

**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 NO. 1188 (CLOSING)**

related to the

**Old Sterling Hwy Subdivision – ADL 232300**

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 Old Sterling Hwy Subdivision project area (ADL 232300). As noted in the Preliminary Decision – Proposed Land Offering, Old Sterling Hwy Subdivision – ADL 232300, issued August 31, 2017, the project area is within unit 226 (Settlement Lands) of the *Kenai Area Plan*. In accordance with the relevant area plan, DMLW proposes to close the entire project area to mineral entry. The attached mineral order identifies the area that must be closed to mineral entry and gives a legal description.

The Division of Mining, Land, and Water requests the mineral estate of approximately 15 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. 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. 1188.

/s/

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

April 3, 2018

\_\_\_\_\_  
Date

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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. 7<sup>th</sup> Ave., Ste. 1400, Anchorage, Alaska 99501; faxed to 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 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.