

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

FINAL FINDING AND DECISION

of a
Land Offering in the Kenai Peninsula Borough
North Fork Micro Ag. Subdivision – ADL 233191
AS 38.05.035(e), AS 38.05.045

and its
RELATED ACTIONS:
Amendment to the Kenai Area Plan SC-99-002A14
AS 38.04.065
Land Classification Order CL SC-99-002A14
AS 38.04.065 and AS 38.05.300
Mineral Order 1241 (Closing)
AS 38.05.185 and AS 38.05.300

This Final Finding and Decision (FFD) complements and updates the Preliminary Decision (PD) dated February 8, 2021. The PD (attached) and related actions have had the required public review.

I. Recommended Action(s)

The State of Alaska, Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), Land Conveyance Section (LCS) recommends offering for sale State-owned land for private ownership within the North Fork Micro Ag. project area (ADL 233191), as described in the PD. Surveyed parcels will be offered for future sale by a method under *AS 38.05.045 Generally*.

For the purposes of providing land for settlement and agriculture in the North Fork Micro Ag. project area, LCS may develop a subdivision of no more than 35 parcels. This project area is located within the Kenai Peninsula Borough and therefore survey, platting, and access to and within the project area will be subject to the relevant subdivision standards. The project may be subdivided and offered in multiple stages.

There are three related actions with this proposal:

Area Plan Amendment: DNR proposes to amend the Kenai Area Plan (2001) for unit 334A to change the designation of a portion of the project area from Settlement to Agriculture and amend the designation of that portion of the project area within the North Fork Anchor River corridor from Settlement to Habitat/Public Recreation and Tourism – Dispersed Use. The amendment will also reduce the width of the North Fork Anchor River riparian corridor from 700-feet to a minimum of 500-feet and amend the management intent.

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Land Classification Order: In relation to the Area Plan Amendment, DNR proposes to reclassify a portion of the project area in a Land Classification Order from Settlement land to Agricultural land, and to reclassify that portion within the North Fork Anchor River corridor from Settlement to Fish and Wildlife Habitat/Public Recreation.

Mineral Order (Closing): DNR proposes to close the project area to new mineral entry through Mineral Order 1241.

Public notice for these related actions was conducted concurrently with the notice for the primary action's PD.

II. Authority

DNR has the authority under *AS 38.05.045 Generally* to sell State-owned land if, on preparation and issuance of a written finding, it is determined to be in the best interest of the State, as required by *AS 38.05.035(e) Powers and Duties of the Director*. Article VIII, Section 1, of the Constitution of the State of Alaska provides: "It is the policy of the State to encourage the settlement of its land and development of its resources by making them available for maximum use consistent with the public interest." Pursuant to *AS 38.05.055 Auction Sale or Sealed Bid Procedures*, bidders for commercial land are not required to have been an Alaska resident for one year preceding the date of the sale. In addition, if it is deemed appropriate, DNR has the authority to develop and offer parcels larger than 5 acres under the allowances listed in *AS 38.04.020(h) Land Disposal Bank*. *AS 38.05.321 Restrictions on Sale, Lease, or Other Disposal of Agricultural Land* provides the authority for selling land subject to agricultural covenants.

For related actions, *AS 38.04.065 Land Use Planning and Classification*, *AS 38.05.300 Classification of Land*, and *AS 38.05.185 Generally* allow for amendments and special exceptions to area plans, land classifications, and mineral orders.

III. Public Participation and Input

Pursuant to *AS 38.05.945 Notice*, public notice inviting comment on the PD for the proposed primary action and drafts of the related actions were published and distributed in the following manner:

- Posted under State of Alaska Online Public Notice from February 8, 2021 to March 18, 2021.
- Posted on DNR Land Sales website from February 8, 2021 to March 18, 2021.
- Notices mailed to the Kenai Peninsula Borough per *AS 38.05.945(c)(1)*.
- Mailed to postmasters in Anchor Point and Homer with a request to post for 30 days, per *AS 38.05.945(c)(4)*.
- Mailed to the libraries in Anchor Point and Homer with a request to post for 30 days.
- Mailed to the Cook Inlet Regional Incorporated per *AS 38.05.945(c)(2)-(3)*.
- Mailed to Ninilchik Traditional Council, Ninilchik Native Association, Seldovia Village Tribe, and Seldovia Native Association
- Mailed to 171 landowners within a one-mile radius of the offering, Anchor Point Chamber of Commerce, City of Homer, and Anchor Point Energy, LLC.
- Sent notification to area state legislators and to multiple state agencies.

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The public notice stated that written comments were to be received by 5:00PM, March 18, 2021 in order to ensure consideration and eligibility to appeal. For more information, refer to the PD.

Should this project move forward, final subdivision design and survey will be completed by an Alaska licensed surveyor. The surveyor will submit a platting application including a preliminary plat to the local platting authority prior to survey. This process will be subject to Kenai Peninsula Borough ordinances and codes. During the process, the public will have opportunity at the local level to provide additional comment and feedback prior to final establishment of lot corners and monuments.

Subdivision design will be submitted to the Kenai Peninsula Borough for review in accordance with Title 20 *Subdivisions* of their ordinance.

Section 20.10.100. *Notice; Public Hearing.* Notices shall be mailed at least 14 days before the public hearing to all record owners of property within a distance of 600 feet of the exterior boundary of the property that is the subject of the application or hearing.

Section 20.25.100. *Approval—Commission authority—Notification required.* Within 60 days from date of acceptance by planning director, the commission shall determine if plat complies with provisions and will approve or disapprove and shall notify the subdivider of its action.

DMLW also conducted an online public meeting via Microsoft Teams on February 25, 2021, during the public comment period, to share and receive information about the proposed North Fork Micro Ag. Subdivision. Input received during the public meeting included emphasis on protecting access, and discussions regarding road and trail conditions and affordable energy. These topics are similar to the written comments received during the Public Comment Period and are addressed in the **Summary of Comments** below.

IV. Summary of Comments

DNR DMLW LCS received comments from three private individuals. All comments received during the public comment period are summarized below.

Individual Comment: Commentor expressed support of the proposed sale in the west half of section 36, the Snomad parking development, and granting legal access and easements to the North Fork Hill Access Road/trail, stating it is critical to maintain public access to the back country via North Fork Hills access trail. Commentor encouraged DNR to delay the sale of parcels in the Northeast quarter of Section 36 until adequate access is available.

DNR DMLW LCS Response: LCS appreciates your comment and support of the proposed North Fork Micro Ag. Subdivision. DNR intends to reserve access to the North Fork Hill Access Road/trail and may modify portions of the route as necessary. In doing so it will provide legal access through the subdivision to the back country via North Fork Hill Access Road. DNR will continue to work with the Kenai Peninsula Borough (KPB) through the platting process to design legal access through the subdivision. The northeast corner of Section 36 currently has legal access, although portions of the route may not be accessible year-round. DNR will evaluate if parcels may be sold as-is or withheld until access is

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improved. However, if parcels are sold without further improving access, the appraised value of the parcel will reflect the access conditions.

Individual Comment: Commentor summarized the cost and options of energy in the area and how access to affordable energy is important in agricultural success. Commentor stated that there is a natural gas production facility located near the project area and suggests bringing natural gas to the project area and distributing the cost amongst the parcels, which would increase the value of the lots and provide something positive to current nearby residents that will be negatively impacted by the project.

DNR DMLW LCS Response: LCS appreciates your comment and understands that affordable energy is important. While having the availability of natural gas in the vicinity and subsequent pipeline is an attractive proposal, it is beyond the scope of authority for DNR land sale process. Although there is an assessment process through the KPB as described by the commentor, it is a very lengthy process, and attempting to include that in the subdivision development process may cause the project to stall out. DNR does have statute language that allows us to pass the development cost on, however it is very challenging to appraise the parcels and provide it back to the public at a reasonable cost. If sufficient funding is available to extend natural gas into the project area, DNR will consider doing so. However, DNR will not make extending natural gas a condition of offering the subdivision for sale.

Individual Comment: Commentor provided a series of maps with specific points, descriptions, and areas of interest that show the historical and current access through and beyond the project area. Commentor expressed concerns with historical parking and road conditions, within and outside the project area, which require residents and users to modify travel based on seasons and conditions. The commentor also expressed concern with additional traffic and trail users accessing through Nikolaevsk and causing road damage to neighborhood roads. Commentor described the area where residents park along North Fork Road, and expressed concern that there is insufficient room for truck and trailer parking for users accessing the trail system in addition to local resident parking. The commentor also described a neighborhood trail connecting Lesher's Mill Road to the intersection of Wagon Road and Coyote Run Road. The commentor described that this trail is regularly used by residents, and that truck and trailers also park at the Wagon Road/Coyote Run Road intersection to access the trail system. Commentor wants to ensure reliable and dedicated access will still be allowed post-sale.

DNR DMLW LCS Response: LCS appreciates your comment and recognizes your concerns. LCS has coordinated with the KPB regarding access within the subdivision and will continue to work with the KPB through the platting process for identification and dedication of access. Selling of land in this area has the potential to increase road traffic, however the roads identified in the comment are public roads, and the public has the right to use those roads for residential or recreational access. One of the parking areas discussed is located north of the intersection of North Fork Road and Lesher's Mill Road, and is within the area to be retained in State ownership. The Snowmads Snowmachine Club has applied for an easement (ADL 229682) for an approximately 2-acre trail head parking area in this location. This easement is a separate action, beyond the scope of this decision. Any recommendations regarding the size or development of that area and should be addressed with that authorization. LCS intends to reserve access along Lesher's Mill Road and the North Fork Hill Access Road/trail and may modify portions of these routes as necessary. LCS will evaluate access along the trail connecting Lesher's Mill Road to Coyote Run Road.

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LCS may reserve access along this route and may alter the route if necessary. Final width and location of easements and reservations will be determined as part of the local platting process, which will include an additional opportunity for public participation.

V. Traditional Use Findings

In accordance with *AS 38.05.830 Land Disposal in the Unorganized Borough*, a Traditional Use Finding is required for project areas within the Unorganized Borough. This project area is within an organized borough; therefore, no Traditional Use Finding is required. No conflicts with traditional uses of the land have been discovered. Public review brought forth no new information indicating traditional use conflicts that were not apparent at the PD stage.

VI. Modifications to Decision and/or Additional Information

Pursuant to public comment, field inspection, and coordination with the Kenai Peninsula Borough, the recommended action has been modified from the original proposed action described in the PD. The PD stated that LCS intended to dedicate access along Leshler's Mill Road (also depicted as Wagon Road) in fee. LCS will still reserve access along Leshler's Mill Road; however, access may be reserved via easement rather than fee dedication for all or a portion of the route. LCS may modify portions of the route as necessary.

Further review of the file for ADL 225660 indicated that a combined easement for Leshler's Mill Road and North Fork Hill Road was authorized in a final decision dated March 5, 1992. Although the easement was authorized for issuance, it was not completed because an as-built survey/trail location diagram of the route was not completed. As part of subdivision design and development, DNR will reserve access along the route of Leshler's Mill Road. Reserving access along Leshler's Mill Road via easement rather than dedication will assist in minimizing potential future conflicts between different user groups. The final reservation of access may be a combination of easement issuance and/or dedication. Final dedication of access will be through the KPB platting process.

Recommendation and Approval of the Final Finding and Decision follow.

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VII. Final Finding and Decision

The Land Conveyance Section recommends proceeding with the actions as described in the Preliminary Decision and amended herein. This action is undertaken under relevant authorities. Offering these parcels for sale will help meet the State’s goal to provide land for settlement and agriculture for sale to the public and raise revenue for the State.

The findings presented above have been reviewed and considered. Public Notice has been accomplished in accordance with *AS 38.05.945 Notice* and comments received were considered. The project file has been found to be complete and the requirements of all applicable statutes have been satisfied. The actions are consistent with constitutional and statutory intent for State-owned land and this action is undertaken under relevant authorities.

Signature on file

Recommended by: Timothy Shilling
Natural Resource Manager
Land Conveyance Section
Division of Mining, Land and Water
Department of Natural Resources
State of Alaska

November 16, 2021

Date

Under the authority of the applicable statutes, it is hereby found to be in the best interest of the State of Alaska to proceed with the recommended action(s) as described and referenced herein.

Signature on file

Approved by: Martin W. Parsons
Director
Division of Mining, Land and Water
Department of Natural Resources
State of Alaska

November 19, 2021

Date

Signature on file

Approved by: Corri A. Feige
Commissioner
Department of Natural Resources
State of Alaska

November 24, 2021

Date

Reconsideration Provision

A person affected by this decision who provided timely written comment or public hearing testimony on the preliminary decision may request reconsideration, in accordance with *11 AAC 02*. Any reconsideration request 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 Ave., Ste. 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 reconsideration is not requested by that date or if the commissioner does not order reconsideration on their own motion, this decision goes into effect as a final order and decision on the 31st calendar day after the date of issuance. Failure of the commissioner to act on a request for reconsideration within 30 calendar days after issuance of this decision is a denial of reconsideration and is a final administrative order and decision for purposes of an appeal to Superior Court. The decision may then be appealed to Superior Court within a further 30 days in accordance with the rules of the court, and to the extent permitted by applicable law. An eligible person must first request reconsideration of this decision in accordance with *11 AAC 02* before appealing this decision to Superior Court. A copy of *11 AAC 02* may be obtained from any regional information office of the Department of Natural Resources.

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

LAND CLASSIFICATION ORDER
NO. CL SC-99-002A14

North Fork Micro Ag. Subdivision – ADL 233191

- I. Name: North Fork Micro Ag. Subdivision
- II. The classifications in Part III are based on written justification contained within the following:
- a Preliminary Decision for the Proposed North Fork Micro Ag Subdivision within the Kenai Peninsula Borough, dated February 8, 2021; and
 - an Amendment to the Kenai Area Plan No. SC-99-002A14 .

Legal Description	Acreage	Acquisition Authority	Existing Classification	Classification by this Action
Section 36, Township 4 South, Range 14 West, Seward Meridian		SCH 76	Settlement	
Approximately 275-acres within a minimum of 500-feet of the North Fork Anchor River	275-acres			Wildlife Habitat/ Public Recreation
Approximately 250-acres	250-acres			Agriculture

Refer to the attached map

- IV. This order is issued under the authority granted to the Commissioner of the Department of Natural Resources by *AS 38.04.065 Land Use Planning and Classification* and *AS 38.05.300 Classification of Land*. The above described lands are hereby designated and classified as indicated. Nothing shall prevent the reclassification of these lands if warranted in the public interest.

Approved: Signature on file
Corri A. Feige, Commissioner
Department of Natural Resources

November 24, 2021
Date

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

KENAI AREA PLAN AMENDMENT
SC-99-002A14

Region 7, Management Unit 334A

related to the
North Fork Micro Ag. Subdivision – ADL 233191

The Commissioner of the State of Alaska, Department of Natural Resources (DNR) finds that the following amendment to the Kenai Area Plan, described more fully in the Attachment, meets the requirements of *AS 38.04.065 Land Use Planning and Classification* and *11 AAC 55.010-030 Land Planning and Classification* for land use plans and hereby adopts the amendment. The Department of Natural Resources will manage state lands within the area of the revision consistent with this designation and management intent.

- Designation:
Approximately 250 acres within unit 334A will be incorporated into a new subunit 334A-1, and designated Agriculture. Refer to the attached map.

Approximately 275 acres of unit 334A within the retained buffer from the North Fork Anchor River and lands within the southeast portion of the unit will be incorporated into nearby Unit 335A and designated Habitat and Public Recreation and Tourism – Dispersed Use. Refer to the attached map.

The remainder of Unit 334A will remain designated Settlement.

- Management Intent:
Unit 334A: Management intent will be replaced with: “This unit is appropriate for disposal. If DNR makes conveyances, the intent is to convey parcels smaller than 20-acres, without agricultural covenants. Any parcels within this unit are subject to a minimum 500- foot-wide buffer along the North Fork of the Anchor River.”

Unit 334A-1: New management intent will read: “This unit is appropriate for agricultural land disposal. If DNR makes conveyances, the intent is to convey parcels larger than 20-acres, subject to agricultural covenants. Any parcels within this unit are subject to a minimum 500- foot-wide buffer along the North Fork of the Anchor River.”

335A: No change

Approved: Signature on file November 24, 2021
Corri A. Feige, Commissioner Date
Department of Natural Resources

ATTACHMENT

to the
**KENAI AREA PLAN AMENDMENT
SC-99-002A14**

Region 7, Management Unit 334A

related to the
North Fork Micro Ag. Subdivision – ADL 233191

Location and legal description: Approximately 10 miles northeast from Anchor Point along North Fork Road. The unit is the entirety of Section 36 within Township 4 South, Range 14 West, Seward Meridian, according to the plat of survey accepted by the United States Department of the Interior, General Land Office on April 29, 1946, containing 640 acres more or less.

Authority: The authority to revise plans derives from *AS 38.04.065(b) Land Use Planning and Classification*. *11 AAC 55.030(f) Land Use Plan* defines when a revision constitutes a plan amendment.

Current Plan: Unit 334A is currently designated Settlement. Management intent states: “If DNR makes conveyances, the management intent is to convey larger parcels (10-20 acres) that would be suitable for agricultural uses. Any authorizations in this unit are subject to a 700-foot-wide buffer along the North Fork of the Anchor River. If parcels are conveyed, a riparian corridor for habitat will be retained in state ownership or subject to management for fish and wildlife habitat purposes.”

Proposed Plan Amendment: Approximately 250 acres within unit 334A will be incorporated into a new subunit 334A-1, and designated Agriculture. Approximately 275 acres of unit 334A within a minimum of 500-feet from the North Fork Anchor River and lands within the southeast portion of the unit will be incorporated into nearby Unit 335A and designated Habitat and Public Recreation and Tourism – Dispersed Use. Refer to the attached map.

The management intent of Unit 334A will be changed to: “This unit is appropriate for disposal. If DNR makes conveyances, the intent is to convey parcels smaller than 20-acres, not subject to agricultural covenants. Any parcels within this unit are subject to a minimum 500-foot-wide buffer along the North Fork of the Anchor River.” The management intent of Unit 334A-1 will be amended to: “This unit is appropriate for agricultural land disposal. If DNR makes conveyances, the intent is to convey parcels larger than 20-acres, subject to agricultural covenants. Any parcels within this unit are subject to a minimum 500-foot-wide buffer along the North Fork of the Anchor River.”

Explanation: There is a demand from the public to obtain both settlement and agricultural land in the area. The Division of Agriculture has noted that there is a particular desire for smaller agricultural parcels in this area. The project area has a significant portion of good agricultural soils on rolling hills with direct access to the road system. Smaller agricultural parcels will allow for smaller scale agricultural use which is well suited to topography and physical conditions of the area. The parcel is proposed for offering as provided in the Preliminary Decision dated February 8, 2021. The Land Conveyance Section (LCS) intends to develop a subdivision and

Attachment to the Kenai Area Plan Amendment

Region 7, Management Unit 334A

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offer for sale settlement parcels and agricultural parcels. Parcels smaller than 20-acres will be offered for settlement and parcels larger than 20-acres will be offered for agriculture subject to agricultural covenants.

North Fork Road crosses through the western portion of the project area, creating a relatively narrow strip of available land west of the road, constraining the potential size and dimensions of parcels west of the road. Additionally, the North Fork Anchor River crosses through the center of the project area, constraining the size of parcels between the buffer from the North Fork Anchor River and North Fork Road. LCS is proposing to develop smaller parcels (approximately 4 to 10 acres) in these portions of the unit. Removing the management intent to convey larger parcels (10-20 acres) will allow for the development of parcels in these areas. Other areas less constrained by the location of North Fork Road and the buffer from the North Fork Anchor River are proposed to be developed as parcels 20-acres or larger, to be sold subject to agricultural covenants. Creating Agriculture designated Unit 334A-1 and amending the management intent for that purpose is necessary to allow for the sale of agricultural parcels in this area subject to agricultural covenants

The 700-foot-wide buffer along the North Fork Anchor river is being removed. However, the intent of this buffer is still being retained by incorporating a minimum 500-foot buffer area along the North Fork Anchor River into nearby Unit 335A, designated Habitat/Public Recreation and Tourism – Dispersed Use. The buffer area is reduced from 700-feet to a minimum of 500-feet to allow for the development of parcels in the area constrained by existing roads and the buffer from the North Fork Anchor River, and to allow for greater flexibility to survey parcels to a non-meandered boundary. The general intent of the buffer is being retained by incorporating the buffer area into Unit 335A, and the net amount of land to be retained has increased from approximately 209 acres to approximately 275 acres.

Assessment: The following alternatives are being considered:

1. (Preferred) Amend the Kenai Area Plan as described above to change designation of a portion of Unit 334A to Agriculture, and a portion of Unit 334A to Habitat/Public Recreation and Tourism – Dispersed Use. Amending the plan is the preferred alternative as it will allow the sale of both settlement and agricultural designated land, providing the public an opportunity to obtain property in a desirable area, and providing parcels for agricultural use.
2. (No-Action) Do not amend the Kenai Area Plan. This alternative is not preferred as it would not allow the offering of agricultural land and development of a joint settlement/agricultural subdivision designed around the physical conditions of the area.

Requirements of AS 38.04.065 (b): The factors identified in this section of statute have been considered and the proposed action is consistent with that portion of the statute.

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

MINERAL ORDER No.1241

 X Closing Lands to Mineral Entry _____ Opening Lands to Mineral Entry

- I. Name of Mineral Order: 1241 North Fork Micro Ag. Subdivision – ADL 233191

- II. Reason for Mineral Order: This Mineral Order is based upon the attached *Commissioner's Administrative Finding*, applicable statutes, and the written justification contained in the following:
 - Kenai Area Plan, adopted (2001)
 - Preliminary Decision, North Fork Micro Ag. Subdivision– ADL 233191, and the subsequent Final Finding and Decision for same

- III. Authority: AS 38.05.185 and AS 38.05.300.

- IV. Location and Legal Description: Township 4 South, Range 14 West, Seward Meridian, located within the Kenai Recording District, Third Judicial District, Alaska

- V. Mineral Order: This order is subject to valid existing rights and is issued under the authority granted by AS 38.05.185 – AS 38.05.275 and AS 38.05.300 to the Alaska Department of Natural Resources. In accordance with AS 38.05.185(a), I find that the best interests of the State of Alaska and its residents are served by closure of the land described in this mineral order to entry under mineral location and mining laws of the State of Alaska. The above described lands are hereby **closed** to entry under the locatable mineral and mining laws of the State of Alaska.

Concur:	Signature on file	November 19, 2021
	Martin W. Parsons, Director Division of Mining, Land and Water Department of Natural Resources	Date

Approved:	Signature on file	November 24, 2021
	Corri A. Feige, Commissioner Department of Natural Resources	Date

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

**ADMINISTRATIVE FINDING
MINERAL ORDER NO. 1241
Closing Lands to Mineral Entry
North Fork Micro Ag. Subdivision**

Pursuant to AS 38.05.035, the State of Alaska, Department of Natural Resources, Division of Mining, Land, and Water proposes to issue a Final Finding and Decision to convey State-owned land into private ownership within the North Fork Micro Ag. project area (ADL 233191). As noted in the Preliminary Decision – Proposed Land Offering North Fork Micro Ag. Subdivision – ADL 233191, the project area is within Management Unit 334A, Region 7, Homer, of the *Kenai Area Plan*. In accordance with the area plan, DMLW proposes to close the entire project area to mineral entry. The attached mineral order includes the legal description of area to be closed to mineral entry.

The Division of Mining, Land, and Water requests the mineral estate of approximately 640 acres, identified in the attached mineral order, be closed to mineral entry and location, in accordance with AS 38.05.300 for a land disposal. Mining activity on the project area would be incompatible with the current and proposed land estate uses. The land does not contain any known mineral deposits and was not selected for mineral values. There are no mining claims on the land.

Public notice of the comment period for the proposed mineral order was conducted in accordance with AS 38.05.945. No public comments were received regarding the mineral order.

In accordance with AS 38.05.185 (a) and AS 38.05.300, I find that the best interests of the State of Alaska and its residents are served by closure of the land to entry under the mineral location and mining laws of the State of Alaska as described by Mineral Order (Closing) No.1241.

Approved: Signature on file
Corri A. Feige, Commissioner
Department of Natural Resources

November 24,2021
Date