

# APPENDICES

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# APPENDIX A

## GLOSSARY

**AAC.** Alaska Administrative Code

**Access.** A way or means of approach. Includes transportation, trail, easements, rights of way, and public use sites.

**ACMP.** Alaska Coastal Management Plan

**ADF&G.** Alaska Department of Fish and Game

**ADEC.** Alaska Department of Environmental Conservation

**ADOT/PF.** Alaska Department of Transportation and Public Facilities

**Anadromous fish stream.** A river, lake or stream from its mouth to its uppermost reach including all sloughs and backwaters adjoining the listed water, and that portion of the streambed or lakebed covered by ordinary high water used by salmon to spawn. Anadromous streams are shown in "The Atlas to the Catalog of Waters Important for Spawning, Rearing, or Migration of Salmon" (referred to as the Anadromous Fish Stream Catalog) compiled by ADF&G.

**ANCSA.** Alaska Native Claims Settlement Act

**ANILCA.** Alaska National Interest Land Conservation Act

**Area Plan.** Prepared by DNR, area plans allocate resources and identify allowed and prohibited uses on state lands including uplands, tidelands, and submerged lands.

**AS.** Alaska Statutes

**ASLS.** Alaska State Land Survey

**ATS.** Alaska Tideland Survey

**Authorized Use.** A use allowed by DNR by permit or lease.

**Buffer.** An area of land between two activities or resources used to reduce the effect of one activity upon another.

**Classification.** Land classification identifies the purposes for which state land will be managed. All classification categories are for multiple use, although a particular use may be considered primary. Land may be given a total of three classifications in combination.

**Closed to mineral entry.** Areas where the staking of new mineral claims is prohibited because mining has been determined to be in conflict with significant surface uses in the area. Existing mineral claims that are valid at the time of plan adoption are not affected by mineral closures.

**Co-designation.** Refers to those instances where two designations apply to state land or state selected land. Both designations are of equal importance. Authorizations issued by the Department should accommodate uses associated with each designation applied to state land.

**Commissioner.** The Commissioner of the Alaska Department of Natural Resources.

**Consultation.** Under existing statutes, regulations, and procedures, the Department of Natural Resources informs other groups of its intention to take a specific action and seeks their advice or assistance. Consultation is not intended to be binding on a decision. It is a means of informing affected organizations and individuals about forthcoming decisions and getting the benefit of their expertise. DNR replies to parties offering advice or assistance by sending them the decision and the reasons for which the decision was made, or notifying them that the decision and finding are available upon request.

**Designated use.** An allowed use of major importance in a particular management subunit. Activities in the subunit will be managed to encourage, develop, or protect this use. Where a subunit has two or more designated uses, the management intent statement and guidelines for the unit and subunit, Chapter 2 guidelines together with existing statutes, regulations, and procedures, will direct how resources are managed, to avoid or minimize conflicts between designated uses.

**Designation.** A category of land allocation determined by a land use plan. Designations identify the primary and co-primary uses for state land. See also *Land Use Designations*.

**Director.** The division director of the state division responsible for managing state land. Most often, director refers to the Director of the Division of Mining, Land and Water; for lands administered by DPOR, director refers to the Director of DPOR.

**DMLW.** Division of Mining, Land and Water, a division of DNR.

**DNR.** Alaska Department of Natural Resources

**DOF.** Division of Forestry, a division of DNR

**DPOR.** Division of Parks and Outdoor Recreation, a division of DNR

**Easement.** An interest in land owned by another that entitles its holder to a specific limited use.

**17(b) Easement.** Easement across Native corporation land reserved through the Alaska Native Claims Settlement Act (ANCSA). Uses of the easements are limited to transportation purposes and other uses specified in the act and in conveyance documents.

**Feasible.** Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, technical, and safety factors.

**Feasible and prudent.** Consistent with sound engineering practice and not causing environmental, social or economic problems that outweigh the public benefit to be derived from compliance with the guideline modified by the term "feasible and prudent" [from ACMP regulations: 6 AAC80.900(20)]. A written decision by the land manager is necessary justifying a variation from a guideline modified by the terms "feasible" or "feasible and prudent". See also, Procedures for Plan Review, Modification, and Amendment: Discretion within Guidelines.

**Fish and wildlife.** Any species of aquatic fish, invertebrates and amphibians, in any state of their life cycle, and all species of birds and mammals, found or that may be introduced in Alaska, except domestic birds and mammals. The term "area(s)" in association with the term "fish and wildlife" refers to both harvest and habitat areas.

**FLUP.** Forest Land Use Plan. Prepared by the Division of Forestry, Alaska Department of Natural Resources

**Forestry.** Any activity or structure for the harvest or management of timber resources.

**Generally allowed use.** An activity conducted on state land managed by the Division of Mining, Land and Water that is not in a special category or status. For the most part these uses are allowed for 14 days or less, and a permit is not required. Uses that are generally allowed are described under 11 AAC 96.

**Goal.** A statement of basic intent or general condition desired in the long term. Goals usually are not quantifiable and do not have specified dates for achievement.

**Guideline.** A course of action to be followed by DNR resource managers or required of land users when the manager permits leases, or otherwise authorizes the use of state land or resources. Guidelines also range in their level of specificity from giving general guidance for decision making or identifying factors that need to be considered, to setting detailed standards for on-the-ground decisions. Some guidelines state the intent that must be followed and allow flexibility in achieving it.

**High value resident fish.** Resident fish populations that are used for recreational, personal use, commercial, or subsistence purposes. In the Yukon River drainage, there are a number of resident fish species: Dolly Varden, lake trout, Arctic grayling, sheefish, northern pike, and burbot. Whitefish, including round whitefish and least cisco, are taken for subsistence and personal use.

**ILMA.** See *Interagency Land Management Agreement/Transfer*.

**ILMT.** See *Interagency Land Management Agreement/Transfer*.

**Instream flow.** An instantaneous flow rate of water through a stream during specified periods of time, from a designated location upstream to a designated location downstream.

**Instream flow reservation.** The legal water reservation for instream uses such as fish, wildlife, recreation, navigation, and water quality.

**Interagency Land Management Agreement/Transfer (ILMA/ILMT).** An agreement between DNR and other state agencies that transfers some land management responsibility to these other agencies.

**Land disposal.** Same as *Land offering*, defined below.

**Land manager.** A representative of the state agency or division responsible for managing state land.

**Land offering.** Transfer of state land to private ownership as authorized by AS 38.04.010, including fee simple sale, homesteading, and sale of agricultural rights. This does not include leases, land-use permits, water rights, rights-of-way, material sales, or other disposals of interest in lands or waters. (See also, *Land disposal*.)

**Land sale.** Same as *Land offering* as defined above.

**Land use designations.** Allocations that set out primary or secondary land uses. See definitions of primary and secondary land uses. (Chapter 4 sets out how the land use designations of this plan will be classified according to 11 AAC55.)

**Leasable mineral.** Leasable minerals include deposits of coal, sulfur phosphates, oil shale, sodium potassium, oil and gas.

**Lease.** A Department of Natural Resources authorization for the use of state land according to terms set forth in AS 38.05.070-105.

**Legislative designation.** An action by the state legislature that sets aside a specific area for special management actions and ensures the area is kept in public ownership.

**Leasehold Location Order.** An order, issued by the Department of Natural Resources that require the exploration, development, and extraction of locatable minerals to occur under the leasing provisions of AS 38.05.135.

**Locatable mineral.** Locatable minerals include both metallic (gold, silver, lead, etc.) and nonmetallic (flourspar, asbestos, mica, etc.) minerals.

**Management intent statement.** The statements that define the department's near and long-term management objectives and the methods to achieve those objectives.

**Materials.** "Materials" include but are not limited to common varieties of sand, gravel, rock, peat, pumice, pumicite, cinders, clay and sod.

**MCO.** See *Mineral Closing Order*.

**Mineral Closing Order (MCO).** All state lands are open for the prospecting and production of locatable minerals unless the lands are specifically closed to mineral entry. The Commissioner of the Department of Natural Resources may close land to mineral entry if a finding has been made that mining would be incompatible with **significant surface use** on state land [AS 38.05.205]. A significant surface use of the land has been interpreted by DNR to include not only residential and commercial structures, but also fish and wildlife habitat, recreational, and scenic values.

**Mineral entry.** Acquiring exploration and mining rights under AS 38.05.185-38.05.275.

**Mining.** Any structure or activity for commercial exploration and recovery of minerals, including, but not limited to resource transfer facilities, camps, and other support facilities associated with mineral development. The term "mining" does not refer to offshore prospecting.

**Mining claim.** Rights to deposits of minerals subject to AS 38.05.185-38.05.275 in or on state land that is open to claim staking may be acquired by discovery, location and recording as prescribed in AS 38.05.185-38.05.275. The locator has the exclusive right of possession and extraction of the minerals subject to AS 38.05.185 -38.05.275 lying within the boundaries of the claim.

**Minor Change.** A minor change to a land use plan is not considered a revision under AS 38.04.065. A minor change is a change that does not modify or add to the plan's basic intent, and that serves only to clarify the plan, make it consistent, facilitate its implementation, or make technical corrections. [11 AAC 55.030]

**Multiple use.** Means the management of state land and its various resource values so that it is used in the combination that will best meet the present and future needs of the people of Alaska, making the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; it includes:

- a. the use of some land for less than all of the resources, and
- b. a combination of balanced and diverse resource uses that takes into account the short-term and long-term needs of present and future generations for renewable and nonrenewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific, and historic values. [AS 38.04.910]

**Native owned.** Land that is patented or will be patented to a Native corporation.

**Native selected.** Land selected from the federal government by a Native corporation but not yet patented.

**Navigable.** Used in its legal context, it refers to lakes and rivers that meet federal or state criteria for navigability. Under the Equal Footing Doctrine, the Alaska Statehood Act, and the Submerged Lands Act, the state owns land under navigable waterbodies.

**NRO.** Northern Regional Office of the Division of Mining, Land and Water, Alaska Department of Natural Resources.

**Ordinary high water mark.** The mark along the bank or shore up to which the presence and action of the nontidal water are so common and usual, and so long continued in all ordinary years, as to leave a natural line impressed on the bank or shore and indicated by erosion, shelving, changes in soil characteristics, destruction of terrestrial vegetation, or other distinctive physical characteristics [from 11 AAC 53.900(23)].

**Permanent use.** A use that is more than two years in duration requiring a state lease, easement, or right-of-way and may include a structure that is not readily removable.

**Permit.** A Department of Natural Resources authorization for use of state land according to terms set forth in 11 AAC 96.

**Personal use.** The harvest of fish and wildlife for personal consumption, including but not limited to subsistence and recreational harvest. Commercial harvest is not included.

**Plan Amendment.** A permanent change to the Area Plan, which occurs by adding to or modifying basic management intent or by changing its allowed or prohibited uses, policies, or guidelines.

**Plan Boundary.** The boundary of the area encompassed by the Upper Yukon Area Plan.

**Planning Area.** The area encompassed by the Upper Yukon Area Plan.

**Planning horizon.** The period of time during which most of the plan's designations and management policies are expected to be appropriate, given normal changes in economic, social and technological conditions. Generally, this period is considered to be twenty years or more.

**Policy.** An intended course of action or a principle for guiding actions; in this plan, DNR policies for land and resource management include goals, management intent statements, management guidelines, land use designations, implementation plans and procedures, and various other statements of DNR's intentions.

**Primary use.** See *Designated use*.

**Prohibited use.** A use not allowed in a management unit because of conflicts with the management intent, designated primary or secondary uses, or management guideline. Uses not specifically prohibited nor designated as primary or secondary uses in a management unit are allowed if compatible with the primary and secondary uses, the management intent statements for the unit, and the plan's guidelines. Changing a prohibited use to an allowable use requires a plan amendment.

**Public Trust Doctrine.** A doctrine that requires the state to manage tidelands, shorelands, and submerged lands for the benefit of the people so that they can engage in such things as commerce, navigation, fishing, hunting, swimming, and ecological study. (See also Chapter 3.)

**Public use.** Any human use of state land, including commercial and non-commercial uses.

**Recreation.** Any activity or structure for recreational purposes, including but not limited to hiking, camping, boating, anchorage, access points to hunting and fishing areas, and sightseeing. "Recreation" does not refer to subsistence or sport hunting and fishing.

**Retained Land.** Uplands, shorelands, tidelands, submerged lands, and water that are to remain in state ownership.

**Right-of-way.** The legal right to cross the land of another.

**Shall.** Same as "will." See *will*.

**Shoreland.** Land belonging to the state that is covered by navigable, nontidal water up to the ordinary high water mark as modified by accretion, erosion or reliction. (See definition of *Navigable*.) Shorelands are generally lake bottoms or the beds of navigable rivers and streams.

**Shoreline development.** Any water-dependent or water-related structure or facility that is permanent and/or used for private, public, commercial, or industrial purposes. "Shoreline Development" excludes log or other resource transfer facilities, log storage, floating A-frame logging, or camps and other resource development support facilities associated with forestry or mineral development.

**Should.** States intent for a course of action or a set of conditions to be achieved. Guidelines modified by the word "should" state the plan's intent and allow the manager to use discretion in deciding the specific means for best achieving the intent or whether particular circumstances justify deviations from the intended action or set of conditions. A guideline may include criteria for deciding if such a deviation is justified. (See Procedures for Plan Changes, Chapter 4.)

**Significant impact, significant effect, significant conflict, or significant loss** (adapted from the ACMP statutes, AS 46.40.210). A use, or an activity associated with that use, which proximately contributes to a material change or alteration in the natural or social characteristic of the land on which:

- a. the use, or activity associated with it, would have a net adverse effect on the quality of the resources;
- b. the use, or activity associated with it, would limit the range of alternative uses of the resources; or
- c. the use would, of itself, constitute a tolerable change or alteration of the resources but which, cumulatively, would have an adverse effect.

**Special Exception.** A modification to the Area Plan that does not change the provisions of the plan, but allows for a one-time, limited purpose variance of the plan's provisions.

**State lands.** All lands, including uplands, tidelands, submerged lands, and shorelands belonging to or acquired by the State of Alaska, excluding lands owned by the University of Alaska, the Mental Health Trust Authority, or by state agencies acquiring land through deed.

**State-owned land.** Land that is patented or will be patented to the state, including uplands, tidelands, shorelands, and submerged lands.

**State-selected land.** Federally owned land that is selected by the State of Alaska, but not yet patented.

**Subsistence.** From the Alaska National Interest Land Conservation Act (ANILCA) [PL 96-486, Sec. 803]. The customary and traditional uses by rural Alaska residents of wild, renewable resources for direct personal or family consumption as food, shelter, fuel, clothing, tools, or transportation; for the making and selling of handicraft articles out of non-edible byproducts of fish and wildlife resources taken for personal or family consumption; for barter or sharing of personal or family consumption; and for customary trade.

**Suitable.** Land that is physically capable of supporting a particular type of resource development.

**Temporary use.** A use that is one year or less in duration requiring a state permit. Any structure associated with the use must be readily removable.

**Unsuitable.** Land that is physically incapable of supporting a particular type of resource development (usually because that resource doesn't exist in that location).

**Uplands.** Lands above mean high water (See Figure 1-1, Chapter 1.)

**Viewshed.** Viewsheds are surfaces visible from a viewpoint on a road corridor or from marine waters. Viewsheds may be determined in the field by marking them on U.S. Geologic Service topographic quadrangles.

**Water-dependent.** From 6 AAC 80.900(17): "water-dependent" means a use or activity which can be carried out only on, in, or adjacent to water areas because the use requires access to the water body.

**Water-related.** From 6 AAC 80.900(18): "water-related" means a use or activity which is not directly dependent upon access to a water body, but which provides goods or services that are directly associated with water-dependence and which, if not located adjacent to water, would result in a public loss of quality in the goods or services offered.

**Wetlands.** Includes both freshwater and saltwater wetlands. "Freshwater wetlands" means those environments characterized by rooted vegetation which is partially submerged either continuously or periodically by surface freshwater with less than .5 parts per thousand salt content and not exceeding three meters in depth. "Saltwater wetlands" means those coastal areas along sheltered shorelines characterized by salt tolerant, marshy plants and large algae extending from extreme low tide which is influenced by sea spray or tidally induced water table changes.

**USFWS.** United States Fish and Wildlife Service.

**Will.** Requires a course of action or a set of conditions to be achieved. A guideline modified by the word "will" must be followed by land managers and users. If such a guideline is not complied with, a written decision justifying the noncompliance is required.

# APPENDIX B

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

**MINERAL LEASEHOLD LOCATION ORDER NO. 28**

**1.0 ORDER RESTRICTING TO LEASEHOLD LOCATION**

After the effective date of this order (see paragraph 5), and unless otherwise closed to mineral entry, rights to locatable minerals in the land covered by this order may be acquired only under the leasehold location system, AS 38.05.205, and may not be acquired by locating a mining claim under AS 38.05.195.

**2.0 LAND SUBJECT TO THE TERMS OF THIS ORDER IS DESCRIBED AS FOLLOWS:**

<u>Legal Description</u>	<u>Acreage</u>
See attached map and Attachment 1	approximately 3,840

**3.0 AUTHORITY FOR THE ORDER**

This order is issued under the authority granted by AS 38.05.185.

**4.0 FINDINGS AND DETERMINATIONS**

The following findings and determinations are made:

The land described in paragraph 2.0 is found and determined to be subject to potential use conflicts which require that mining be allowed only under written leases issued under AS 38.05.205. These potential use conflicts include, but are not limited to, the following:

These lands encompass 8 mineral licks which are heavily used by caribou, Dall's sheep, and moose . Although the specific biological function of mineral licks for wildlife is not known for each site, their intensive and regular use suggests an important role. Areas adjacent to the

mineral licks support resting areas and heavily used converging trails. Mineral licks can also be an indicator of mineral value.

Because of the potential mineralized nature of these areas, mining may be an important use of these lands. Leasehold location is an appropriate measure to allow mineral development to occur with minimal impacts to the licks.

Mineral licks near Merry Christmas, Joseph, and Pittsburgh creeks are used annually by a high proportion of the Fortymile caribou herd during May. Access to these licks is of particular importance to pregnant cows. They are used by a high proportion of the Fortymile caribou herd during May. Leasehold location areas larger than the actual mineral licks have been established for these licks because of the intensity of annual use that they receive from large numbers of caribou, and because of the well defined traditional access routes used by caribou to access the licks.

The Utah Creek mineral lick is used primarily by a small, disjunct Dall's sheep population on Glacier Mountain. On a daily basis, up to 30% of that sheep population will use the lick during mid-May through June. Because such a high percentage of the sheep in this isolated population use this lick during this time, a leasehold location area larger than the actual lick has been established to protect the well defined traditional access routes. Furthermore, it appears that geographical barriers are minimizing colonization of other suitable habitat by this sheep population, causing the population to be more vulnerable to human activity.

The mineral licks within the areas identified for Walker Fork and Logging Cabin Creek are important to moose. These leasehold location areas are smaller in size because the mineral licks are less defined and their use is not as intense as the other licks.

The following stipulations are to be applied in the approval of Plans of Operations for all areas of leasehold location under this order within the planning area:

1. Mining activity must avoid direct impacts to the mineral licks and the routes that animals use to access them, or mitigate adverse impacts to these resources. If a game trail or mineral lick is affected, mitigation alternatives may include a variety of measures to address lick accessibility.
2. In addition to protection of the routes themselves, activities that may divert animals from the routes or otherwise affect usage patterns shall be avoided or mitigated.

The following stipulation is to be applied in the approval of Plans of Operations for the areas of leasehold location for the Merry Christmas, Joseph, and Pittsburgh Creek mineral licks under this order:

1. Development will minimize or avoid disturbance to the animals during May.

The following stipulation is to be applied in the approval of Plans of Operations for the areas of leasehold location for the Utah Creek mineral lick under this order:

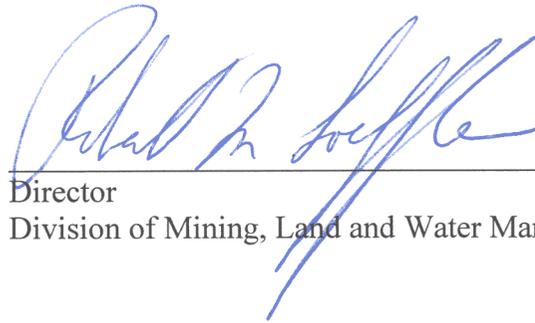
1. Development will minimize or avoid disturbance to the animals during May and June.

**5.0 EFFECTIVE DATE**

This order is effective as of:

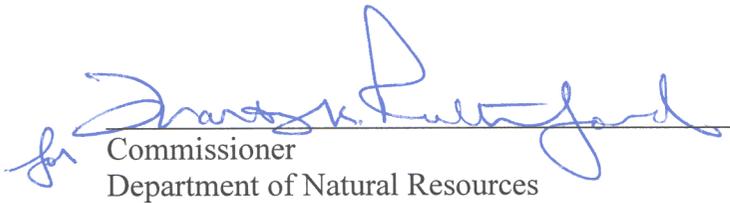
[ ] \_\_\_\_\_(thirty days after the first public notice of this action.)

[x] The following (later) date: March 14, 2003

  
\_\_\_\_\_  
Director  
Division of Mining, Land and Water Management

Dated: 2/3/03

Approved and ratified by:

  
\_\_\_\_\_  
Commissioner  
Department of Natural Resources

Dated: 2/3/03

**ATTACHMENT 1**  
**LEGAL DESCRIPTION OF LANDS SUBJECT TO LEASEHOLD LOCATION**  
**FOR MINERAL LEASEHOLD LOCATION ORDER NO. 28**

Joseph Creek

T5S R22E, F.M.  
Section 24 E1/2, E1/2W1/2, SW1/4SW1/4  
Section 25 NE1/4, E1/2NW1/4, NW1/4NW1/4

T5S R23E, F.M.  
Section 19

Pittsburgh Creek

T5S R24E, F.M.  
Section 12 SE1/4, E1/2SW1/4, SE1/4NW1/4, S1/2NE1/4  
Section 13 N1/2NE1/4, NE1/4NW1/4

T5S R25E, F.M.  
Section 7 W1/2SW1/4, SW1/4NW1/4  
Section 18 NW1/4NW1/4

Merry Christmas Creek

T3S R26E, F.M.  
Section 16 S1/2SW1/4  
Section 17 S1/2SE1/4  
Section 20 NE1/4, N1/2SE1/4  
Section 21 NW1/4, N1/2SW1/4

Utah Creek

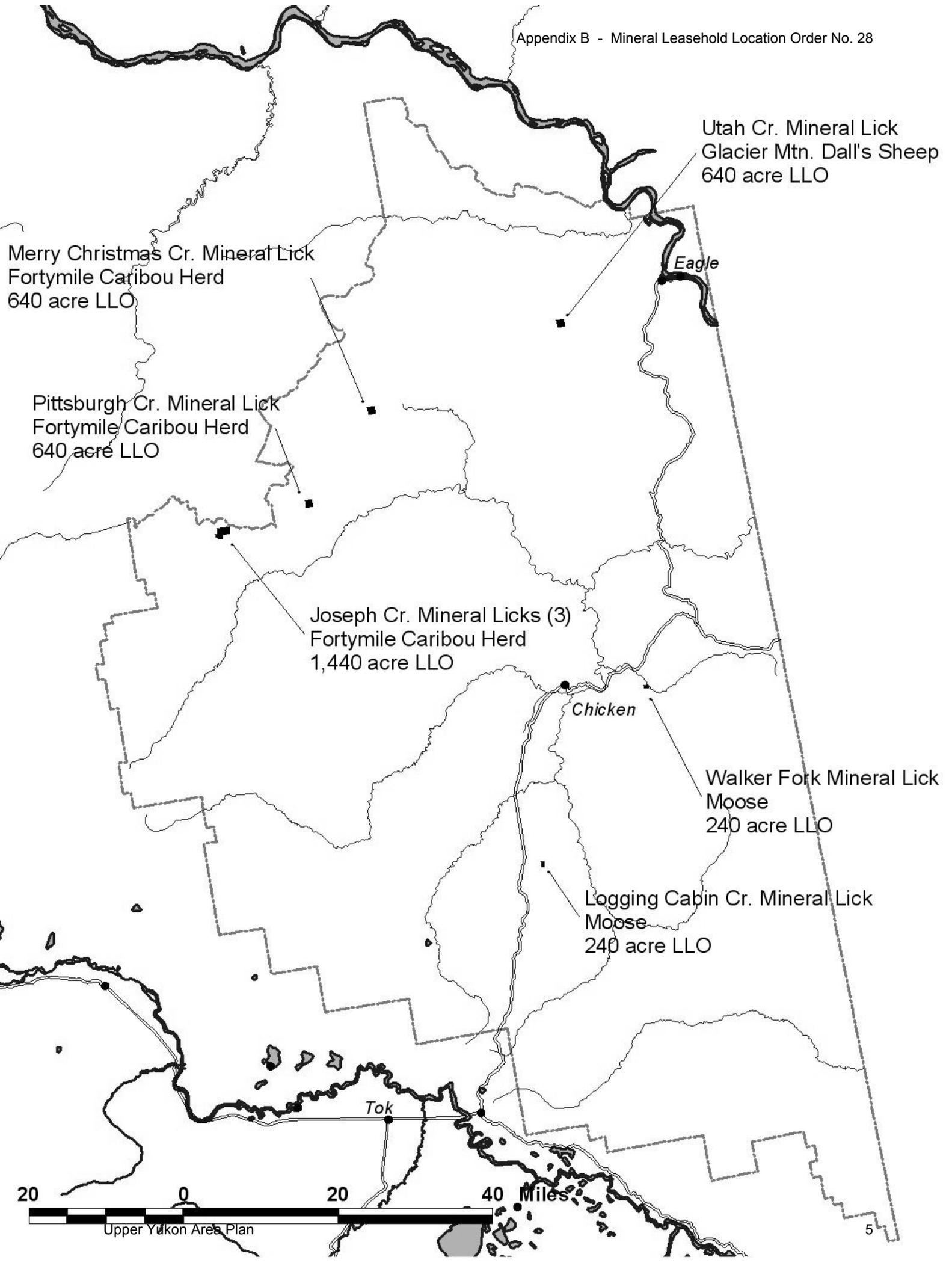
T2S R30E, F.M.  
Section 14 W1/2, W1/2E1/2  
Section 15 E1/2E1/2

Walker Fork

T26N R19E, C.M.  
Section 12 SW1/4, W1/2SE1/4

Logging Cabin Creek

T23N R17E, C.M.  
Section 20 SW1/4  
Section 29 N1/2NW1/4



Utah Cr. Mineral Lick  
Glacier Mtn. Dall's Sheep  
640 acre LLO

*Eagle*

Merry Christmas Cr. Mineral Lick  
Fortymile Caribou Herd  
640 acre LLO

Pittsburgh Cr. Mineral Lick  
Fortymile Caribou Herd  
640 acre LLO

Joseph Cr. Mineral Licks (3)  
Fortymile Caribou Herd  
1,440 acre LLO

*Chicken*

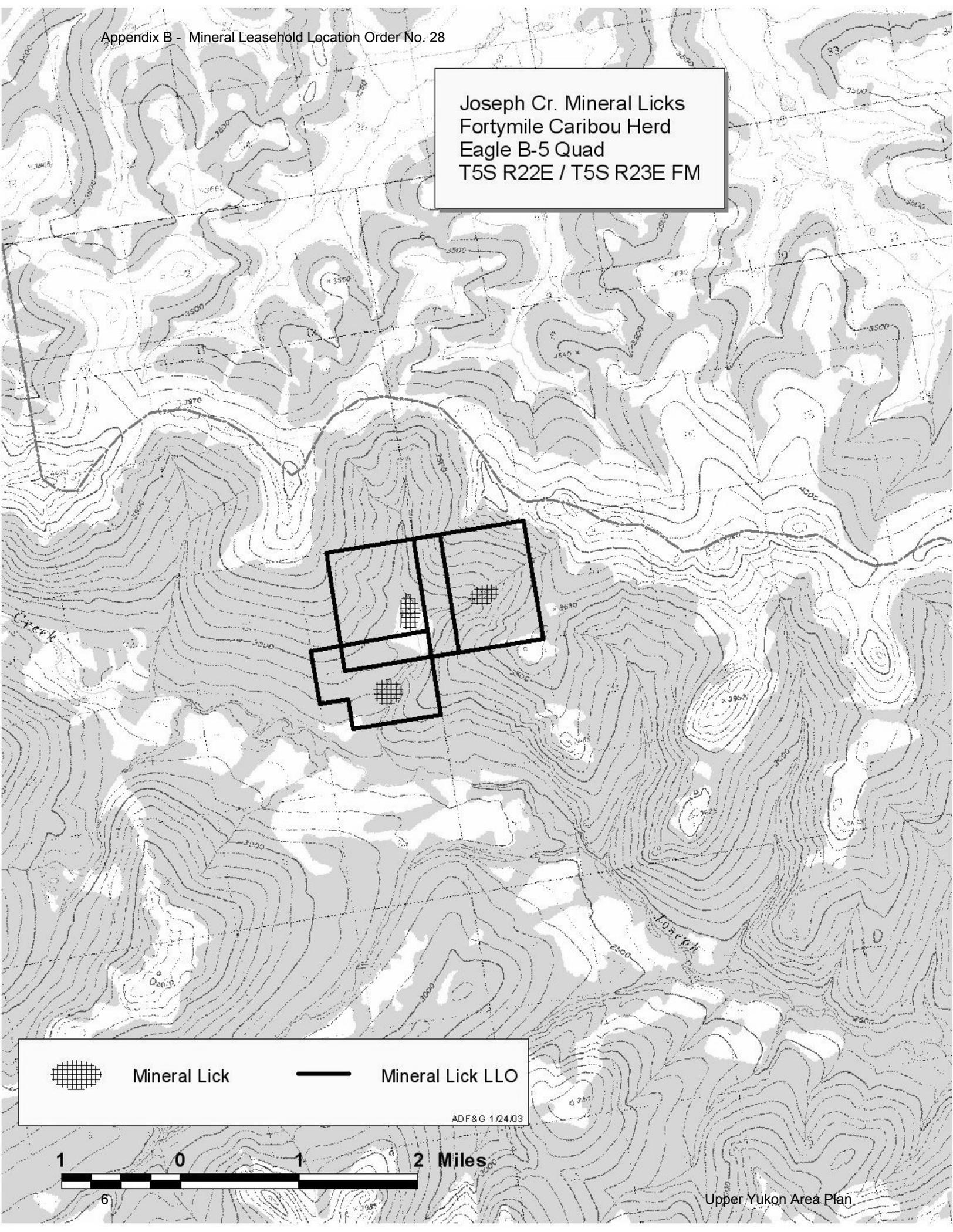
Walker Fork Mineral Lick  
Moose  
240 acre LLO

Logging Cabin Cr. Mineral Lick  
Moose  
240 acre LLO

*Tok*

20 0 20 40 Miles

Joseph Cr. Mineral Licks  
Fortymile Caribou Herd  
Eagle B-5 Quad  
T5S R22E / T5S R23E FM



Mineral Lick

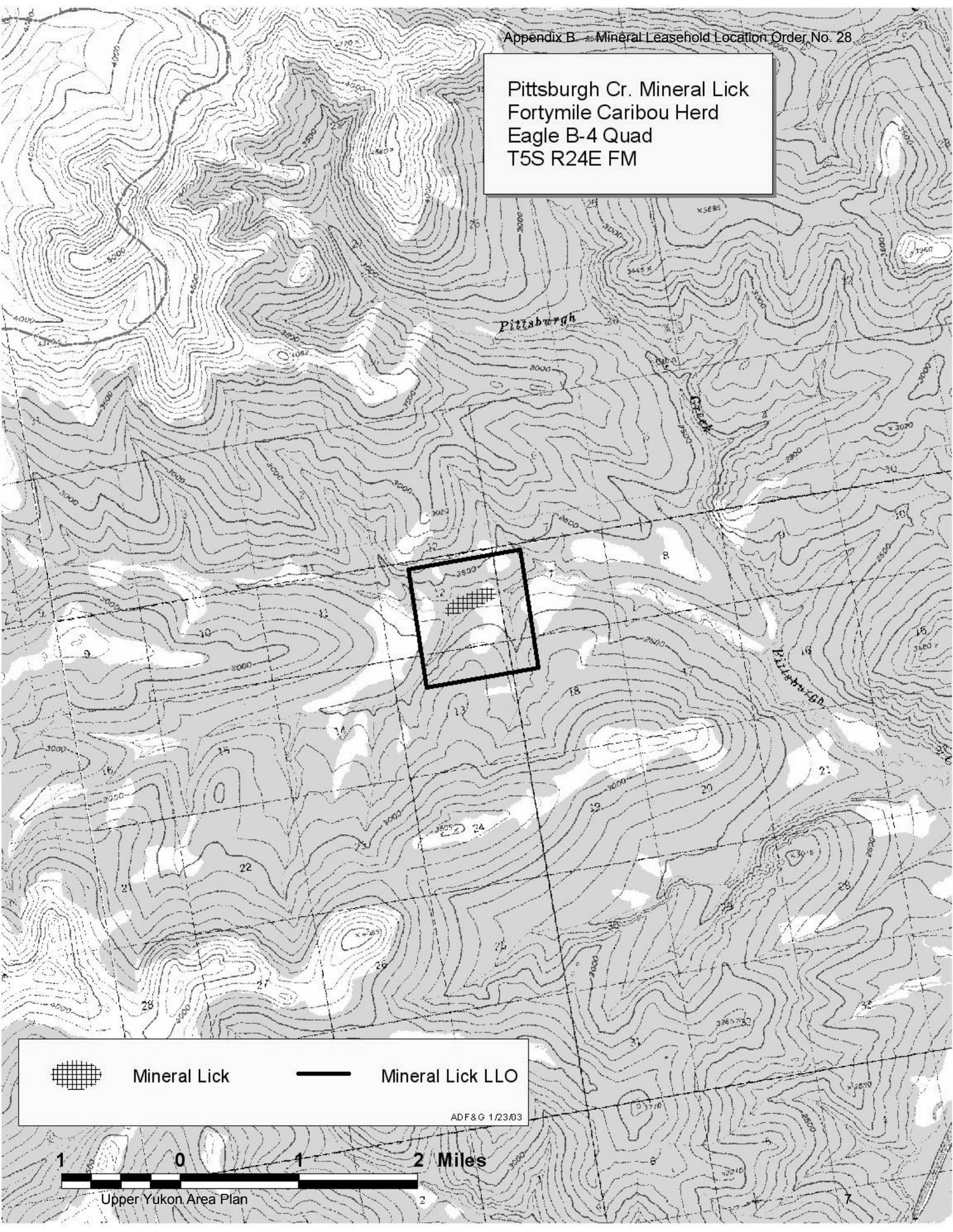


Mineral Lick LLO

ADF&G 1/24/03



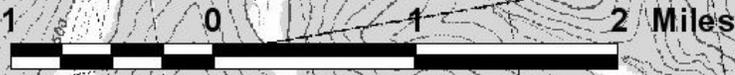
Pittsburgh Cr. Mineral Lick  
Fortymile Caribou Herd  
Eagle B-4 Quad  
T5S R24E FM



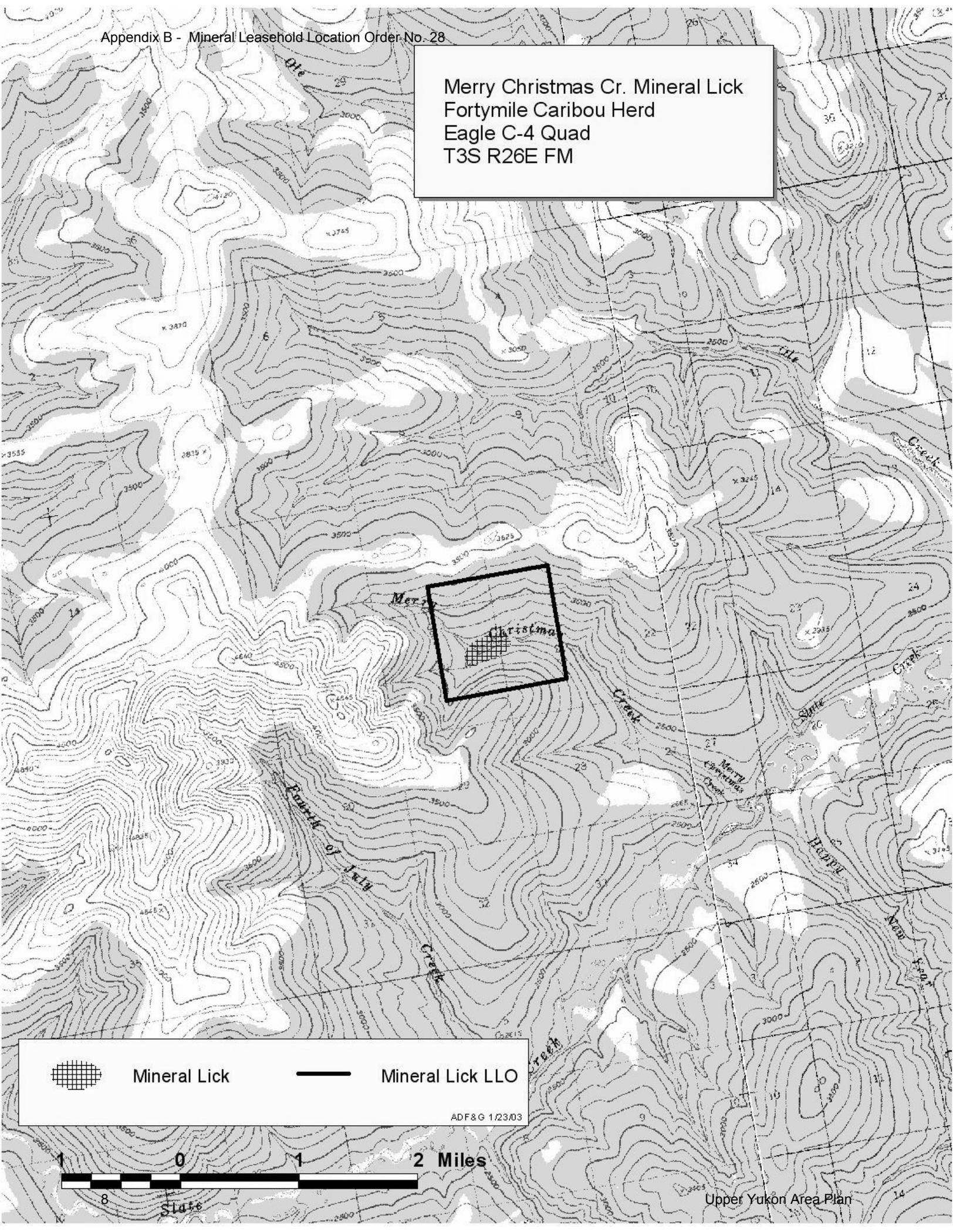
Mineral Lick

Mineral Lick LLO

ADF&G 1/23/03



Merry Christmas Cr. Mineral Lick  
Fortymile Caribou Herd  
Eagle C-4 Quad  
T3S R26E FM

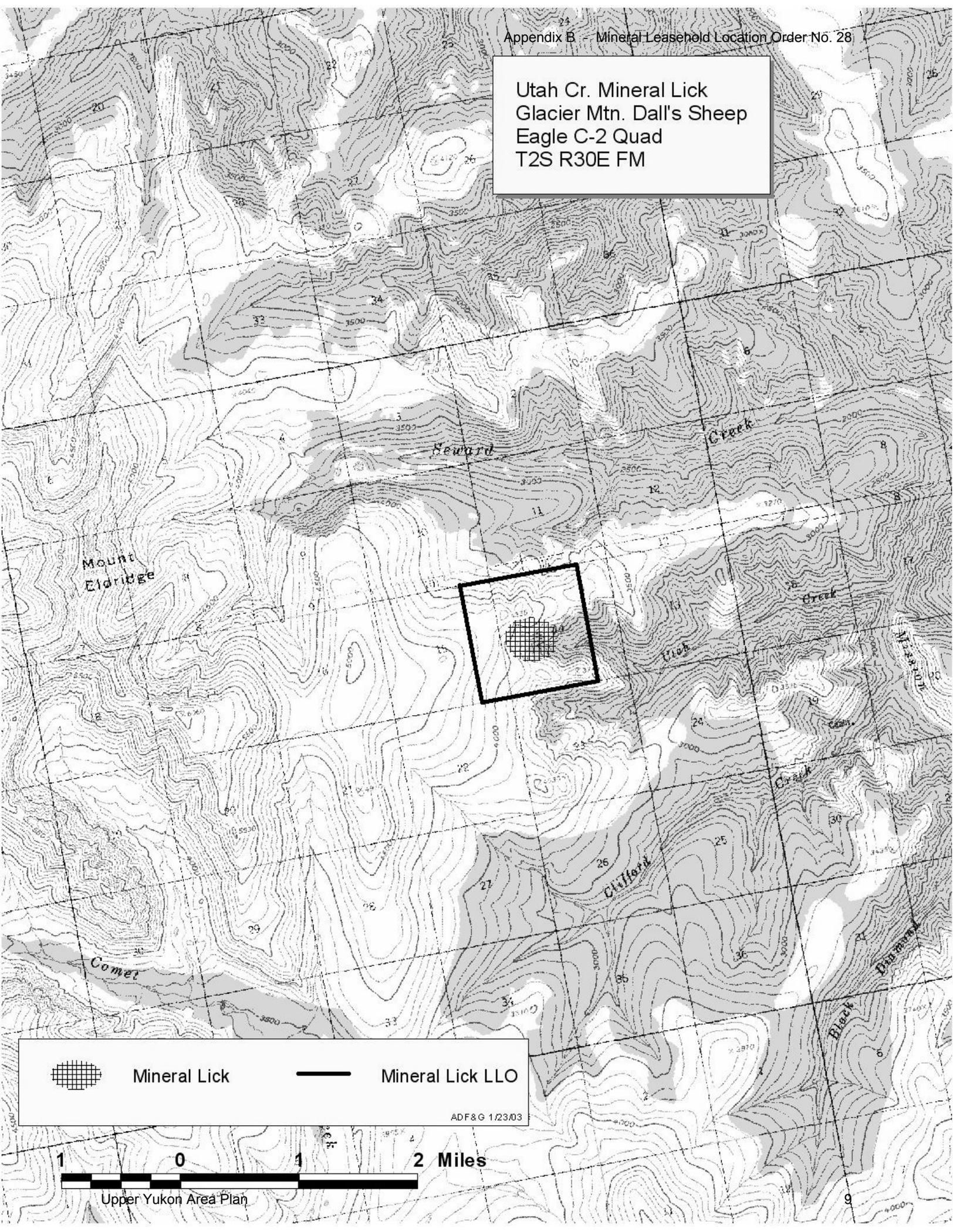


 Mineral Lick       Mineral Lick LLO

ADF&G 1/23/03



Utah Cr. Mineral Lick  
Glacier Mtn. Dall's Sheep  
Eagle C-2 Quad  
T2S R30E FM



Mineral Lick



Mineral Lick LLO

ADF&G 1/23/03



Walker Fork Mineral Lick  
Moose  
Eagle A-2 Quad  
T26N R19E CRM



Mineral Lick

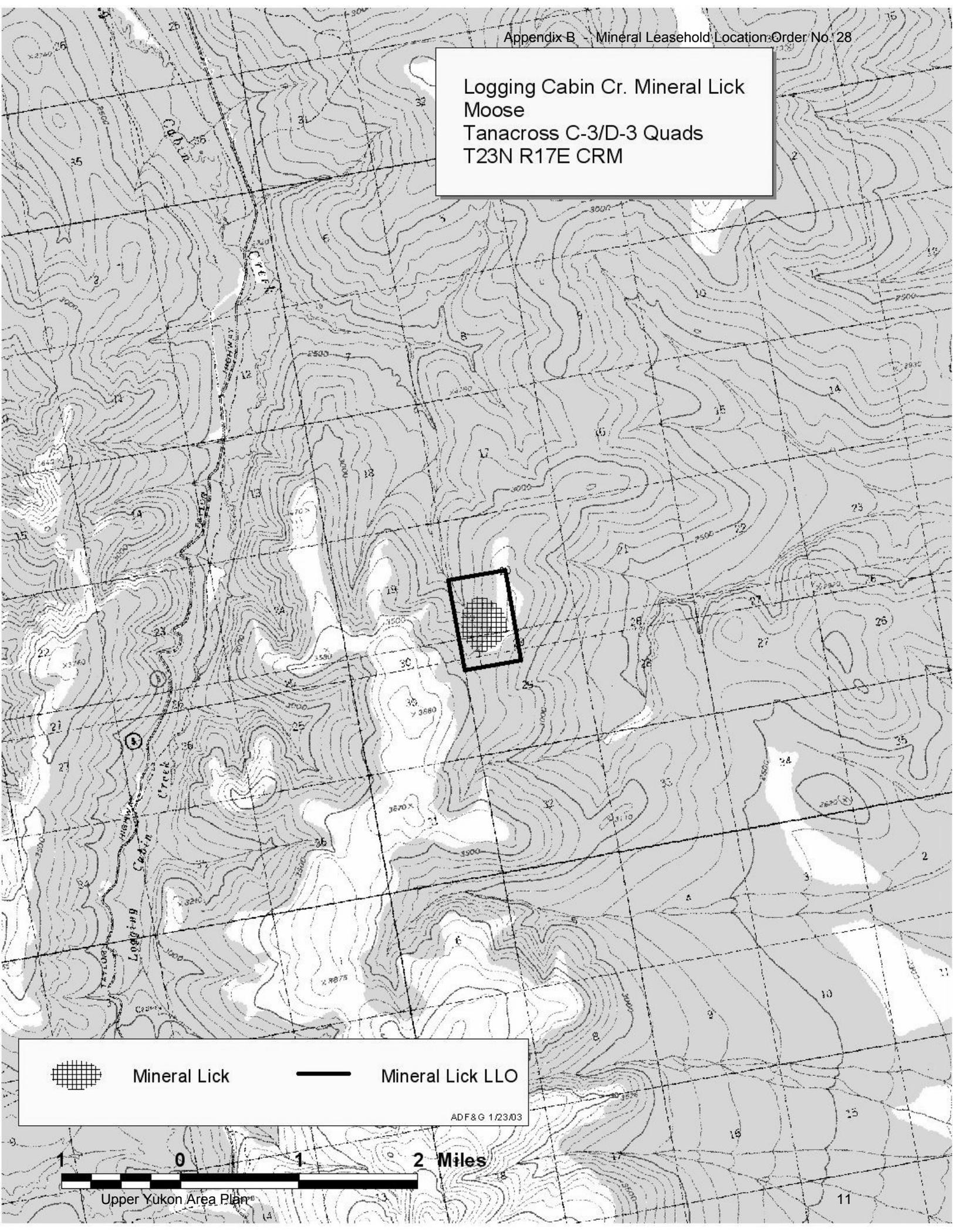


Mineral Lick LLO

ADF&G 1/23/03



Logging Cabin Cr. Mineral Lick  
Moose  
Tanacross C-3/D-3 Quads  
T23N R17E CRM



 Mineral Lick       Mineral Lick LLO

ADF&G 1/23/03





# APPENDIX C

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

**MINERAL LEASEHOLD LOCATION ORDER NO. 29**

## **1.0 ORDER RESTRICTING TO LEASHOLD LOCATION**

After the effective date of this order (see paragraph 5), and unless otherwise closed to mineral entry, rights to locatable minerals in the land covered by this order may be acquired only under the leasehold location system, AS 38.05.205, and may not be acquired by locating a mining claim under AS 38.05.195.

## **2.0 LAND SUBJECT TO THE TERMS OF THIS ORDER IS DESCRIBED AS FOLLOWS:**

<u>Legal Description</u>	<u>Acreage</u>
See attached map and Attachment 1	approximately 820

## **3.0 AUTHORITY FOR THE ORDER**

This order is issued under the authority granted by AS 38.05.185.

## **4.0 FINDINGS AND DETERMINATIONS**

The following findings and determinations are made:

The land described in paragraph 2.0 is found and determined to be subject to potential use conflicts which require that mining be allowed only under written leases issued under AS 38.05.205. These potential use conflicts include, but are not limited to, the following:

These lands are proposed for designation as Settlement (Se) by the Upper Yukon Area Plan, to make land available for private ownership near the communities of Chicken and Boundary. Because of the potential mineralized nature of these areas, mining may be an important use of these lands. Mining activity within these lands must avoid direct

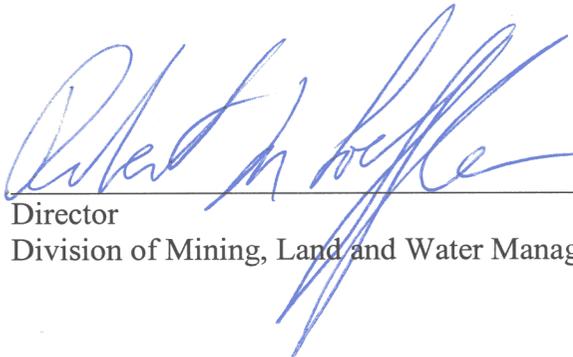
impacts on settlement, and mitigate other negative impacts. Leasehold location is an appropriate measure to allow mineral development to occur with minimal impacts to settlement.

**5.0 EFFECTIVE DATE**

This order is effective as of:

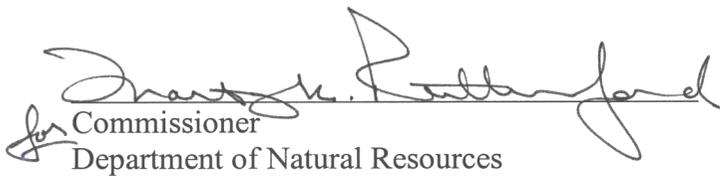
[ ] \_\_\_\_\_ (thirty days after the first public notice of this action.)

[x] The following (later) date: March 14, 2003

  
\_\_\_\_\_  
Director  
Division of Mining, Land and Water Management

Dated: 2/3/03

Approved and ratified by:

  
\_\_\_\_\_  
Commissioner  
Department of Natural Resources

Dated: 2/3/03

**ATTACHMENT 1  
LANDS SUBJECT TO LEASEHOLD LOCATION  
FOR MINERAL LEASEHOLD LOCATION ORDER NO. 29**

The following management units identified in the Upper Yukon Area Plan:

<u>Unit</u>	<u>Acres</u>
B - 05	1
B - 09	3
B - 10	40
C - 01	60
C - 04	240
C - 07	62
C - 08	414
	-----
Total	approximately 820

See maps in the 2003 Upper Yukon Area Plan.



# APPENDIX D

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

**LAND CLASSIFICATION ORDER NO. NR-02-001**

- I. Name: **Upper Yukon Area Plan**
- II. The classifications in Part III are based on written justification contained in one of the following plans:

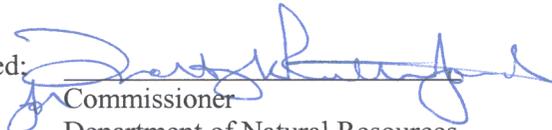
Area Plan: **Upper Yukon Area Plan**  
 Adopted (x)    Revised ( )    Dated \_\_\_\_\_

Management Plan:  
 Adopted ( )    Revised ( )    Dated \_\_\_\_\_

Site Specific Plan:  
 Adopted ( )    Revised ( )    Dated \_\_\_\_\_

III. Legal Description	Acres	Acquisition Authority	Existing Classification	Classification by this action
See maps, Upper Yukon Area Plan	4,235,000		None	Upper Yukon Area Plan

IV. This order is issued under the authority granted by AS 38.04.065 and AS 38.05.300 to the Commissioner of the Department of Natural Resources. 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.

Classified:  Commissioner  
 Department of Natural Resources

2/3/03  
 Date



# APPENDIX E

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