



Notice of Adoption:

- **Kenai Area Plan Amendment**
- **Land Classification Order SC-99-002A16**
- **Kenai River Comprehensive Management Plan Amendment**
- **Special Use Designation Amendment**

On August 31, 2022, the Commissioner of the Department of Natural Resources adopted the Kenai Area Plan (KEAP) amendment and associated Land Classification Order (LCO) SC-99-002A16. On the same day, the Commissioner also adopted the Kenai River Comprehensive Management Plan Amendment (KRCMP) and associated Special Use Designation (SUD) Amendment.

Alaska Electric and Energy Cooperative, Inc. d.b.a. Kenai Hydro LLC (KHL), has proposed to construct a five-megawatt hydroelectric project that will be located on Grant Lake and Grant Creek, approximately two miles south of the community of Moose Pass on the Kenai Peninsula. KHL has submitted applications to the Southcentral Regional Land Office (SCRO) for authorizations associated with the project. In order to facilitate the project, the KEAP and associated LCO SC-99-002A16, the KRCMP and the associated SUD were amended. The amendments affect approximately 207 acres of land within these plans. The KEAP determines management intent, land-use designations, and management guidelines that apply to all state lands within the planning area. The KRCMP is the basis for management of state land and waters within the Kenai River Special Management Area and other state land within the planning boundaries of the management plan. The SUD provides for the management of recreational uses and development activities that can occur within the SUD boundaries.

The final KEAP amendment and associated LCO SC-99-002A16, and the KRCMP and associated SUD amendments are available online at: <https://dnr.alaska.gov/mlw/grant-lake-hydro/>. You can also view online an Issue Response Summary (IRS) for these amendments. The IRS summarizes the issues raised in the comments received during public review period and provides a response to those issues.

Notice of this action is being provided to you because you or your agency participated in the planning process or were included in the distribution list used in the preparation of this plan. The procedures for filing a request for reconsideration are provided below.

Request for Reconsideration Procedures

An eligible person affected by this decision may request reconsideration to the DNR Commissioner per AS 44.37.011 and 11 AAC 02. Any request for reconsideration must be received by the Commissioner's Office within twenty (20) calendar days after issuance of the decision under 11 AAC 02.040. The Commissioner may order or deny a request for reconsideration within thirty (30) calendar days after issuance of the decision. If the Commissioner takes no action on a request for reconsideration within thirty (30) days after issuance of the decision, the request for reconsideration is considered denied. The Commissioner's decision on reconsideration,

other than a remand decision, is a final administrative order and decision of the department. An eligible person must first request reconsideration to the Commissioner before seeking relief in superior court. The Alaska State Courts establish its own rules for timely appealing final administrative orders and decisions of the department.

Reconsideration may be mailed or hand-delivered to the DNR Commissioner's Office, 550 West 7th Avenue, Suite 1400, Anchorage, Alaska, 99501; or faxed to (907) 269-8918, or sent by electronic mail to dnr.appeals@alaska.gov. Reconsideration 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)-(b). A pdf or print copy of 11 AAC 02 may be obtained by contacting Erik Fossum via phone at (907) 269-8429, via email at erik.fossum@alaska.gov, and is also available on the department's website at <https://dnr.alaska.gov/mlw/pdf/DNR-11-AAC-02.pdf>.