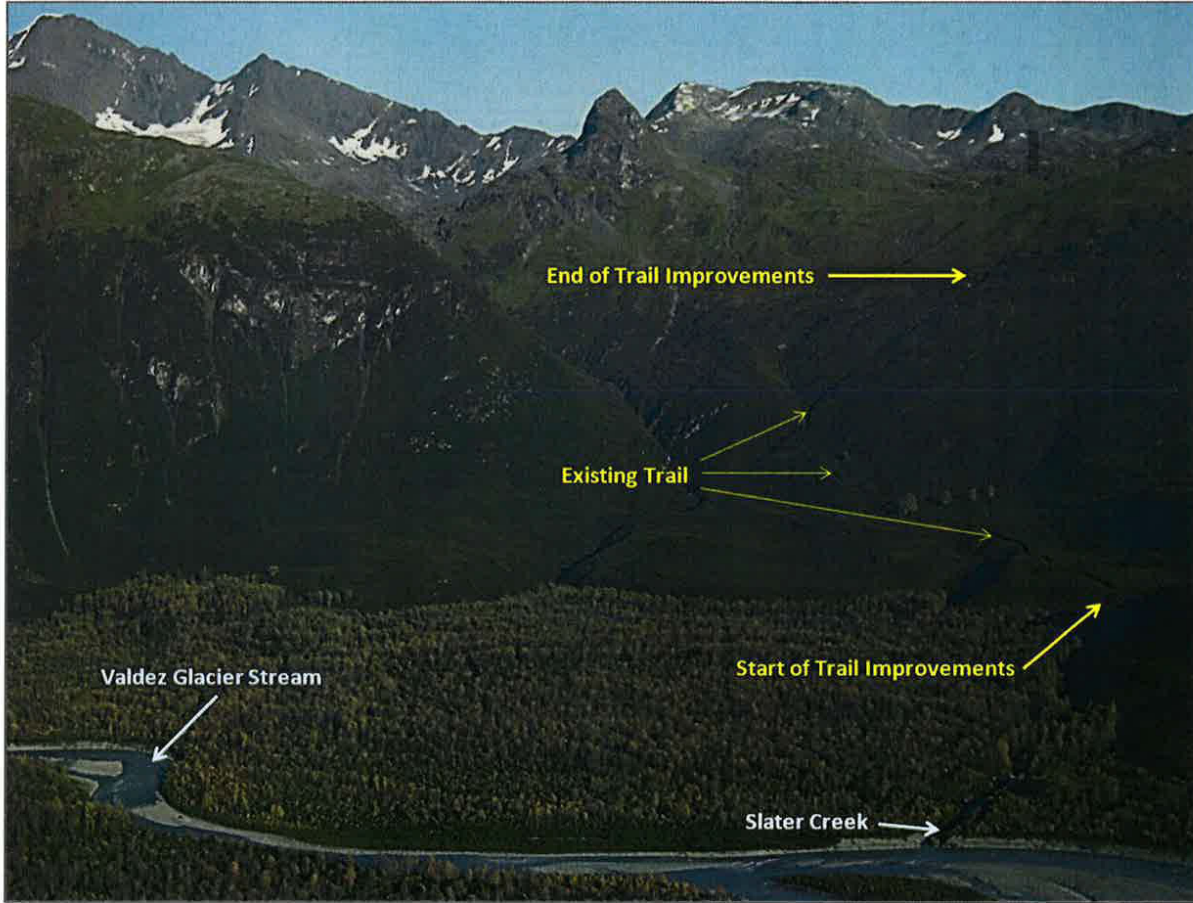
Expand Footprint

✱ 100 acres

✱ Purchased 2019

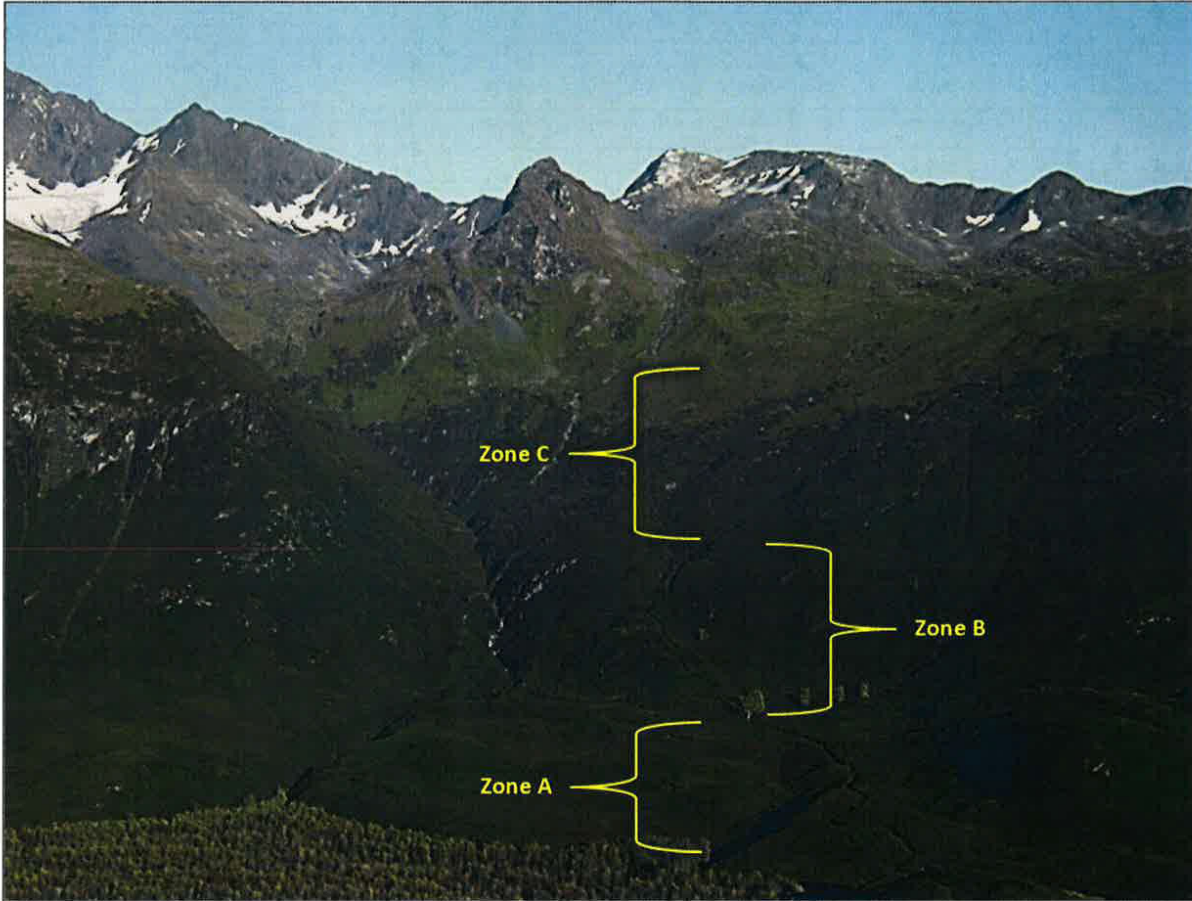
Attachment A  
Development Plan

Photographs of proposed access road development



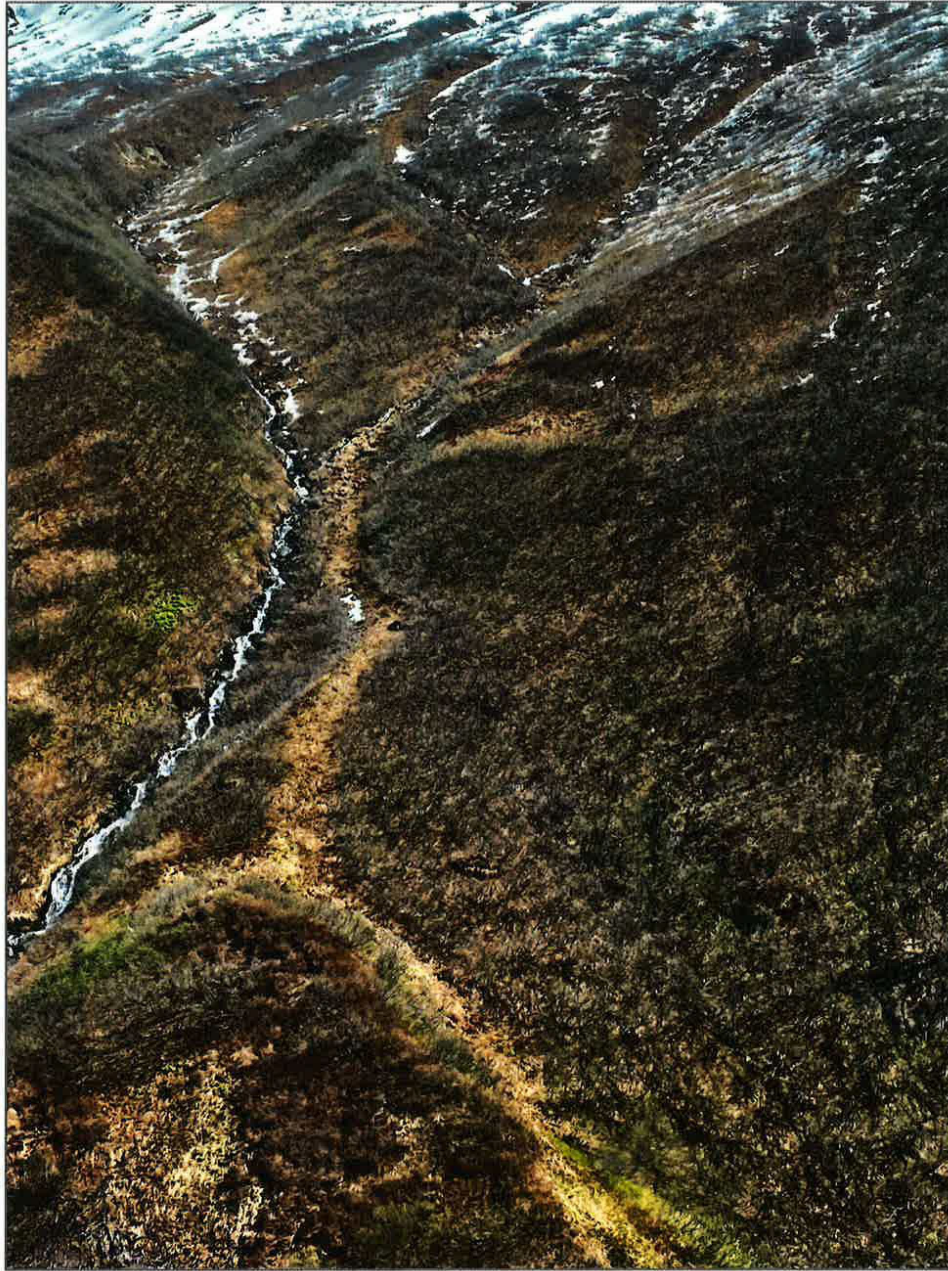
Overview of the area and the existing corridor looking east from the Valdez Glacier Stream

Attachment A  
Development Plan



Overview of the existing corridor and designated zones

Attachment A  
Development Plan



Overview of the existing corridor within Zone B

Attachment A  
Development Plan



Overview of proposed access road development



Attachment A  
Development Plan



Overview of proposed access road through treeline

# Attachment A Development Plan

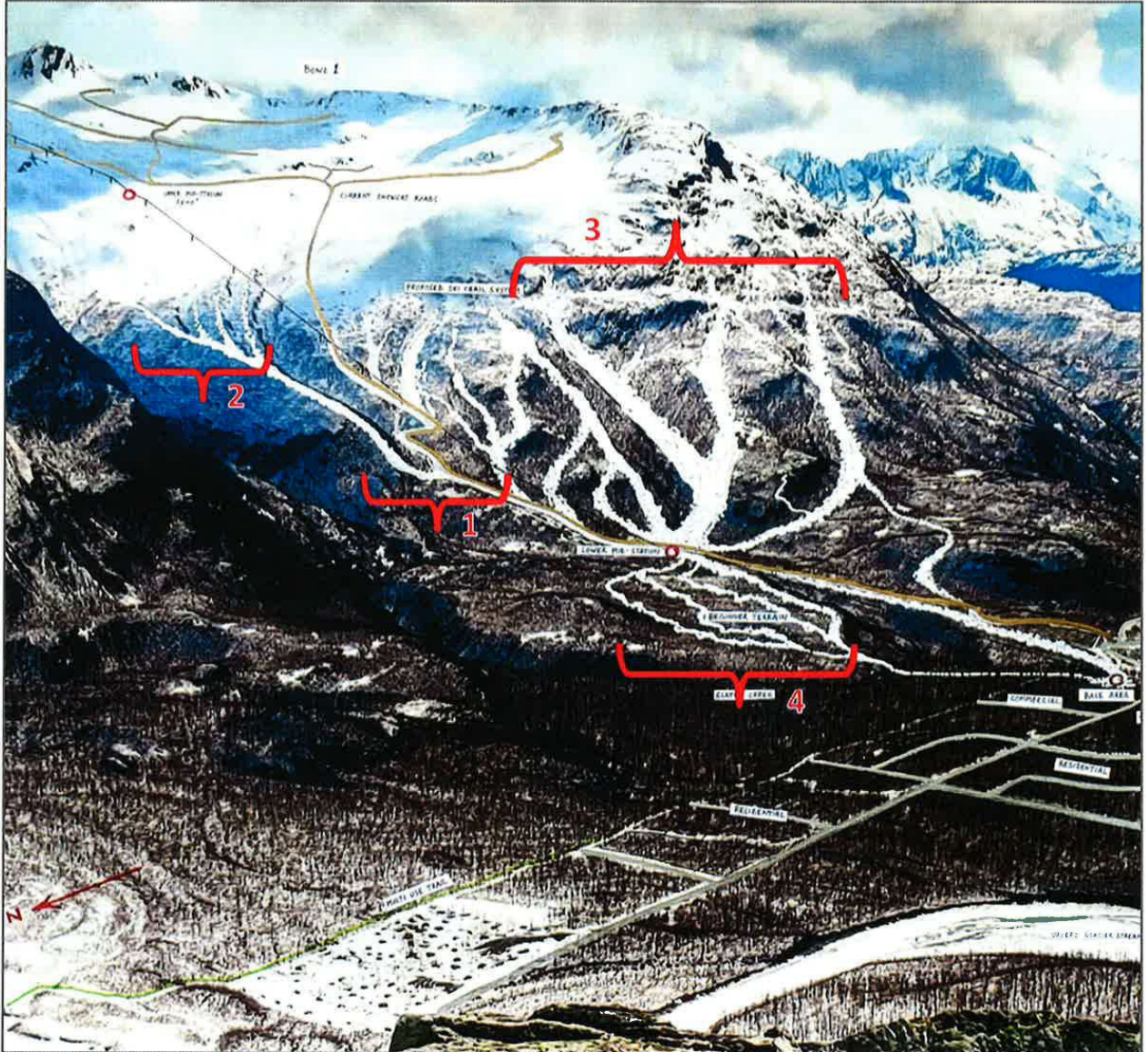
## Trails Development

EPR proposes to create trails utilized primarily for winter recreation and may include hiking and mountain biking. Activities include using chainsaws to brush alder vegetation from the mid to lower mountain creating “last run” areas to the bottom and facilitate operations during times of low visibility. Slash will be neatly stacked to the side or used to fill depressions as necessary. These trails are anticipated to be phased in over time as the user base expands. Some alders within the areas will remain to provide visibility on low light days. Areas have been divided into four segments. Portions of the areas may be addressed in unison to achieve optimal results for the user.



Overview of proposed trails development

Attachment A  
Development Plan



Overview of the four areas designated for trails