

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

KENAI AREA PLAN AMENDMENT

Region 7, Management Unit 237,

related to the
Old Sterling Hwy Subdivision – ADL 232300

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 10 acres of Unit 237 removed from Unit 237 and merged into Unit 226 with a designation of Settlement
- Management Intent: Same as Unit 226, Settlement

/s/

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

15 JAN 2018

Date

/s/

Approved by: Andrew T. Mack
Commissioner
Department of Natural Resources
State of Alaska

April 3, 2018

Date

ATTACHMENT

to the KENAI AREA PLAN AMENDMENT

Region 7, Management Unit 237

related to the Proposed Old Sterling Hwy Subdivision – ADL 232300

Location: NW1/4SE1/4NE1/4 Section 24, Township 5 South, Range 15 West, Seward Meridian, approximately 6 miles south of Anchor Point, Alaska

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: Resource Management – High Value; covers 5,308 acres

Proposed Plan Amendment: remove approximately 10 acres from Unit 237 and add to Unit 226 with a designation of Settlement;

Explanation: The Kenai Area Plan was adopted in 2000 and has not been updated since. There is a demand from the public to obtain Settlement-classified land in the area. The parcels are appropriate for offering as provided in the Preliminary Decision dated August 31, 2017.

Assessment: The following alternatives are being considered:

1. (Preferred) Amend the Kenai Area Plan as described above to change the designation to Settlement. Amending the plan is the preferred alternative as it will allow the sale of settlement-classified land, providing the public an opportunity to obtain property in a desirable area.
2. (Status Quo) Do not amend the Kenai Area Plan. This alternative is not preferred as it would disallow the offering of settlement-classified land and deny Alaskans the opportunity to obtain land in this area.

Requirements of AS 38.04.065 (b): The factors identified in this section of statute have been considered in the Preliminary Decision for the proposed Old Sterling Hwy Subdivision – ADL 232300 issued on August 31, 2017 and the proposed action is consistent with that portion of the statute.

Attachment to the Kenai Area Plan Amendment

Region 7, Management Unit 237

related to a Proposed Land Offering in the Kenai Peninsula Borough
for Old Sterling Hwy Subdivision – ADL 232300

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Reconsideration Provision

A person affected by this decision who provided timely written comment 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: Commissioner, Department of Natural Resources, 550 W. 7th Ave., Ste. 1400, Anchorage, Alaska 99501; faxed to 907.269.8918; or sent by electronic mail to 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 31st day after issuance. Failure of the commissioner to act on a request for reconsideration within 30 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.