

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

**FINAL FINDING AND DECISION**  
CONVEYANCE OF STATE LAND UNDER AS 29.65, AS 38.05.035(e)

**NORTH SLOPE BOROUGH  
MUNICIPAL LAND ENTITLEMENT SELECTION  
ADL 422203**

**I. SUPPLEMENTAL STATEMENT**

This Final Finding and Decision (FFD) complements and updates the Preliminary Decision (PD) dated March 15, 2024. The attached map (Attachment A) depicts the selection that is the focus of this decision. The PD (Attachment B) has received the required public review.

**II. RECOMMENDED ACTION**

The State of Alaska (State), Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), Land Conveyance Section (LCS) recommends that Alternative 3, as described in the PD, is the preferred action which best fits the intent and requirements of the Municipal Entitlement Act. This decision covers approximately 505 acres, approving 505 acres, more or less, for conveyance and transfer of management authority.

**III. AUTHORITY**

The authority for conveyance of state land is pursuant to AS 29.65 General Grant Land, and the authority for the Final Finding and Decision is pursuant to AS 38.05.035(e) Power and Duties of the Director.

**IV. PUBLIC PARTICIPATION AND INPUT**

Pursuant to AS 38.05.945 Notice, public notice inviting comment on the PD for the proposed conveyance of municipal entitlement selections was published and distributed in the following manner:

- Posted on the State of Alaska Online Public Notice website from March 15, 2024, to April 12, 2024.
- Posted on the Public Notices page of the DNR Alaska State Land Sales website from March 15, 2024, to April 12, 2024.
- Posted on the DNR Municipal Entitlement website from March 15, 2024, to April 12, 2024.
- Mailed with a request to post for 30 days to the Utqiagvik and Prudhoe Bay postmasters and Utqiagvik Public Library per AS 38.05.945(c)(4).
- Mailed to the Arctic Slope Regional Corporation per AS 38.05.945(c)(2)-(3).
- Mailed and emailed to the North Slope Borough per AS 38.05.945(c)(1).
- Emailed notice to all other State agencies who received the agency review notice.
- Emailed notice to permittees and lessees that hold contracts on the proposed approved parcel.

The public notice stated that written comments must be received by 4:30 PM, Friday, April 12, 2024, in order to ensure consideration and eligibility to appeal. For more information, refer to the attached PD.

**V. SUMMARY OF COMMENTS**

DNR DMLW LCS received comments from the Alaska Department of Environmental Conservation – Contaminated Sites Program, Alaska Department of Transportation & Public Facilities, and DNR

DMLW Resource Assessment and Development Section. All comments received during the public comment period are transcribed and addressed below.

Comments from DEC – Contaminated Sites Program (DEC-CSP):

“Based on the information provided, the Alaska Department of Environmental Conservation (DEC), Contaminated Sites Program (CSP) has no 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.

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>. For more information about spill responses contact the appropriate regional response team office <https://dec.alaska.gov/spar/ppr/spill-information/reporting/>.”

*DNR DMLW LCS Response to DEC-CSP: LCS appreciates your review.*

Comments from Department of Transportation & Public Facilities (DOT&PF):

“Thank you for the opportunity to review the proposal. The Alaska Department of Transportation & Public Facilities has no comment at this time.”

*DNR DMLW LCS Response to DOT&PF: LCS appreciates your review.*

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

“Thank you for the opportunity to review this PD. No concerns from RADS.”

*DNR DMLW LCS Response to RADS: LCS appreciates your review.*

## **VI. MODIFICATIONS TO DECISION**

The recommended action has not been modified from the original proposed action described in the Preliminary Decision.

## **VII. DISCUSSION AND FINAL FINDING AND DECISION**

Through this Final Finding and Decision, DNR determines that it is in the best interest of the State to convey approximately 505 acres of state land with management authority transferred to NSB upon the effective date of this decision. There are no overriding state interests in retaining this selection, and the conveyance to NSB is consistent with the requirements for conveyance under AS 29.65 General Grant Land and the management intent requirements of the North Slope Area Plan.

### **Lands Approved for Conveyance**

*Table 1* below lists those lands approved for conveyance in this decision by location/map name, Meridian (M), Township (T), Range (R), Section and legal description, and approximate acreage. The estimated acreages for conveyance do not account for any exclusions, and exact acreages will be determined by survey, if one is needed. The final acreage amount will be credited towards partial fulfillment of North Slope Borough’s municipal land entitlement.

Table 1

Map Name	MTR	Section and Legal Description	Acres
Mine Site F, East	U009N023E	Sec. 07: Uplands of S1/2NW1/4 (45 ac), uplands of SW1/4 (132 ac), uplands of W1/2NW1/4SE1/4 (3 ac), uplands of NW1/4SW1/4SE1/4 (4 ac), uplands of the S1/2SW1/4SE1/4 (19 ac), uplands of the SW1/4NE41/SW1/4SE1/4 (.3 ac)....204 ac.	204
		Sec. 18: N1/2.....301 ac.	301
<b>APPROVED FOR CONVEYANCE: Total Approximate Acres</b>			<b>505</b>

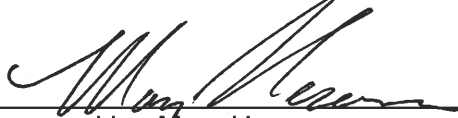
Recommendation and approval of the Final Finding and Decision follow.

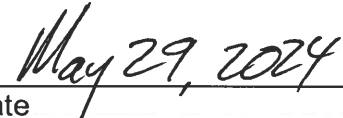
**Final Finding and Decision**

The Land Conveyance Section recommends proceeding with the action as described in the Preliminary Decision. This action is undertaken pursuant to relevant authorities.


It is appropriate to convey 505 acres, more or less, of state-owned land to 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.

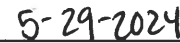
The findings presented above have been reviewed and considered. The Public Notice has been accomplished in accordance with AS 38.05.945 Notice. The case file has been found to be complete, and the requirements of all applicable statutes have been satisfied. It has been determined that it is in the best interest of the State to proceed with the conveyances identified in this FFD to the North Slope Borough under the authority of AS 29.65 General Grant Land.

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

  
 Date

Under the authority of the applicable statutes, it is in the best interest of the State to proceed with the recommended action as described in this Final Finding and Decision.

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

  
 Date

**Attachments**

- Attachment A - Vicinity Map
- Attachment B – Preliminary Decision

**APPEAL PROVISION**

A person affected by this decision may appeal it, in accordance with 11 AAC 02. Any appeal must be received in writing within 20 calendar days after the date of the 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 West 7<sup>th</sup> Avenue, Suite 1400, Anchorage, Alaska 99501; faxed to 907-269-8918, or sent by electronic mail to [dnr.appeals@alaska.gov](mailto:dnr.appeals@alaska.gov). Under 11 AAC 02.030, appeals filed under 11 AAC 02 must be accompanied by the fee established in 11 AAC 05.160(d)(1)(F), which has been set at \$250 under the provisions of 11 AAC 05.160(a) and (b).

If no appeal is filed by the appeal deadline, this decision goes into effect as a final administrative order and decision of the department on the 31<sup>st</sup> day after issuance. An eligible person must first appeal this decision in accordance with 11 AAC 02 before appealing this decision to the Superior Court (11 AAC 02.020(a) and (b)). A copy of 11 AAC 02 may be obtained from any regional office of the Department of Natural Resources or at: <http://www.akleg.gov/basis/aac.asp>.

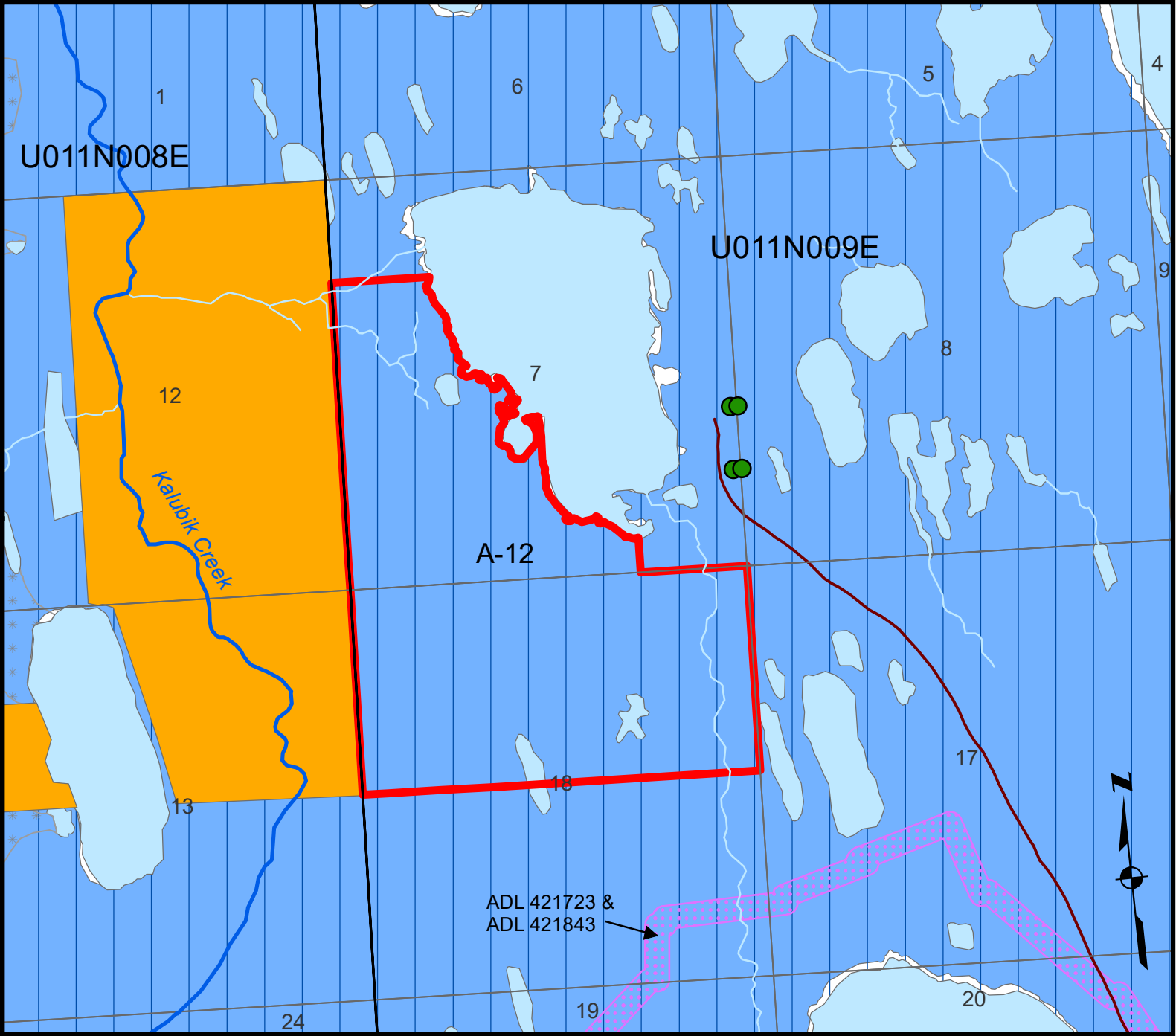
# North Slope Borough

Municipal Selections

Final Finding & Decision

## ADL 422203

Mine Site F, East



### Legend

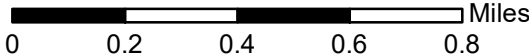
- Anadromous Stream
- Local Roads
- Potential Hazard Site
- Approved for Conveyance
- Conveyed to Borough
- State Land - TA or Patent
- Mineral Leases
- Easement

NSAP Unit A-12



Created by DNR-DMLW-LCS-ME

May 2024



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.

