

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

MINERAL ORDER NO. 1093 AMENDMENT (MO-1093A01)

 X **Closing Lands to Mining Location**

_____ **Opening Lands to Mining Location**

- I. Name: East Nome Beach Public Mining Area
- II. Reason for Mineral Order: See attached Commissioner's Finding.
- III. Authority: AS 38.05.185 and AS 38.05.300(a).
- IV. Location and Legal Description: Located along Nome beach area extending from mean high water offshore (seaward) 1,320 feet (1/4 mile) between West End of New Seawall (Wiley's) on west to Beam Road on east. Approximately 320 acres - see attached map.
- Legal description within Kateel Meridian, Township 11 South, Range 34 West, Section 36, S1/2 of N1/2 (portion) and N1/2 of S1/2 (portion); and Township 11 South, Range 33 West, Section 31, S1/2 (portion). North boundary - mean high tide line; south boundary - 1,320 feet seaward; west boundary-west boundary of Lot 13, Block 7/ east boundary of Lot 11A, Block 7, Plat 86-2. East Nome Beach Public Mining Area located entirely within Alaska Tideland Surveys 334 and 1268, and Alaska Tideland Patent ADL 21462 issued to the City of Nome.
- V. This Amendment supersedes the prior version of Mineral Order 1093 (2009).
- VI. Mineral Closing: This mineral order is subject to valid existing rights and is issued under the authority granted by AS 38.05.185 – AS 38.05.275 to the 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 mining location under the mining laws of the State of Alaska. The above-described lands are hereby closed to location under the locatable mineral and mining laws of the State of Alaska.

Concur: _____

Brent Goodrum, Director
Division of Mining, Land & Water

Date

Approved: _____

Mark D. Myers, Commissioner
Department of Natural Resources

Date

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

**ADMINISTRATIVE FINDING
MINERAL ORDER 1093A01 (AMENDMENT)**

EAST NOME BEACH PUBLIC MINING AREA

The proposed action calls for an Amendment to Mineral Order 1093, to clarify the purpose and intent of the East Nome Beach Public Mining Area from that of the Nome Offshore Lease Sale Area. The East Nome Beach Public Mining Area includes approximately 320 acres of state tide and submerged land, which is located along the Nome beach front adjacent to the City of Nome, between the line of mean high tide extending seaward or offshore for a distance of ¼ mile or 1,320 feet and between the west end of the new seawall on the west and to Beam Road on the east as reflected on the attached map.

The proposed amendment to Mineral Order 1093 (MO 1093 A01) seeks to clarify the purpose and intent of the mineral order as it relates to the East Nome Beach Public Mining Area. The East Nome Beach Public Mining Area was originally closed to mineral location under Mineral Order 735 (MO 735) on June 9, 1998. MO 735 was superseded by and incorporated into MO 1093 on August 12, 2009 which also closed additional surrounding lands to mineral location for the purpose of protecting those areas so they could be offered for competitive mineral leasing in future sales. The Final Finding and Decision of the Commissioner for MO 1093 indicates that land originally affected by MO 735 was to remain closed to new mineral location permanently while the remaining lease sale areas were to remain closed until January 1, 2016. Since the areas are closed for different purposes, this amendment separates the surrounding lease sale areas from the East Nome Beach Public Mining Area. A separate Mineral Order will address the administrative management of the lease sale area.

The Nome beach front has been mined for gold for over one hundred years, since the Nome Gold Rush. The beach sands are popular for gold panning and the shallow offshore sands and sediments are popular for suction dredging by divers. Offshore Nome has become increasingly popular for this activity. Much of the state owned mineral estate within the tide and submerged along the Nome area coastline is either leased or has existing mining claims. Many mining location and lease owners are protective of their mineral rights. Competition for mineral rights and access can be contentious. The mineral estate beneath the East Nome Beach Public Mining Area was closed to mineral location to facilitate this public recreational mining purpose. Continuing to close the East Nome Beach Public Mining Area to mineral location will allow for the public to use the popular area for recreational mining purposes without interfering with the mineral rights of mineral location and lease owners. Existing mineral rights will not be affected by this mineral order. This action will not close any additional acreage to mineral location through this action, or reduce the boundaries of the East Nome Beach Public Mining Area.

Due to the above reasons it is in the best interest of the state to continue to close the approximately 320 acre area managed as the East Nome Beach Public Mining Area to mineral location to facilitate continued recreational mining opportunities for the public and minimize conflict with mineral location and lease owners. See the attached map for a depiction of the area.

Concur: _____

Brent Goodrum, Director
Division of Mining, Land & Water

Date

Approved: _____

Mark D. Myers, Commissioner
Department of Natural Resources

Date