

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

PRELIMINARY DECISION
PROPOSED CONVEYANCE OF STATE LAND UNDER AS 29.65.010

NORTH SLOPE BOROUGH
MUNICIPAL LAND ENTITLEMENT SELECTION
ADL 422835

PUBLIC COMMENT PERIOD ENDS 4:30 PM, FRIDAY, NOVEMBER 30, 2026

Executive Summary: The State of Alaska (State), Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), Land Conveyance Section (LCS) proposes to convey approximately 320 acres of State-owned land in the North Slope Borough near the Siksikpuk River to the North Slope Borough (NSB) through a municipal entitlement conveyance under AS 29.65. The proposed action partially fulfills NSB's municipal land entitlement and will be subject to existing authorizations, valid third-party interests, reservation of the mineral estate, and public access easements. With due consideration given to the cumulative impacts, DNR finds that the disposal to NSB is in the public interest and in the best interests of the State. The parcel is within Section 2, Township 11 South, Range 1 West, Umiat Meridian.

I. PROPOSED ACTION

Preliminary Decision: North Slope Borough Municipal Land Entitlement Selection – ADL 422835
Attachment A: Upper Siksikpuk River
Attachment B: Public Notice

Primary Proposed Action: DNR, DMLW, LCS proposes to convey lands selected by NSB in partial fulfillment of their general grant land entitlement under AS 29.65.010 Determination of entitlement of boroughs and unified municipalities. See *Attachment A: Upper Siksikpuk River* for the depiction of the project area.

NSB has selected a parcel contained in the Brooks Foothills Region as identified in the North Slope Area Plan¹ (NSAP). In this decision, LCS will adjudicate approximately 320 acres.

LCS proposes to convey approximately 320 acres of state-owned vacant, unappropriated, unreserved² (VUU) general grant land. DNR has determined that no overriding state interests merit retaining this selection in state ownership.

Public Notice of Proposal: In accordance with AS 38.05.945 Notice, during a period of at least 30 consecutive days, the public is invited to submit written comments on this Preliminary Decision (PD).

See **Section VII. Submittal of Public Comments** at the end of this document and *Attachment B: Public Notice* for details on how to submit a comment for consideration. If LCS moves forward with the proposal after considering timely, written comments, LCS will issue a Final Finding and Decision (FFD).

¹ The North Slope Area Plan (NSAP) adopted March 2021 determines the management intent, land-use designations, and management guidelines that apply to all state lands in the applicable planning area. This plan forms the basis for the land use classifications that constitute vacant, unappropriated, unreserved land for purposes of determining the eligibility of state land for potential conveyance to a municipality under AS 29.65 General Grant Land.

² Vacant, unappropriated, unreserved (VUU) land is general grant land patented or tentatively approved to the State from the United States, excluding minerals as required by 8(i) of the Alaska Statehood Act, and is conveyable under the Municipal Entitlement Act (AS 29.65).

II. AUTHORITY

The proposed actions in this PD are authorized pursuant to Alaska Statute (AS) and Alaska Administrative Code (AAC), particularly AS 29.65 General Grant Land, AS 38.05.035(e) Power and duties of the director, AS 38.05.125 Reservations, AS 38.05.127 Access to navigable or public water, AS 19.10.010 Dedication of land for public highways, and 11 AAC 51 Public Easements.

III. ADMINISTRATIVE RECORD

The administrative record for this proposed action consists of case file Alaska Division of Lands (ADL) 422835. Also incorporated by reference are:

- North Slope Area Plan (NSAP, adopted March 2021) and associated land classification files;
- Alaska Department of Fish and Game (ADF&G) Alaska Anadromous Waters Catalog & Atlas to the Catalog (2026);
- Alaska Department of Environmental Conservation (DEC) Contaminated Sites Database; and
- DNR case files: GS 4938.

IV. SCOPE OF DECISION

The scope of this proposal, under the statutes described in the preceding **Section II. Authority** is limited and specific to determine whether it is appropriate to convey the subject parcel to NSB. This decision includes a review of third-party interests, stipulations necessary to effectuate this decision, and an evaluation of whether the public interest in retaining state ownership of the land outweighs NSB's interest in obtaining the selected land as provided in AS 29.65.050 Fulfillment of land entitlement. In this decision, LCS will also determine whether NSB's municipal entitlement land selection meets the requirements under AS 29.65.070(c) Selection and conveyance procedure and whether it is appropriate to allow NSB to exercise immediate management authority for conditional sales and leases on land approved for conveyance.

V. DESCRIPTION

A. Location and Geographical Features

NSB was incorporated as a Home Rule Borough in 1974. The area is characterized by treeless undulating hills north of the Brooks Range blending into vast tundra plains. Numerous ponds, lakes, and marsh areas dot the landscape. Vegetation consists of wet meadows, tussock tundra and shrubs.

The selected parcel is at the confluences of Siksikpuk River, Confusion Creek and Tiglukpuk Creek, approximately 18.5 miles west of the Hickel Highway (RST 450), approximately 65 miles west of Galbraith Lake and Camp and the Dalton Highway, and approximately 145 miles southwest of Deadhorse.

<i>Borough/Municipality:</i>	North Slope Borough
<i>Meridian:</i>	Umiat Meridian (U)
<i>Regional Corporation:</i>	Arctic Slope Regional Corporation
<i>Federally Recognized Tribe:</i>	None
<i>Village Corporation:</i>	None
<i>USGS Map Coverage:</i>	Chandler Lake Quadrangle (1:250,000) Chandler Lake C-4 (1:63,360)

B. Legal Description, Land Status, and Third-Party Interests

Table 1 below identifies the NSB land selection adjudicated in this decision by location name, Meridian (M), Township (T), Range (R), Section (S), and includes state case file, title status, date, and any third-party interest affecting those state-owned. The State holds fee title to the land and mineral estates through Patent (PA) received from the U.S. Department of Interior, Bureau of Land Management (BLM). The State will only convey the land estate on lands

approved for conveyance to NSB. AS 38.05.125 Reservations requires the State to retain the mineral estate. Pursuant to AS 29.65.070(b) Selection and conveyance procedure, the State may not issue patent to a municipality until the land has been first patented to the State. Information from the State's Land Administration System database (LAS) indicates the State of Alaska received title to the land and mineral estate under Patent 50-97-0296 on August 18, 1997 (*Table 1*). A title report has been requested; if any concerns are discovered, they will be addressed in the FFD.

Table 1

Map Name	MTRS	State Case File	Title/Date	Third-Party Interests
Upper Siksikpuk River	U011S001W02	GS 4938	PA 50-97-0296 08/18/1997	None

There are no third-party interests within the selected parcel, however, there is an Oil & Gas Lease Sale Tract that covers the area, FH1228. No established leases for exploration or geothermal licensing are present.

VI. PRELIMINARY DECISION

A. Background

In 1972, NSB was certified as an incorporated home rule borough and was granted 89,850 acres of municipal entitlement under AS 29.65.010 Determination of entitlement of boroughs and unified municipalities. To date approximately 25,317 acres have been patented or approved for conveyance to NSB and approximately 64,533 acres remain in their entitlement, of which approximately 16,335 acres have been selected.

The NSAP was adopted in March 2021, and NSB resumed submitting their selections under AS 29.65.050(d) Fulfillment of land entitlements. The NSAP supersedes any previous classifications and reclassifies all state lands within the planning area.

This decision covers 320 acres, more or less, at the confluences of Siksikpuk River, Confusion Creek and Tiglukpuk Creek. NSB submitted the application for the parcel in July 2026.

B. Planning, Classification, and Mineral Orders

1. Planning

The NSAP is the controlling land management planning authority. The land selection falls within the Brooks Foothills Region within the NSAP. The NSAP describes the management intent and area plan designation for each unit. These plan designations convert to land use classifications, establishing what land the State may convey under the Municipal Entitlement Act (AS 29.65 General Grant Land). Accordingly, the NSAP governs the management intent and classifications for the land selection.

2. Land Use Classification

This land selection falls within Unit B-14 of the Brooks Foothills Region of the NSAP. The assigned designation is Resource Management (Rm) which converts to the classification of Resource Management Land (RMG). This is a conveyable classification for AS 29.65 General Grant Land adjudication.

The Resource Allocation Table for the Brooks Foothills Region of the NSAP states the management intent for Unit B-14 is as follows:

Manage the unit for multiple uses.
Authorizations issued involving long-term uses are to consider potential impacts on caribou during migration periods and for protection of movement corridors.
Lands within unit are currently selected by the NSB.
Lands are available for lease, permit, or other less-than-fee disposal.
Protect heritage sites.

Table 2 below shows the land-use classifications derived from the NSAP for the land selection adjudicated in this decision.

Table 2

Map Name	MTR	Section	Approx. Acres	Unit	Classification
Upper Siksikpuk River	U011S001W	2	320	B-14	Resource Management Land (Rm)

2. Mineral Orders

The mineral estate is reserved to the State pursuant to AS 38.05.125 Reservation. There are no mineral orders affecting this parcel.

4. Special Use Lands

The NSB land selection adjudicated in this decision is part of the North Slope Special Use Lands (ADL 50666) defined under 11 AAC 96.014. This Special Use Land encompasses all land within the Umiat Meridian.

C. Traditional Use Finding

In the Unorganized Borough, disposal of state land with traditional uses is to be reviewed under AS 38.05.830 Land disposal in the unorganized borough. NSB is an organized borough under AS 29.05.031 Incorporation of a borough or unified municipality and eligible for municipal entitlement. Therefore, a determination for traditional uses is not required. The entirety of NSB's municipal entitlement land selection in this decision is located within NSB's legal boundary.

D. Access

Public access will be reserved in accordance with AS 19.10.010 Dedication of land for public highways, AS 19.30.400 Identification and acceptance of rights-of-way, AS 38.05.125 Reservations, AS 38.05.127 Access to navigable or public water, and 11 AAC 51 Public easements.

The Dalton Highway terminating in Deadhorse is the only major public road in the North Slope area and lies approximately 65 miles west of the selection. The Hickel Highway (RST 450) runs approximately 18.5 miles west of the parcel.

1. Section Line Easements

As required under AS 19.10.010 Dedication of land for public highways, and in accordance with 11 AAC 51.025 Section line easements, a public access easement 100 feet wide will be reserved along each section line on lands approved for conveyance. If a section line forms a boundary of a selection being conveyed, then the easement will be 50 feet wide measured from the section line. If a section line runs through a selection being conveyed, then the easement will be 50 feet wide, measured on each side of the section line, for a total width of 100 feet.

Section lines border the selected parcel (*Attachment A: Upper Siksikpuk River*).

2. Trails, Rights-of-way, RS 2477, and Easements

A review of state records verifies there are no trails, easements or rights-of-way crossing the selected parcel. An RS 2477 trail, Hickel Highway (RST 450) lies about 18.5 miles west of the parcel, but no known RS 2477 ROWs run through the parcel.

3. Navigable and Public Water

Throughout most of the State, the State of Alaska retains ownership of the beds of navigable water bodies, including all gravel bars and islands, and conveys the beds of public waters through municipal entitlement when public waters are included in a municipal entitlement selection. If required, a survey determines the Ordinary High Water Mark (OHWM) of the navigable and public waters, the Mean High Water Mark (MHW) on marine meandering shorelines, identifies islands, and determines the specific areas to be retained by the State. At the time of survey, fieldwork may find that a body of water or a waterway is different than identified in the decision. If this occurs, the results of the survey work will be reviewed further within DNR. If the fieldwork is determined to be accurate, then the survey results will supersede the recommendation in the adjudication decision. However, navigable and public waters on the North Slope are different.

Per Public Land Order (PLO) 82 of 1943 and Original 84 (Original: United States V. Alaska, 521 U.S. 1 - Docket number 84, June 19, 1997), there are no inland navigable waters (including tidally influenced waterbodies) on the North Slope; other than the Colville River, which had been determined navigable by the courts to the community of Umiat³. The Equal Footing Doctrine and Submerged Lands Act do not apply to the North Slope because the waters were withdrawn at statehood. However, the State, through the Riparian Rights afforded by the Federal government, owns the beds of the meanderable waters where it holds title to the uplands next to those waters.

The North Slope is generally defined (per the PLO 82 and Original 84) as the watershed that drains north of the Brooks Range, including the marine lagoons and waters bounded by barrier islands less than 3 miles from shore within the National Petroleum Reserve-Alaska (NPR-A) and Arctic National Wildlife Refuge (ANWR). The boundaries for NPR-A and ANWR describe which offshore lands and waters were withdrawn at statehood, title to which did not vest with Alaska at statehood.

Meanderable Waters: Lakes greater than 50 acres and rivers averaging greater than three chains (198 feet) as measured OHWM to OHWM are considered meanderable. The waterbed belongs to the upland owner, also known as Riparian Rights, but they are not charged for the acreage. Riparian rights extend from the shoreland to the center of the river or the very middle of a lake.

Navigable Waters: Pursuant to 11 AAC 51.035 Determination of navigable or public water, a water body is navigable if it is at least 50 acres in size or a waterway at least 50 feet wide from OHWM to OHWM. A water body will also be considered navigable if it is found navigable for a useful public purpose in accordance with AS 38.05.965 Definitions; otherwise, it will be considered public water in accordance with 11 AAC 51.035 Determination of navigable or public water. With state-owned navigable beds, ownership of land adjacent to navigable water does not create any right of title to land below the OHWM of the navigable water.

³ The State used Statehood Entitlement acreage to secure ownership of the bed of the Colville River since title did not transfer to the State at statehood. A court-negotiated settlement with the Arctic Slope Regional Corporation provides public access easement along the river since it is considered navigable.

All tidal waters are considered navigable under the Submerged Lands Act (67 Stat 29, PL 31, 5/22/1953). The MHWL is established at the time of survey. There are no tidal or tidal-influenced waters in this land selection. And per PLO 82, inland tidal-influenced waters are not considered navigable for title purposes.

Public Waters: Pursuant to 11 AAC 51.035 Determination of navigable or public water, a water body is considered public water if it is at least ten but less than 50 acres in size or at least ten feet but less than 50 feet wide from OHWM to OHWM. Ownership of the land under or adjacent to public water does not grant an exclusive right to use the water (AS 38.05.126 Navigable and public water).

4. Easements To and Along Navigable and Public Water

A public access easement on the bed and 50 feet in width upland of the OHWM will be reserved on all water bodies and waterways determined to be public, and 50 feet in width upland of the MHWL of navigable waters, in accordance with AS 38.05.127 Access to navigable or public water and 11 AAC 51 Public easements. This easement is referred to as the 'along' easement. The 'to' easement is to be established approximately once each mile and is often provided on section line easements of 50 feet in width adjacent to the section line on each side (AS 19.10.010 Dedication of land for public highways and 11 AAC 51.025 Section line easements). The 'along' easement applies to these water bodies and the 'to' easement is intended to provide access to the 'along' easements.

An alternative upland access route may be reserved if LCS finds that access along an easement reserved under 11 AAC 51.045(d)(1) Easements to and along navigable and public water is difficult because of topography or obstructions.

The Siksikpuk River and Confusion Creek are anadromous and run through the middle of the selection. These public waters will require a public access easement (AS 38.05.127 Access to navigable or public water) 50' upland from the OHWM. Tiglukpuk Creek is considered public water and will require a 50-foot public access easement along its shores per AS 38.05.127 Access to navigable or public water. The beds of the creeks will be conveyed to NSB.

Table 3 below lists the public waterbodies, their AWC numbers (if appropriate) and the placement of the 'to and along.'

Table 3

Map Name	MTR	Section	Waterbody Name	Anadromous Water Catalog #	Public Access Easement (to & along)
Upper Siksikpuk River	U011S001W	2	Siksikpuk River	330-00-10700-2265-3370	On the bed and 50' upland
			Confusion Creek	330-00-10700-2265-3370-4311	On the bed and 50' upland
			Tiglukpuk Creek	None	On the bed and 50' upland

E. Reservation of Mineral Estate

A conveyance of VUU general grant land to a municipality under AS 29.65 General Grant Land conveys no interest in the mineral estate. All mineral-related permits, licenses, claims, and leases affecting the land for conveyance, if any, will remain under the authority of the State.

In accordance with Section 6(i) of the Alaska Statehood Act and AS 38.05.125 Reservation, the State, in this decision, reserves unto itself the mineral estate, including oil and gas, and the rights expressed in the reservation clause of the statute, that being the right to reasonable access to the surface for purposes of exploring for, developing, and producing the reserved mineral resources. Exploration and development, if any, which could occur, would be consistent with AS 38.05.130 Damages and posting of bond and other applicable statutes and regulations.

There are no active oil and gas leases in this area.

F. Hazardous Materials and Potential Contaminants

It is the responsibility of the State to protect the overall public interest if there is a reasonable expectation that hazardous contamination may exist on land being proposed for disposal. Based on a review of DEC's list of contaminated sites and comments received, there are no potential hazard sites in the area or within the selection boundary.

NSB is expected to inspect this selection and familiarize itself with regards to the condition and quality of the land. The State of Alaska makes no representations and no warranties, expressed or implied, concerning the existence or absence of any hazardous substances, hazardous waste, contaminants, or pollutants on the land proposed here for conveyance. The State assumes no liability for removal of hazardous substances, hazardous waste, contaminants, or pollutants, nor any liability for the remediation of the site should such substances ever be identified. NSB, by selecting these lands and requesting their conveyance through this PD, recognizes the surrounding areas of identified contaminated sites and will take the land "as is."

G. Survey

A state-approved survey is required prior to the issuance of a conveyance document. If no approved survey exists, then one must be performed by an Alaska Registered Land Surveyor under the direction of the DNR DMLW Survey Section. NSB is responsible for the expense of any survey. NSB may request a survey determination at any time subsequent to the FFD. There is no requirement under AS 29.65.070 Selection and conveyance procedure to appraise the land prior to conveyance.

H. Conditional Leases and Sales

NSB will receive management authority and equitable title to all land approved for conveyance in this decision once the FFD is effective. This will allow NSB to approve conditional leases and make conditional sales pursuant to AS 29.65.070(b) Selection and conveyance procedure, but not to dispose of land approved for conveyance until the land has been surveyed and ownership transferred to NSB.

I. Unauthorized Use

LCS has not physically inspected all areas of the selected lands for the presence of unauthorized use but has reviewed department records and is unaware of any existing unauthorized use within the land selection.

NSB is expected to inspect all of its land selections to familiarize itself with the condition and quality of the land.

J. Disposition of Leases, Permits, and Applications

Administration of any active leases, permits, and easements for the surface estate issued by the State on land to be conveyed will be transferred to NSB when the FFD becomes effective unless such authorizations are specifically excluded from the conveyance. Any pending applications that have not been adjudicated and issued will be closed.

Note: This section does not apply to Plan of Operation authorizations issued by the DNR Division of Oil and Gas (DOG). These specific authorizations will remain under the DOG's jurisdiction and will not be transferred to NSB.

There are no other leases or permits on this parcel.

K. Cultural Resources

The Alaska Office of History and Archaeology (OHA) maintains the Alaska Heritage Resources Survey (AHRS), an inventory of all reported historic, prehistoric, and archaeological sites in the State. No cultural resources have been noted in this selection. However, only a very small portion of the State has been surveyed for cultural resources; therefore, the possibility remains that the selected lands may contain previously unidentified cultural resources. While the conveyance of these parcels will not directly affect cultural resources, future projects that NSB may propose on selected lands could affect unidentified cultural resources. Should any cultural resources be encountered, NSB will need to take those actions required by law to protect such resources in accordance with AS 41.35.070(d) Preservation of historic, prehistoric, and archeological resources threatened by public construction.

L. Form and Width Requirement

Each municipal entitlement land selection is required to be compact in form with its length not exceeding approximately four times its width pursuant to AS 29.65.070(c) Selection and conveyance procedure. A review of the NSB's land selection proposed for conveyance in this decision indicates that the selection is consistent with this statute.

M. DMLW and Agency Review

Information and comments received from multiple sections within DMLW prior to and during agency review have been considered and included in the preparation of this PD. An agency review was conducted between May 21, 2026, through June 22, 2026. The intent of an agency review is to request comments from agencies that may be affected by a municipal entitlement land conveyance decision. Agencies are given the opportunity to evaluate and comment on the municipality's land selection to determine if the State should retain all or a portion of the selected lands, and, if so, provide supporting reasons for the requested action. Additionally, agencies are requested to identify any stipulations that may be appropriate if the land is to be conveyed out of state ownership.

DNR DMLW LCS received brief comments of non-objection from the following agencies:
Department of Transportation & Public Facilities (DOT&PF), DNR Division of Oil and Gas (DOG), DNR Division of Parks and Outdoor Recreation (DPOR), and DNR DMLW Survey Section.

DNR DMLW LCS Response: LCS appreciates your review.

Comments from the Alaska Department of Environmental Conservation (DEC):

"Based on the information provided, the Alaska Department of Environmental Conservation (DEC), Contaminated Sites Program (CSP) has no comments related to this information. Based on the information provided, the Alaska Department of Environmental Conservation (DEC), Contaminated Sites Program (CSP) has found no sites within 1,500 feet of the proposed project and does not have any comments related to this information request. If the scope of the

project changes, update your research and contact CSP as needed. Please note that residual contamination may remain at cleanup completed sites, and those sites should also be evaluated.

DEC must be notified if contamination is encountered. For more information about spill responses contact the appropriate regional response team office:

<https://dec.alaska.gov/spar/ppr/spill-information/reporting/>.

Spills or releases to soil and water are also managed by the DEC Prevention Preparedness and Response Program (PPRP) and are not captured in the CSP database or map. Information about spills can be found in the PPRP SPILLS database at:

<https://dec.alaska.gov/Applications/SPAR/PublicMVC/PERP/SpillSearch.>"

DNR DMLW LCS Response to DEC: LCS appreciates DEC's review. The information provided will be available to the Borough through this decision.

Comments from DNR DMLW Resource and Development Section (RADS):

"Thank you for the opportunity to review and comment on the proposed ADL 422835 – Municipal Entitlement. The Resource Assessment & Development Section (RADS) has reviewed the available data, satellite imagery, and the North Slope Area Plan (NSAP) and provides the following comments.

Background & Discussion:

The North Slope Borough has selected approximately 320 acres in the Upper Siksikpuk River area to fulfill their general grant land municipal entitlement under AS 29.65.010. The proposed selection is within unit B-14 and is classified as Resource Management Land. Management intent for this unit states:

Manage the unit for multiple uses. Authorizations issued involving long-term uses are to consider potential impacts on caribou during migration periods and for protection of movement corridors. Lands within unit are currently selected by the NSB. Lands are available for lease, permit, or other less-than-fee disposal. Protect heritage sites.

Consult Table 2-1 for guidance on setbacks related to conveyance document subject-to provisions.

Recommendation:

RADS has reviewed this conveyance request and determined that it aligns with the intent of the plan. This is a viable request and should proceed.

Thank you for the opportunity to review."

DNR DMLW LCS Response to RADS: Thank you for your review. The information provided will be available to the Borough through this decision.

Comments from DNR DMLW Public Access Assertion and Defense (PAAD):

"Siksikpuk River, Confusion Creek and Tiglukpuk Creek are all three public water within the selection area per AS 38.05.127 and 11 AAC 51.035. Please reserve appropriate easements. There are no known RS 2477 ROW's within the selection area."

DNR DMLW LCS Response to PAAD: Thank you for your review. A public access easement will be required along Siksikpuk River, Confusion Creek, and Tiglukpuk Creek.

Comments from the Alaska Department of Fish & Game (ADF&G):

"Alaska Department of Fish & Game (ADF&G) has reviewed this North Slope Borough land selection located on the Siksikpuk River containing the confluences with Confusion Creek and Tiglukpuk Creek, within the Brooks Foothills Region of the North Slope Area Plan (NSAP), containing approximately 320 acres. ADF&G has **no objections** to the conveyance of this parcel with the following comments:

- Siksikpuk River, Confusion Creek, and Tiglukpuk Creek are all public waters within the selection area per AS 38.05.127 and 11 AAC 51.035. Please ensure all appropriate to and along easements are reserved to retain public access.

- Siksikpuk River is cataloged as anadromous (AWC: 330-00-10700-2265-3370) up to the confluence with Confusion Creek. Confusion Creek is cataloged as anadromous (AWC: 330-00-10700-2265-3370-4311). Tiglukpuk Creek is not anadromous. Please reserve the 100-ft riparian buffer and 100-ft building setback for anadromous streams as called for in the NSAP.

-Due to the presence of various wildlife species and migration patterns of multiple caribou herds, these comments will apply to ADL 422830, 422832, 422834, & 422835.

-In 2017 the Siksikpuk and Chandler Rivers was surveyed for moose. There were 66 total moose documented along the Siksikpuk and Chandler Rivers the April 2017 moose census survey. In 2026 the Siksikpuk River was not surveyed but the Chandler River was surveyed for moose, and 51 total moose were found along the Chandler River, and the closest moose was five miles from the Siksikpuk River.

The Teshekpuk Caribou Herd utilizes the Siksikpuk during fall migration and overwintering grounds (see attached seasonal panel maps [available upon request]). Due to the use of the Siksikpuk being used by the Teshekpuk Caribou Herd and Western Arctic Herd, it is important that ADF&G maintains the ability to land aircraft in that area to retrieve caribou collars in the event of a mortality event and also to be able to conduct aerial surveys of caribou, moose, and muskoxen in the area. Moose vary in density across these plots of land. The Killik River drainage is near the Oolamnagavik and is a key area for fall migration for the Teshekpuk Caribou Herd. The Chandler drainage is also used by the Teshekpuk caribou herd during fall migration. Teshekpuk caribou also use these areas as over wintering grounds and for spring migration as well. Considerations should be made to not impede fall caribou migration in October and November. NSB should coordinate with ADF&G before developing this parcel to coordinate timing windows, mitigate habitat loss, and avoid adversely impacting wildlife.

Additionally, the Ivotuk Airstrip is one of the few places for aircraft to land in the area and provides a level of safety in the event of unpredicted changes in weather while doing surveys.”

DNR DMLW LCS Response to ADF&G: Thank you for your review. A 100-foot buffer and 100-foot building setback is required along the Siksikpuk River and Confusion Creek due to their anadromous status per the NSAP. Furthermore, per AS 38.05.127, public access easements will be reserved on both sides of Tiglukpuk Creek, Siksikpuk River, and Confusion River.

The information regarding moose and caribou migration patterns will be provided to NSB through this decision.

Comments from the DNR Division of Geological & Geophysical Section (DGGs):

“Geologic Units: Alluvial deposits (river and outwash deposits), colluvial deposits (extensive areas of solifluction), eolian deposits (silt covers much of the surface), glacial deposits (extensive), paludal peat deposits, bedrock

Suitability For Construction: *Areas of clean sand and gravel may be suitable as a material resource, depending on their distribution, thickness, and ice content, as well as the thickness of any fine-grained surface cover. Materials on slopes may be unsuitable as a resource due to potential instability.*

Ice-rich areas susceptible to thawing and areas of poor drainage may be unsuitable as foundation material.

Use best construction practices.

Permafrost: Continuous (90-100%)

Susceptibility To Frost Action: *Generally intense frost action where sediments are fine-grained and/or wet. Generally less intense where sediment is coarse-grained and/or well-drained. Bedrock may be susceptible to frost action along bedding planes or joints.*

Thaw Stability: *Thaw unstable where ice content is high, especially in areas of poor drainage. Generally, well-drained, coarse sediments are more thaw-stable than poorly drained, fine-grained sediments.*

Surface Drainage and Flooding Potential: *Flooding is possible along streams in the spring and during intense storm events. Surface drainage is often poor near swamps and areas of permafrost, especially where sediment is fine-grained. Surface drainage is good along slopes where the soil is unfrozen as well as in coarse-grained sediment when it is unfrozen.*

Seismic Hazard: Low; Standard best building practices should be used to accommodate the regional seismic hazard.

Landslide Hazard: This area is not well studied for landslides; some landslides in the region are documented in the Alaska Landslide Inventory (Nicolazzo and Larsen, 2025).

Tsunami Hazard: Not applicable

Volcanic/Ashfall Hazard: Yes; This area has been infrequently subject to ash fall from erupting Alaska volcanoes.

Radon: Radon, a naturally occurring cancer-causing radioactive gas, is modeled as low in this area, with limited testing (<https://maps.dggs.alaska.gov/radon/>). The Environmental Protection Agency's (EPA) Action Level for radon is 4 pCi/L; the EPA suggests homeowners consider radon mitigation for test results of 2–4 pCi/L. Any home, school, or building can have high levels of radon and should be tested.

Mineral Resources: No comment

Energy Resources: The Alaska Division of Geological & Geophysical Surveys has extensive experience mapping the geology of the inner Brooks Range foothills. The primary modern bedrock geologic mapping in the Siksikpuk River area is the 1:63,360-scale work in Peapples et al., 1994, https://dggs.alaska.gov/webpubs/dggs/pir/oversized/pir2007_001_sh001.pdf.

The foothills region has modest oil and gas potential but remains underexplored, so the true potential is poorly constrained. The reason for the limited exploration is the structural complexity, which results in poor seismic resolution and uncertain trap integrity. Furthermore, the area is recognized as mostly gas prone, which has remained uneconomic in the absence of a pipeline. The nearest well that penetrates a comparable structural/stratigraphic position is the Cobblestone well, about 50 miles to the east. The well is on ASRC lands the results remain undisclosed, but presumably did not discover commercial quantities of hydrocarbons.

Despite the challenges posed by folding and faulting, there are multiple known source rock intervals capable of generating oil and gas and there are hints that this part of the foothills has anomalously low thermal maturity and may retain some petroleum potential, albeit low. The oil and gas industry hasn't shown an interest in the area in recent years, although several companies did express interest in the area between ~1998-2008 and conducted field surveys (notably Anadarko and PetroCanada). Overall, the site has low resource value currently, but this assessment is based on limited subsurface data. It is conceivable that the area could someday attract attention, especially as a frontier natural gas area. The decision on whether or not to retain would seem to rest on how much the state prioritizes retaining such high risk/low potential lands as part of its long-term portfolio.

Optional Reference(s):

Hamilton, T.D., 1979, Surficial geologic map of the Chandler Lake Quadrangle, Alaska: U.S. Geological Survey Miscellaneous Field Studies Map 1121, 1 sheet, scale 1:250,000.

Nicolazzo, J.A., and Larsen, M.C., 2025, Alaska landslide inventory database: Alaska Division of Geological & Geophysical Surveys Digital Data Series 23, 14 p.

<https://doi.org/10.14509/31697> “

DNR DMLW LCS Response to DGGG: Thank you for your review. The information provided will be available to NSB through this decision.

The following agencies or groups were included in the agency review, but no comment was received:

- Department of Commerce, Community & Economic Development
- Department of Natural Resources
 - Alaska Mental Health Trust Land Office
 - Division of Forestry & Fire Protection
 - DMLW Water Resources Section
 - DMLW Northern Regional Office
 - DMLW Statewide Abatement of Impaired Lands
 - DPOR, Office of History and Archaeology

VII. SUBMITTAL OF PUBLIC COMMENTS

See *Attachment B: Public Notice* for specific date and conditions

Pursuant to AS 38.05.945 Notice, LCS is issuing public notice inviting comment on this Preliminary Decision.

In accordance with AS 38.05.946(a) Hearings, a municipality or corporation entitled to receive notice under AS 38.05.945(c) Notice may hold a hearing within 30 days after receipt of the notice. If a hearing is held, the Commissioner (or representative) shall attend the hearing. The Commissioner has discretion whether or not to hold a public hearing.

LCS will consider all timely, written comments received. If analysis of such comments indicates the need for significant changes to the PD, additional public notice for the affected lands will be given. Reducing the amount of land offered and making minor changes to any of the proposals will not be considered significant changes requiring additional public notice.

If the proposal is approved and no significant change is required, the Preliminary Decision, including any deletions, minor changes, and summary of comments and LCS responses will be issued as a subsequent Final Finding and Decision without further notice.

Only people from whom LCS receives timely, written comments during the identified comment period will be eligible to file an appeal of the Final Finding and Decision. Upon approval and issuance of a Final Finding and Decision, a copy of the decision will be made available online at <https://dnr.alaska.gov/mlw/landsales/public-notice/> and <http://dnr.alaska.gov/mlw/muni/> and sent with an explanation of the appeal process to any party who provides timely written comment.

DNR is prepared to accommodate individuals with disabilities by providing auxiliary aids, services, or special modifications in order to participate in this review. Individuals who may need such assistance should contact DNR's Public Information Center. For more information refer to the attached Public Notice.

**DEADLINE TO SUBMIT WRITTEN COMMENT IS
4:30 PM, FRIDAY, NOVEMBER 30, 2026**

VIII. DISCUSSION AND ALTERNATIVES

A. Discussion

This PD for NSB's municipal entitlement land selection covers approximately 320 acres of state land. LCS proposes approving for conveyance and transfer equitable title and management authority on approximately 320 acres of state land, identified in *Table 4* below.

This decision determines that the municipal selection adjudicated in this decision for which the State currently has title is appropriate for conveyance to NSB.

This decision further determines that certain conditions and restrictions are appropriate and necessary to ensure the protection of critical resources and public access for those lands to be conveyed to NSB. Therefore, this decision imposes restrictions and reservations to be part of the conveyance document, to ensure adherence to state statutes and administrative code. Restrictions and reservations are listed in **Section IX. Recommendation and Preliminary Decision**.

B. Alternatives

The following alternatives exist:

1. Take no action to approve or reject NSB's land selection. This alternative would, in effect, preclude NSB's ownership of lands considered to be important to their land base. This action would be inconsistent with the purpose of the Municipal Entitlement Act and inconsistent with the basis for the disapproval of a municipal entitlement selection. Such selections can only be rejected when the State's interests outweigh the interest of the borough, and there is no basis for such a determination.
2. Reject NSB's selection in its entirety. This alternative would have the same effect as Alternative #1 and would, similarly, be inconsistent with the statutory basis for rejection of a municipal selection.
3. Approve with management authority transferred for the reason described in this PD. This alternative is effective in meeting the intent of the Municipal Entitlement Act to convey appropriately classified state general grant land to NSB and to protect the state interests.

IX. RECOMMENDATION AND PRELIMINARY DECISION

A. Recommended Alternative

This decision determines that Alternative 3 is the preferred action and best fits the intent of the Municipal Entitlement Act. NSB's land selection is approved for conveyance, subject to the conditions, restrictions, and reservations listed below.

B. Recommended Conditions, Restrictions, and Reservations **Conditions**

1. As required under AS 38.05.127 Access to navigable or public water and 11 AAC 51 Public easements, the location of the OHWM of public waters will be determined at the time of survey, if one is required.
2. Per the NSAP for high-value and anadromous waters, a 100-foot riparian buffer and building setback upland of and adjacent to the OHWM of Siksikpuk River and Confusion Creek.
3. Management authority will transfer to NSB on those lands approved for conveyance once the FFD becomes effective.
4. Management authority for public access easements is transferred to NSB once the FFD becomes effective. No such easements may be vacated, abandoned, or otherwise extinguished or rendered incapable of reasonable use by the public without the approval of the State of Alaska unless an alternative means for reasonable public access is provided and approved by the State.

5. Administration of state leases and permits pertinent to the surface estate will be transferred to NSB once the FFD becomes effective. Administration of issued state leases and permits on the mineral estate will remain with the State.
6. Once the FFD is effective, NSB may execute conditional leases and make conditional sales on lands approved for conveyance, prior to issuance of a state patent in accordance with AS 29.65.070(b) Selection and conveyance procedure.
7. The net chargeable acreage approved for conveyance shall be credited towards partial fulfillment of NSB's municipal land entitlement pursuant to AS 29.65.010 Determination of entitlement of boroughs and unified municipalities.
8. Notification to the Alaska State Historic Preservation Office in accordance with AS 41.35.070(d) Preservation of historic, prehistoric, and archeological resources threatened by public construction is required upon discovery of historic, prehistoric, or archaeological sites, locations, remains, or objects.

Restrictions and Reservations

Conveyance document will be issued subject to the following restrictions and reservations:

1. Valid existing rights, including reservations, easements, and exceptions in the U.S. Patent, or other state or federal conveyance, and in acts authorizing the issue thereof; easements, rights-of-way, covenants, conditions, reservations, notes on the plat, and restrictions of record, if any.
2. Reservation of a 50-foot wide easement on each side of all surveyed and unsurveyed section lines in accordance with AS 19.10.010 Dedication of land for public highways and 11 AAC 51.025 Section line easements.
3. Reservation of a continuous public access easement, 50 feet wide, upland of and adjacent to the OHWM of all public waters from on the bed and 50 feet upland pursuant to AS 38.05.127 Access to navigable or public water and 11 AAC 51 Public easements.
4. Reservation of a 100-foot wide riparian buffer and building setback upland and adjacent to the OHWM of Siksikuk River and Confusion Creek pursuant to the NSAP for the protection of the anadromous waters.
5. Reservation of the mineral estate pursuant to Section 6(i) of the Alaska Statehood Act and AS 38.05.125 Reservation; and reservation of reasonably necessary access to the mineral estate in accordance with AS 38.05.130 Damages and posting of bond.

C. Recommended Action on Municipal Selections

This decision recommends approval for conveyance of certain state-owned vacant, unappropriated, unreserved general grant land to NSB located in the Umiat Meridian of northern Alaska.

LANDS PROPOSED FOR CONVEYANCE

Table 4 lists those lands proposed to be approved for conveyance in this decision. The estimated acreages for conveyance do not account for any exclusions, and exact acreages will be determined by survey. The final acreage amount will be credited towards partial fulfillment of North Slope Borough's municipal land entitlement.

Table 4

Map Name	MTR	Section and Legal Description	Acres
Upper Siksikpuk River	U011S001W	Sec. 02: E1/2 (320 ac.)	320
PROPOSED CONVEYANCE: TOTAL APPROXIMATE ACRES			320

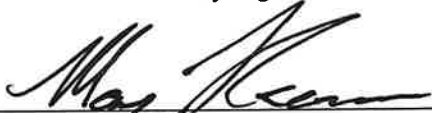
D. Preliminary Decision

The following are the findings for this Preliminary Decision:

1. It is appropriate to propose conveyance of approximately 320 acres of state-owned land to the North Slope Borough. This decision determines that the interest of the State to retain this land does not outweigh the interests of the Borough to obtain it.

This Preliminary Decision, described above, represents the preferred alternative that has been reviewed and considered. After review and consideration of materials in this PD, LCS finds that the recommended action may be in the best interest of the State and that it is hereby approved to proceed to Public Notice in accordance with AS 38.05.945 Notice.

After public notice, the subsequent review process may result in changes to the preferred alternative(s) or disapproval of the proposed action altogether. A Final Finding and Decision will address any significant issues or concerns raised during the public review process.



Prepared by: Mary Hermon
Natural Resource Specialist 2
Land Conveyance Section
Division of Mining, Land and Water
Department of Natural Resources
State of Alaska

10/28/2026
Date



Approved by: Hannah Uher-Koch
Section Chief
Land Conveyance Section
Division of Mining, Land and Water
Department of Natural Resources
State of Alaska

10/28/2026
Date

North Slope Borough

Preliminary Decision

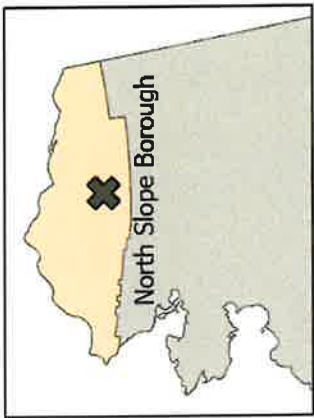
ADL 422835

Upper Siksikpuk River

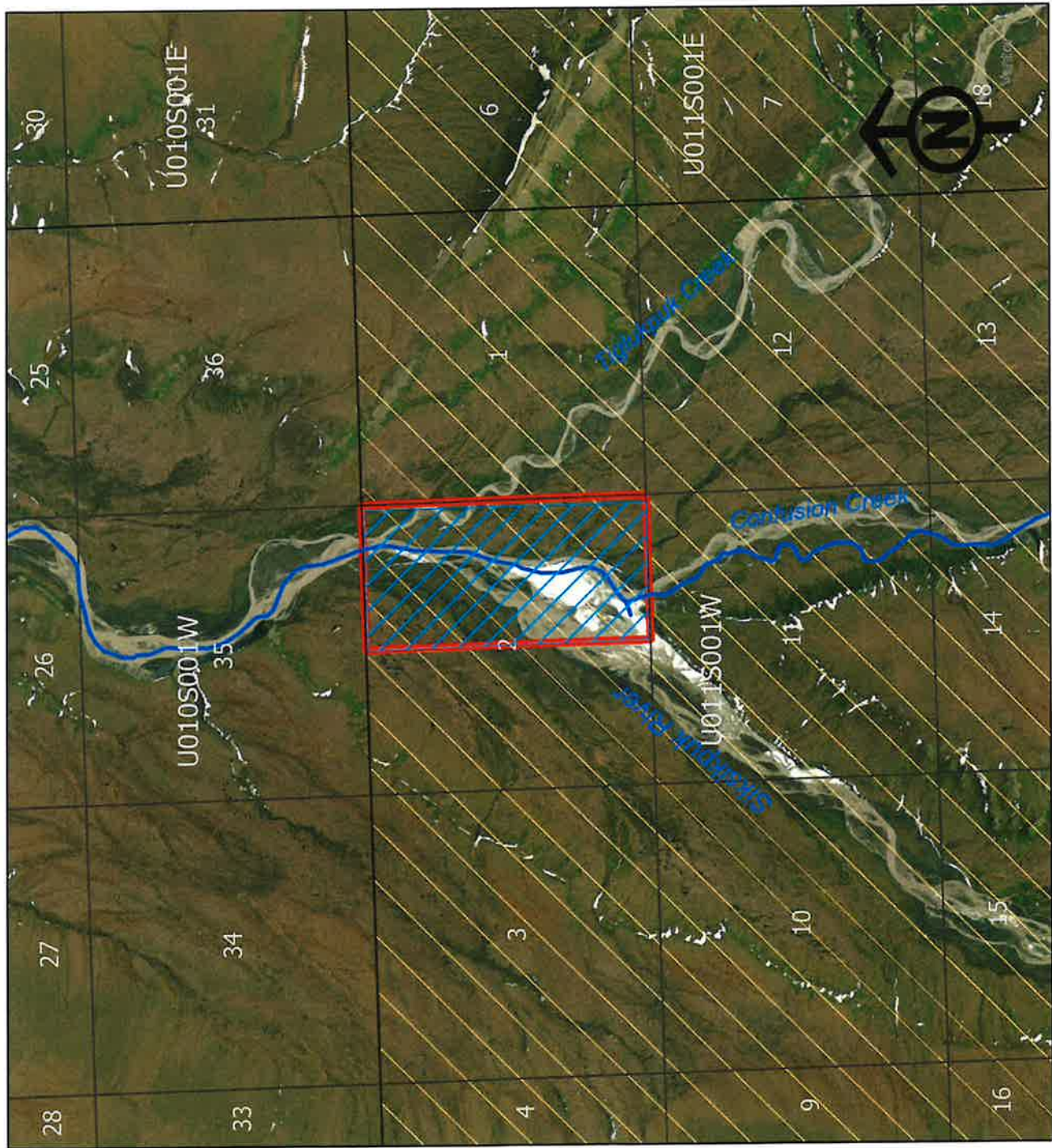
LEGEND

-  Anadromous River
-  Borough Selection
-  Proposed conveyance
-  O&G Lease Sale Tract

NSAP Unit B-14



This map is for representation only. It is intended to be used as a guide only and may not show exact location or existing surveyed parcels or show all easements and reservations. Source documents remain the official record.



0 0.2 0.4 0.8 1.2 1.6 Miles



Created by DNR-DMLW-LCS-ME

October 2026



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

Attachment B: PUBLIC NOTICE

Requesting Input for a Proposed Conveyance Under AS 29.65
North Slope Borough Municipal Land Entitlement Selection – ADL 422835

COMMENT PERIOD ENDS: 4:30 PM, MONDAY, NOVEMBER 30, 2026

The Department of Natural Resource (DNR), Division of Mining, Land and Water (DMLW), Land Conveyance Section (LCS) has prepared a Preliminary Decision (PD) for a proposal to convey approximately 320 acres of state owned vacant, unappropriated, unreserved (VUU) general grant land to North Slope Borough (NSB) in order to partially fulfill their municipal land entitlement under AS 29.65.010. Located within DNR's Northern Region, this land selection falls within the Brooks Foothills Region as identified in the North Slope Area Plan. It is located in Section 2, Township 11 North, Range 1 West, Umiat Meridian.

Pursuant to AS 38.05.945 *Notice*, the public is invited to comment on this PD which proposes to transfer ownership of state land to North Slope Borough. **The deadline for submitting public comment is 4:30 PM, Monday, November 30, 2026.** Only persons from whom LCS receives timely written comments during the identified comment period will be eligible to file an appeal of the Final Finding and Decision (FFD). Comments must be received in writing to the Division of Mining, Land and Water, Attention: Mary Hermon, at 550 West 7th Avenue, Suite 640, Anchorage, Alaska 99501, by fax at (907) 269-8916, or by email at mary.hermon@alaska.gov. If you have questions, call Mary Hermon at (907) 269-6546.

The public notice is available on the Alaska Online Public Notice System at: <http://dnr.alaska.gov/commis/pic/pubnotfrm.htm>. The Preliminary Decision is available on the DMLW Municipal Entitlement web site at: <http://dnr.alaska.gov/mlw/muni/> and on the DMLW Land Sales website at: <https://dnr.alaska.gov/mlw/landsales/public-notice/>.

DNR is prepared to accommodate individuals with disabilities by providing auxiliary aids or services when requested. Individuals with audio impairments who wish to respond to this decision by telephone may call the DNR, Public Information Center in Anchorage between the hours of operation: 10:00 AM to 5:00 PM, Monday through Friday at TTY: 711 for Alaska relay or 800-770-8973 or go to <http://dnr.alaska.gov/commis/pic/>. Individuals who require special assistance must request assistance from the Public Information Center in Anchorage no later than 4:00 PM, Monday, November 23, 2026.

If no significant change is required, the PD, including any minor changes and a summary of comments and responses, will be issued as the FFD without further notice. A copy of the FFD will be sent to any person who commented timely on the PD.

DNR reserves the right to waive technical defects in this notice.