

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

**FINDING OF THE COMMISSIONER**

AS 38.05.185 (a) and AS 38.05.300

for

**MINERAL ORDER (CLOSING) NO. 1148**

related to the

East Fork Pass Remote Recreational Cabin Sites - ADL 419351

Pursuant to AS 38.05.185 and AS 38.05.300, the Department of Natural Resources proposes to close to mineral entry approximately 16,400 acres of State land within the East Fork Pass Remote Recreational Cabin Sites project area, – which is located within Unit W-05 of the *Northwest Area Plan, Adopted 2008*.

In accordance with this plan, DNR proposes to close the entire project area to mineral entry. Mining activity on the project area would be incompatible with proposed residential and recreational uses, situated on the Land Estate. The attached mineral order identifies the area that must be closed to mineral entry and gives a legal description. This action is described in the Preliminary Decision (ADL 419351, East Fork Pass Remote Recreational Cabin Sites), and in the Final Finding and Decision, which accompanies this action. This action is recognized as appropriate in the 2008 Northwest Area Plan.

Public notice of the proposed mineral order was conducted in accordance with AS 38.05.945. The Department did not receive objections or comments regarding the proposed mineral order from the public or agencies during the response period.

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. 1148 and that this action is consistent with the requirements of AS 38.05.185 and AS 38.05.300. The amount of land closed in the order is approximately 16,400 acres.

/s/

Approved by: Joseph R. Balash  
Commissioner  
Department of Natural Resources  
State of Alaska

July 31, 2014

Date

**Finding of the Commissioner - Mineral Order (Closing) No. 1148**

East Fork Pass Remote Recreational Cabin Sites – 419351

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**Reconsideration Provision**

A person affected by this decision who provided timely written comment or public hearing testimony on this 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. 7<sup>th</sup> Avenue, Ste. 1400, Anchorage, Alaska 99501; faxed to 1-907-269-8918; or sent by electronic mail to [dnr.appeals@alaska.gov](mailto:dnr.appeals@alaska.gov). If reconsideration is not requested by that date or if the commissioner does not order reconsideration on his own motion, this decision goes into effect as a final order and decision on the 31<sup>st</sup> calendar day after issuance. Failure of the commissioner to act on a request for reconsideration within 31 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**

**MINERAL ORDER No. 1148**

  X   **Closing Lands to Mineral Entry**                      \_\_\_\_\_ Opening Lands to Mineral Entry

- I. Name of Mineral Order: East Fork Pass Remote Recreational Cabin Sites – ADL 419351
  
- II. Reason for Mineral Order: This Mineral Order is based upon the attached *Finding of the Commissioner* and the written justification contained in the following:
  - Northwest Area Plan, adopted 2008,
  - Preliminary Decision, East Fork Pass Remote Recreational Cabin Sites – ADL 419351, February 11, 2014 and the subsequent Final Finding and Decision for same Land Sale pursuant to AS 38.05.035(e)
  
- III. Authority: AS 38.05.185 and AS 38.05.300.
  
- IV. Location and Legal Description: Sections 1-5, 8-15, 21-29, and 34-36 of Township 9 South, Range 27 West, Kateel Meridian, excluding USS 9782.
  
- 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 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.

  /s/    
Concurrence by: Brent Goodrum  
Director  
Division of Mining, Land, and Water  
Department of Natural Resources  
State of Alaska

  May 22, 2014    
Date

  /s/    
Approved by: Joseph R. Balash  
Commissioner  
Department of Natural Resources  
State of Alaska

  July 31, 2014    
Date