

**Appendices**

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## Appendix A

### Glossary

**17(b) Easement.** Easement across Native corporation land reserved through the Alaska Native Claims Settlement Act (ANCSA). Uses of the easements are limited to transportation purposes and other uses specified in the act and in conveyance documents.

**AAC.** Alaska Administrative Code

**Access.** A way or means of approach. Includes transportation, trail, easements, rights of way, and public use sites.

**Adequate.** Sufficient for a specific need or requirement.

**ADF&G.** Alaska Department of Fish and Game

**AHRS.** Alaska Heritage Resources Survey – a statewide inventory of cultural resources, including historic, prehistoric, and archaeological sites. The Office of History and Archaeology (OHA) within DNR maintains the AHRS database.

**Anadromous waters.** A river, lake or stream that is specified under AS 16.05.871(a) as important for the spawning, rearing, or migration of anadromous fishes; or is not so specified but has been determined to contain or exhibit evidence of anadromous fish. The anadromous designation applies from the waterbody’s mouth to its uppermost specified point, including all sloughs and backwaters adjoining the listed water, and that portion of the streambed or lakebed covered by ordinary high water. Anadromous waters are shown in “The Atlas and Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fishes” (referred to as the Anadromous Waters Catalog (AWC)) compiled by ADF&G and adopted by regulation.

**ANCSA.** Alaska Native Claims Settlement Act (1971)

**ANILCA.** Alaska National Interest Land Conservation Act (1980)

**APMA.** Application for Permits to Mine in Alaska – a multi-agency application form used by miners to apply for permits to explore for and mine locatable minerals.

**Area Plan.** A plan approved by the Commissioner of the Department of Natural Resources under the authority of AS 38.04.065 that establishes the land and resource management policies for state land within a planning area. Such plans also assign land use designations to individual parcels of state land, which are subsequently converted to land use classifications

1 in a Land Classification Order. When used in this plan, the term “Area Plan” refers to the  
2 Northeast Alaska Area Plan.

3  
4 **AS.** Alaska Statutes

5  
6 **ASLS.** Alaska State Land Survey

7  
8 **Authorized Use.** A use allowed by DNR by permit or lease.

9  
10 **AWC.** Anadromous Waters Catalog, see “Anadromous waters”

11  
12 **Best Interest of the State.** As used in this plan, refers to a decision made by the Department  
13 that, after considering the merits of a proposed use or activity, that the use or activity has a  
14 unique and important value or interest to the state and that this value or interest is higher than  
15 competing values and interests. This is not to be confused with, nor does it refer to a ‘Best  
16 Interest Finding’, a written decision required under AS 38.05.035(e) when land, or an interest  
17 in land, is being conveyed out of state ownership.

18  
19 **Best Interest Finding.** Refers to the written decision required under AS 38.05.035(e) when  
20 land, or an interest in land, is being conveyed out of state ownership.

21  
22 **Buffer.** An area of land between two activities or resources managed and used to reduce the  
23 effect of one activity upon another. These areas are usually vegetated or are required to be re-  
24 vegetated if the original vegetation has been removed.

25  
26 **Classification.** Land classification identifies the primary purpose for which state land will be  
27 managed, subject to valid existing rights and multiple uses. (11 AAC 55.040(c)). Land  
28 classifications are converted from plan designations through a Land Classification Order.  
29 Other land uses may be authorized by the Department that do not conflict with the land use  
30 plan.

31  
32 **Classification Order.** See “Land Classification Order”

33  
34 **Closed to mineral entry.** Areas where the staking of new mineral claims is prohibited  
35 because mining has been determined to conflict with significant surface uses in the area.  
36 Existing mineral claims that are valid at the time of plan adoption are not affected by mineral  
37 closures.

38  
39 **Co-designation.** When more than one land use designation is identified in a management  
40 unit. These two (or more) designations reflect uses or resources that are of equal importance,  
41 are considered compatible within a specific management unit, and apply to the entirety of the  
42 management unit. (See also “Land use designation”)

43  
44 **Commissioner.** The Commissioner of the Alaska Department of Natural Resources  
45

1 **Contamination.** The Environmental Protection Agency (EPA) defines contaminants as “any  
2 physical, chemical, biological, or radiological substance found in air, water, soil or biological  
3 matter that has a harmful effect on plants or animals; harmful or hazardous matter introduced  
4 into the environment.” Contamination is regulated by numerous state and federal regulations.  
5

6 **DEC.** Alaska Department of Environmental Conservation  
7

8 **Department.** Alaska Department of Natural Resources or DNR  
9

10 **Designated use.** An allowed use of major importance in a particular management unit.  
11 Activities in the unit will be managed to encourage, develop, or protect this use. Where a unit  
12 has two or more designated uses, the management intent statement and guidelines for the  
13 unit; the Chapter 2 guidelines; and existing statutes, regulations, and procedures, will direct  
14 how resources are managed to avoid or minimize conflicts between designated uses.  
15

16 **Designation.** See “Land Use Designation”  
17

18 **Developed recreational facility.** Any structure or facility that serves either public or private  
19 recreational needs.  
20

21 **Development node.** A distinct and compact cluster of development for public and private  
22 commercial facilities related to road traffic.  
23

24 **Director.** The division director of the state division responsible for managing state land.  
25 Most often, director refers to the Director of the Division of Mining, Land and Water; for  
26 lands administered by the DOF, Director of Forestry.  
27

28 **Dispersed recreation.** Recreational pursuits that are not site specific in nature, such as  
29 hunting, fishing, recreational boating or wildlife viewing. The designation of “Public  
30 Recreation-Dispersed” is used to indicate such uses where public recreation within a  
31 management unit is especially great or significant. These types of uses are allowed on nearly  
32 all state general domain land and are those uses that are permitted as Generally Allowed Uses  
33 in 11 AAC 96.020.  
34

35 **Disposal.** Refers to the conveyance of state land or an interest in state land to another entity.  
36 Disposal, as used in this plan, is meant to convey this general meaning. The term “Land  
37 Disposal” describes particular types of disposal. See also “Land Disposal”. Such disposals  
38 are evidenced by conveyance documents, including either a patent or Quit Claim Deed. The  
39 issuance of an easement or lease does not utilize these forms of conveyance documents.  
40

41 **DMLW.** Division of Mining, Land and Water – a division of DNR  
42

43 **DNR.** Alaska Department of Natural Resources  
44

45 **DOF.** Division of Forestry – a division of DNR

1 **DOT/PF.** Alaska Department of Transportation and Public Facilities

2  
3 **DR&R.** Dismantlement, Removal, and Restoration

4  
5 **Easement.** Generally, an interest in land owned by another that entitles its holder to a  
6 specific limited use. Easements may be issued within areas that are designated by the plan to  
7 be retained.

8  
9 **Feasible.** Means capable of being accomplished in a successful manner within a reasonable  
10 period of time, taking into account economic, environmental, technical, and safety factors.

11  
12 **Feasible and Prudent.** Means consistent with sound engineering practice and not causing  
13 environmental, social, or economic problems that outweigh the public benefit to be derived  
14 from a proposed action.

15  
16 **Fish and wildlife.** Any species of aquatic finfish and amphibian, reptile, bird or mammal in  
17 any stage of their life cycle found in or which may be introduced into Alaska, except  
18 domestic birds and mammals. The term “area(s)” in association with the term “fish and  
19 wildlife” refers to both harvest and habitat areas.

20  
21 **FLUP.** Forest Land Use Plan. FLUPs are prepared by the Division of Forestry and precede  
22 state timber sales.

23  
24 **FRPA.** See “Forest Resources and Practices Act”

25  
26 **Forestry.** Land that is or has been forested and is suited for long-term forest management  
27 because of its physical, climatic, and vegetative conditions. Also refers to the plan  
28 designation of Forestry or the land classification of Forest Land.

29  
30 **Forest Resources and Practices Act.** That section of Alaska Statute (AS 41.17.010-.955)  
31 that deals with the use, management, and protection of forest resources within the State of  
32 Alaska. More formally described as the Alaska Forest Resources and Practices Act.

33  
34 **Generally allowed use (GAU).** An activity conducted on state land managed by the Division  
35 of Mining, Land and Water that is not in a special category or status. For the most part these  
36 uses are allowed for 14 days or less, and a permit is not required (11 AAC 96.020).

37  
38 **Goal.** A statement of basic intent or general condition desired in the long term. Goals are not  
39 usually quantifiable and do not have specified dates for achievement.

40  
41 **Guideline (or Management Guideline).** A course of action to be followed by DNR resource  
42 managers or required of land users when the manager permits, leases, or otherwise authorizes  
43 the use of state land or resources. Guidelines also range in their level of specificity from  
44 giving general guidance for decision making or identifying factors that need to be considered,

1 to setting detailed standards for on-the-ground decisions. Some guidelines state the intent that  
2 must be followed and allow flexibility in achieving it.

3  
4 **Habitat.** Areas that serve as a concentrated use area for a single or multiple species of fish  
5 and wildlife during a sensitive life history stage or are highly important to the maintenance or  
6 management of a single or multiple species of fish or wildlife. This designation, when used,  
7 applies to localized areas having particularly valuable or sensitive habitat within the planning  
8 boundary. The “Ha” designation does not preclude human uses that are compatible with the  
9 designation. Also refers to the plan designation of Habitat or the land classification of  
10 Wildlife Habitat Land.

11  
12 **High value resident fish.** Resident fish populations that are used for recreational, personal  
13 use, commercial, or subsistence purposes (from AS 41.17.950(9)).

14  
15 **ILMA or ILMT.** See “Interagency Land Management Agreement/Transfer”

16  
17 **Improvements.** Buildings, wharves, piers, and other similar types of structures permanently  
18 fixed to the uplands or submerged lands that were constructed and/or maintained by the  
19 applicant for business, commercial, recreation, residential, or other beneficial uses or  
20 purposes. In no event shall fill be considered a permanent improvement when placed on the  
21 submerged lands solely for the purposes of disposing of waste or spoils. However, fill  
22 material utilized for beneficial purposes by the applicant shall be considered a permanent  
23 improvement (11 AAC 62.840 (14)). DNR practice is to apply this requirement to shorelands  
24 since similar conditions exist.

25  
26 **Instream flow.** An instantaneous flow rate of water through a stream during specified  
27 periods of time, from a designated location upstream to a designated location downstream.

28  
29 **Instream flow reservation.** The legal water reservation for instream uses such as fish,  
30 wildlife, recreation, navigation, and water quality.

31  
32 **Interagency Land Management Agreement/Transfer (ILMA/ILMT).** An agreement  
33 between DNR and other state agencies that transfers some land management responsibility to  
34 these other agencies.

35  
36 **Land Classification Order (LCO).** An order approved by the Commissioner of the  
37 Department of Natural Resources that classifies state land into specific land use categories  
38 (AS 38.04.065 and AS 38.05.300). The Land Classification Order in this Area Plan classifies  
39 all state lands within the planning area according to the land use designations assigned to  
40 individual land parcels in the Resource Allocation Tables contained in Chapter 3 of the Area  
41 Plan.

42  
43 **Land disposal.** Same as Land offering, defined below – except that land disposal areas  
44 referenced in Chapter 3 may include lots reserved for lease or sale for public, commercial, or  
45 industrial facilities.

1 **Land offering.** Transfer of state land to private ownership as authorized by AS 38.04.010,  
2 including fee simple sale and sale of agricultural rights. They do not include leases, land use  
3 permits, water rights, rights-of-way, material sales, or other disposals of interest in lands or  
4 waters. (See also “Land disposal”)  
5

6 **Land use designation.** A category of land allocation determined by a land use plan.  
7 Designations identify the primary use or uses of state land. Chapter 4 sets out how the land  
8 use designations of this plan will be classified according to 11 AAC 55. Referred to in this  
9 plan as Designation. A designation is only applied where the authorizing statute indicates that  
10 Title 38 (Public Land) authorities are to be retained for certain aspects of LDA management  
11 or if the LDA is not completely removed from the general public domain.  
12

13 **Leasable minerals.** Leasable minerals include deposits of coal, sulfur phosphates, oil shale,  
14 sodium potassium, oil and gas.  
15

16 **Lease.** A Department of Natural Resources authorization for the use of state land according  
17 to terms set forth in AS 38.05.070-105. The State Pipeline Coordinator’s Section holds  
18 authority for surface authorizations that pertain to pipeline infrastructure as defined under in  
19 AS 38.35.  
20

21 **LDA or Legislatively Designated Area.** An area set aside by the state legislature for special  
22 management actions and retained in public ownership. Examples are State Game Refuges  
23 and State Recreation Areas. Does not include sites that have been administratively designated  
24 for a special purpose, such as a state recreation site of less than 640 acres.  
25

26 **Leasehold Location Order.** The order used by the Department to manage the leasing of  
27 state land for locatable minerals. In this plan, a leasehold location order (#34) is used to  
28 manage mineral development in certain areas designated Settlement and not otherwise closed  
29 to mineral entry.  
30

31 **Locatable minerals.** Minerals that are subject to location under the mining laws of the  
32 United States on January 3, 1959, and that are described in AS 38.05.185. These include both  
33 metallic and non-metallic minerals.  
34

35 **Management intent statement.** The statements that define the department’s near and long-  
36 term management objectives and the methods to achieve those objectives. As most often used  
37 in the plan, it refers to the management objectives and methods to achieve those objectives  
38 for a management unit. Management intent statements function to provide more specific  
39 guidance than that provided by a plan designation or land classification and are to be  
40 interpreted as intended to be consistent with that designation or classification.  
41

42 **Materials.** “Materials” include but are not limited to common varieties of sand, gravel, rock,  
43 peat, pumice, pumicite, cinders, clay and sod. Materials may also refer to the designation of  
44 Materials or the land classification of Materials Land.  
45



1 **MCO.** See “Mineral Closing Order”

2  
3 **Mineral Closing Order (MCO).** Mineral closing orders close state lands (mineral estate) to  
4 mineral entry. All state lands are open for the prospecting and production of locatable  
5 minerals unless the lands are specifically closed to mineral entry. The Commissioner of the  
6 Department of Natural Resources may close land to mineral entry if a finding has been made  
7 that mining would be incompatible with *significant surface use* on state land (AS 38.05.185).  
8 A significant surface use of the land has been interpreted by DNR to include not only  
9 residential and commercial structures, but may also include fish and wildlife habitat,  
10 recreational, and scenic values where there is very high sensitivity, use, or value.

11  
12 **Mineral entry.** Acquiring exploration and mining rights under AS 38.05.185-38.05.275.

13  
14 **Mineral Opening Order (MOO).** An order approved by the Commissioner that opens state  
15 land to mineral entry.

16  
17 **Mineral Order (MO).** An order approved by the Commissioner that either closes or opens  
18 land to mineral entry. The use of this term is fairly recent. Previously the Department issued  
19 mineral opening orders or mineral closing orders. Reference in this plan is to ‘mineral  
20 closing order’ since this is the instrument that was used by the Department to close areas  
21 within the planning area and since graphic representations applicable at the time of review  
22 make reference to ‘Mineral Closing Orders’.

23  
24 **Mining.** Any structure or activity for commercial exploration and recovery of minerals,  
25 including, but not limited to resource transfer facilities, camps, and other support facilities  
26 associated with mineral development.

27  
28 **Mining claim.** Rights to deposits of minerals, subject to AS 38.05.185-38.05.275, in or on  
29 state land that is open to claim staking may be acquired by discovery, location and recording  
30 as prescribed in AS 38.05.185-38.05.275. The locator has the exclusive right of possession  
31 and extraction of the minerals lying within the boundaries of the claim, subject to  
32 AS 38.05.185 -38.05.275.

33  
34 **Minor Change.** A minor change to a land use plan is not considered a revision under  
35 AS 38.04.065. A minor change is a change that does not modify or add to the plan’s basic  
36 intent, and that serves only to clarify the plan, make it consistent, facilitate its  
37 implementation, or make technical corrections (11 AAC 55.030(f)(2)).

38  
39 **MP.** Milepost.

40  
41 **Multiple use.** Means the management of state land and its various resource values so that it  
42 is used in the combination that will best meet the present and future needs of the people of  
43 Alaska, making the most judicious use of the land for some or all of these resources or  
44 related services over areas large enough to provide sufficient latitude for periodic  
45 adjustments in use to conform to changing needs and conditions; it includes:

a) the use of some land for less than all of the resources, and

b) a combination of balanced and diverse resource uses that takes into account the short-term and long-term needs of present and future generations for renewable and nonrenewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific, and historic values (AS 38.04.910).

**Native-owned land.** Land that is patented or will be patented to a Native corporation.

**Native-selected land.** Federally owned land that is selected by a Native corporation but not yet patented.

**Navigable.** Used in its legal context, it refers to lakes and rivers that meet federal or state criteria for navigability. Under the Equal Footing Doctrine, the Alaska Statehood Act, and the Submerged Lands Act, the state owns land under navigable waterbodies.

**Navigable Water.** Means any waterbody of the state that is navigable in fact for any useful public purpose and as specifically described in AS 38.05.965(14).

**NEAAP.** Northeast Alaska Area Plan

**NRO.** Northern Regional Land Office of the Division of Mining, Land and Water, Alaska Department of Natural Resources.

**Objective.** A concise statement of what we want to achieve, how much we want to achieve, when and where we want to achieve it, and who is responsible for the work. Objectives are derived from goals.

**Ordinary high-water mark (OHWM).** The mark along the bank or shore up to which the presence and action of the non-tidal water are so common and usual, and so long continued in all ordinary years, as to leave a natural line impressed on the bank or shore and indicated by erosion, shelving, changes in soil characteristics, destruction of terrestrial vegetation, or other distinctive physical characteristics (from 11 AAC 53.900(23)).

**Permanent use.** A use that includes a structure or facility that is not readily removable. Permanent facilities are improvements that do not need to be removed and usually involve the construction of a foundation for the improvement.

**Permit.** A Department of Natural Resources authorization for use of state land according to terms set forth in 11 AAC 96.

**Planning period.** Refers to the length of time that the plan covers, which is 20 years. However, the area plan, and the land use classifications that derive from the plan, remain valid until the area plan is revised.

1 **Policy.** An intended course of action or a principle for guiding actions; in this plan, DNR  
2 policies for land and resource management include goals, management intent statements,  
3 management guidelines, land use designations, implementation plans and procedures, and  
4 various other statements of DNR's intentions.

5  
6 **Pollutant.** A substance that contaminates the natural environment including air, water, or  
7 land.

8  
9 **Pollution.** The introduction of harmful materials into the environment.

10  
11 **Primary use.** The primary intended use of state land or water, which is indicated through a  
12 primary land use designation. In this plan there may be two compatible uses within a  
13 management unit. When this occurs, it is represented by a co-designation. These types of  
14 uses are most often expressed through a land use designation (see "Designation") in this plan.

15  
16 **Prohibited use.** A use not allowed in a management unit because of conflicts with the  
17 management intent, designated primary or secondary uses, or management guideline. Uses  
18 not specifically prohibited nor designated as primary or secondary uses in a management unit  
19 are allowed if compatible with the primary and secondary uses, the management intent  
20 statements for the unit, and the plan's guidelines. Changing a prohibited use to an allowable  
21 use requires a plan amendment.

22  
23 **Public Trust Doctrine.** A doctrine that requires the state to manage tidelands, shorelands,  
24 and submerged lands for the benefit of the people so that they can engage in such things as  
25 commerce, navigation, fishing, hunting, swimming, and ecological study. See Appendix E.

26  
27 **Public use.** Any human use of state land, including commercial and non-commercial uses.

28  
29 **Public Water.** Means navigable water and all other water, whether inland or coastal, fresh or  
30 salt, that is reasonably suitable for public use and utility, habitat for fish and wildlife in which  
31 there is a public interest, or migration and spawning of fish in which there is a public interest  
32 (AS 38.05.965(21)).

33  
34 **Recreation.** Any activity or structure for recreational purposes, including but not limited to  
35 hiking, camping, boating, anchorage, access points to sport hunting and fishing areas, and  
36 sightseeing. "Recreation" does not refer to subsistence hunting and fishing. See the term  
37 Subsistence.

38  
39 **REE(s).** Rare Earth Element.

40  
41 **Region.** A spatial unit used in area plans to describe major geographic areas within the plan  
42 boundary. Often regions occupy state lands that are contiguous or are generally close to each  
43 other and that may have similar resource and use characteristics. In this plan, there are three  
44 regions that encompass state-owned and selected land.

1 **Remediation.** The act of remedying something, in particular of reversing or stopping  
2 environmental damage.

3  
4 **Resource management.** A land designation or classification used for lands which are  
5 presently inaccessible or remote and may have a number of resources; where the lack of  
6 adequate resource, economic or other relevant information combined with the unlikelihood of  
7 resource development within the next 20 years makes a specific resource allocation decision  
8 unnecessary; or where a number of uses can be accommodated in a given area, which tend to  
9 be of considerable size in this plan. In previous area plans, this designation was referred to as  
10 General Use.

11  
12 **Retain in state ownership (Retained Land).** Uplands, shorelands, and waters that are to  
13 remain in state ownership. Certain plan designations indicate whether state land is to be  
14 retained on a general basis. (See the section, ‘Designations Used in This Plan’ in Chapter 3  
15 for more information.) Retained land may also exist within specific areas and, if so, this  
16 intent applies to individual management units. (See the Resource Allocation Tables in  
17 Chapter 3 for more information.) Easements granted under AS 38.05.850 are not considered  
18 to be ‘retained land’ within the context of this plan.

19  
20 **RS 2477.** RS 2477 stands from Revised Statute 2477 from the Mining Act of 1866, which  
21 states that “The public right-of-way for the construction of highways over public lands, not  
22 reserved for public use, is hereby granted.

23  
24 **Right-of-way.** The legal right to cross the land of another.

25  
26 **Riparian Areas.** Areas adjacent to streams, rivers, and lakes. Standards for the management  
27 of riparian areas are contained in the Shorelands and Stream Corridors section of Chapter 2.

28  
29 **ROW.** Right-of-way.

30  
31 **Settlement.** The sale, leasing, or permitting of state lands to allow private recreational,  
32 residential, commercial, industrial, or community use. May also refer to the designation of  
33 Settlement or the land classification of Settlement Land.

34  
35 **Shall.** Same as “will.”

36  
37 **Shoreland.** Land belonging to the state that is covered by navigable, nontidal water up to the  
38 ordinary high-water mark as modified by accretion, erosion or reliction. (See definition of  
39 Navigable.) Shorelands are generally lake bottoms or the beds of navigable rivers and  
40 streams. (See Figure 1-1, Chapter 1.)

41  
42 **Should.** States intent for a course of action or a set of conditions to be achieved. Guidelines  
43 modified by the word “should” state the plan’s intent and allow the manager to use discretion  
44 in deciding the specific means for best achieving the intent or whether circumstances justify  
45 deviations from the intended action or set of conditions. Includes the concept of ‘feasible and

prudent.’ Any deviation from a management intent statement or management guideline in an authorization requires an explanation for the variation in the written decision. See also “Will.”

**Spill and Contaminated Sites.** Areas impacted by a release of oil or hazardous substances and regulated under 18 AAC 75.

**State land.** A generic term meaning all state land, including all state-owned and state-selected uplands, all shorelands, tidelands, and submerged lands. See also definitions of state-owned land and state-selected land as well as definitions for shorelands, tidelands, and submerged lands. Refer to Figure 1-1 in Chapter 1 for a graphical depiction of these areas. ‘State Land’ excludes lands owned by the University of Alaska, the Mental Health Trust Authority, or by state agencies that have acquired it through deed.

**State-owned land.** Land that is patented or will be patented to the state, including uplands, tidelands, shorelands, and submerged lands.

**State-selected land.** Federally owned land that is selected by the State of Alaska, but not yet patented nor Tentatively Approved (TA) by the Bureau of Land Management.

**Stream.** A general term for a body of flowing water. Rivers and creeks are types of streams.

**Submerged Lands.** Land covered by tidal waters between the line of mean lower low water and seaward to a distance of three geographic miles or as may hereafter be properly claimed by the state. (AS 38.05.965 (25)) (See definition of Tidelands and Figure 1-1, Chapter 1.)

**Subsistence.** Subsistence is defined in Alaska state laws as the “non-commercial customary and traditional uses of fish and wildlife.” See AS 16.05.940, especially subsections 31 and 32 (fishing), 33 (subsistence hunting), and 34 (subsistence uses) for further information.

**Suitable.** Land that is physically capable of supporting a resource development.

**Sustained Yield.** Means the achievement and maintenance in perpetuity of a high level of annual or regular periodic output of the various renewable resources of state land consistent with multiple use. (AS 38.04.910(12))

**Temporary use.** A use that is one year or less in duration requiring a state permit. Any structure associated with the use must be readily removable.

**Tidelands.** Lands that are periodically covered by tidal waters between the elevation of mean high water and mean lower low water. (AS 38.05.965(26)) (See Figure 1-1, Chapter 1.)

**Top-filed (also Top Filing).** A future state selection for lands which were not available on the date of filing. These selections automatically become effective without further action by the state on the date the lands become available for state selection.

1 **Unsuitable.** Land that is physically incapable of supporting a resource development (usually  
2 because that resource doesn't exist in that location).  
3

4 **Uplands.** Lands above mean high water. (See Figure 1-1, Chapter 1.)  
5

6 **USFWS or U. S. Fish and Wildlife Service.** United States Fish and Wildlife Service, a  
7 division of the U.S. Department of Interior.  
8

9 **Viewshed.** A viewshed is an area of land, water, or another environmental element that is  
10 visible to the human eye from a fixed vantage point. Viewsheds tend to be areas of scenic or  
11 historic value that are readily visible from public areas such as roadways, rivers with  
12 important recreation functions, or regional trails.  
13

14 **Water Resources.** Refers to the plan designation of Water Resources or the land  
15 classification of Water Resources Land.  
16

17 **Water-dependent.** Means a use or activity which can be carried out only on, in, or adjacent  
18 to water areas because the use requires access to the water body.  
19

20 **Water-related.** Means a use or activity which is not directly dependent upon access to a  
21 water body, but which provides goods or services that are directly associated with water-  
22 dependence and which, if not located adjacent to water, would result in a public loss of  
23 quality in the goods or services offered.  
24

25 **Wetlands.** References freshwater wetlands. “Freshwater wetlands” means those  
26 environments characterized by rooted vegetation which is partially submerged either  
27 continuously or periodically by surface freshwater with less than 0.5 parts per thousand salt  
28 content and not exceeding three meters in depth. Note: This definition may be inconsistent  
29 with the federal definition of wetlands as applied by the U.S. Corps of Engineers.  
30

31 **Will.** Requires a course of action or a set of conditions to be achieved. A guideline modified  
32 by the word “will” must be followed by land managers and users. Deviation from plan  
33 designations, management intent, or management guidelines requires a plan amendment  
34 consistent with 11 AAC 55.030(f). (See Chapter 4 - Types of Plan Changes.)  
35

36 **Working Forest.** A “working forest” refers to actively managed forest lands that provide  
37 wood for personal and commercial use, while protecting fish and wildlife habitat, providing  
38 the public with recreation and other multiple use of state land, and maintaining public  
39 benefits such as clean air, land, and water.  
40

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

## Appendix B

### Land Classification Order No. NC-24-001

I. Name: Northeast Alaska Area Plan (NEAAP)

II. The classifications in Part III are based on written justification contained in one of the following plans:

Area Plan: **Northeast Alaska**

Adopted ( x ) Revised ( ) Dated \_\_\_\_\_

Management Plan:

Adopted ( ) Revised ( ) Dated \_\_\_\_\_

Site Specific Plan:

Adopted ( ) Revised ( ) Dated \_\_\_\_\_

III. Legal Description	Acreage	Acquisition Authority	Existing Classification	Classification by this Action
See plan maps	X	GS, CG	Several site specific plans	See plan maps

IV. This order replaces and supersedes all existing land classification orders within the plan boundary of the NEAAP.

V. This order is issued under the authority granted by AS 38.04.065 and AS 38.05.300 to the Commissioner of the Department of Natural Resources. The above described lands are hereby designated and classified as indicated. Additionally, state land under contract for conveyance remains classified Settlement Land until this land is conveyed out of state ownership. Nothing shall prevent the reclassification of these lands if warranted in the public interest.

The date of issuance for this decision shall be \_\_\_\_\_

Classified: \_\_\_\_\_ Date: \_\_\_\_\_

John Boyle, Commissioner,  
Department of Natural Resources





## Appendix C

### Mineral Order 1291

STATE OF ALASKA  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINING, LAND AND WATER  
MINERAL ORDER 1291

  X   Closing Lands to Mineral Entry   X   Opening Lands to Mineral Entry

- I. Name:** Northeast Alaska Area Plan  
Land Classification Order NC-24-001
- II. Reason for Mineral Order:** This Mineral Order is based on the attached Commissioner's Administrative Finding and Northeast Alaska Area Plan.
- III. Authority:** Alaska Statute (AS) 38.05.185 and AS 38.05.300.
- IV. Location and Legal Description:** This order affects lands in management units classified as Settlement Land.
- See Map C-1, Lands to be Included in Mineral Order 1291, for reference.
- V. Mineral Opening and Closing:** This mineral order is subject to valid existing rights and is issued under the authority granted by AS 38.05.185 and AS 38.05.300 to the 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 closing land and opening other specified land described in this mineral order to entry under the mineral location and mining laws of the State of Alaska. The above-described lands are hereby modified to entry under the locatable mineral and mining laws of the State of Alaska, concomitantly with the adoption of the Northeast Alaska Area Plan.

Concur: \_\_\_\_\_  
Christianna Colles, Director  
Division of Mining, Land, and Water  
Date

Approved: \_\_\_\_\_  
John Boyle, Commissioner  
Department of Natural Resources  
Date

**STATE OF ALASKA**  
**DEPARTMENT OF NATURAL RESOURCES**  
**DIVISION OF MINING, LAND & WATER**  
**COMMISSIONER'S ADMINISTRATIVE FINDING**  
**MINERAL ORDER 1291**  
**Closing Lands to Mineral Entry**  
**AS 38.05.185(a)**

**NORTHEAST ALASKA AREA PLAN**

The Northeast Alaska Area Plan (NEAAP), developed in accordance with AS 38.04.065, proposes closing land in Units designated either Settlement and classified as Settlement Land in the Northeast Alaska Area Plan, and as listed in Table C-1 and depicted in the plan maps.

The Division of Mining, Land and Water requests the mineral estate of approximately 72,300 acres, identified in the attached mineral order, be closed to mineral entry and location, in accordance with AS 38.05.300 for future land disposals. Mining activity on the project area would be incompatible with the current and proposed land estate uses.

The Division of Mining, Land and Water also requests the mineral estate of approximately 8,094 acres, identified in the attached mineral order, be opened to mineral entry and location. This will rescind portions of MCO 554 and MCO 201. Given the absence of need or the presence of physical features that preclude settlement, it is recommended these areas be opened to mineral entry.

Public notice of the comment period for the proposed mineral order will be conducted in accordance with AS 38.05.945. Review of comments will be addressed in the final document.

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 1291. This order is subject to valid existing rights.

---

John Boyle, Commissioner  
Department of Natural Resources

---

Date

1 **Table C-1: Units Affected By MO 1291**

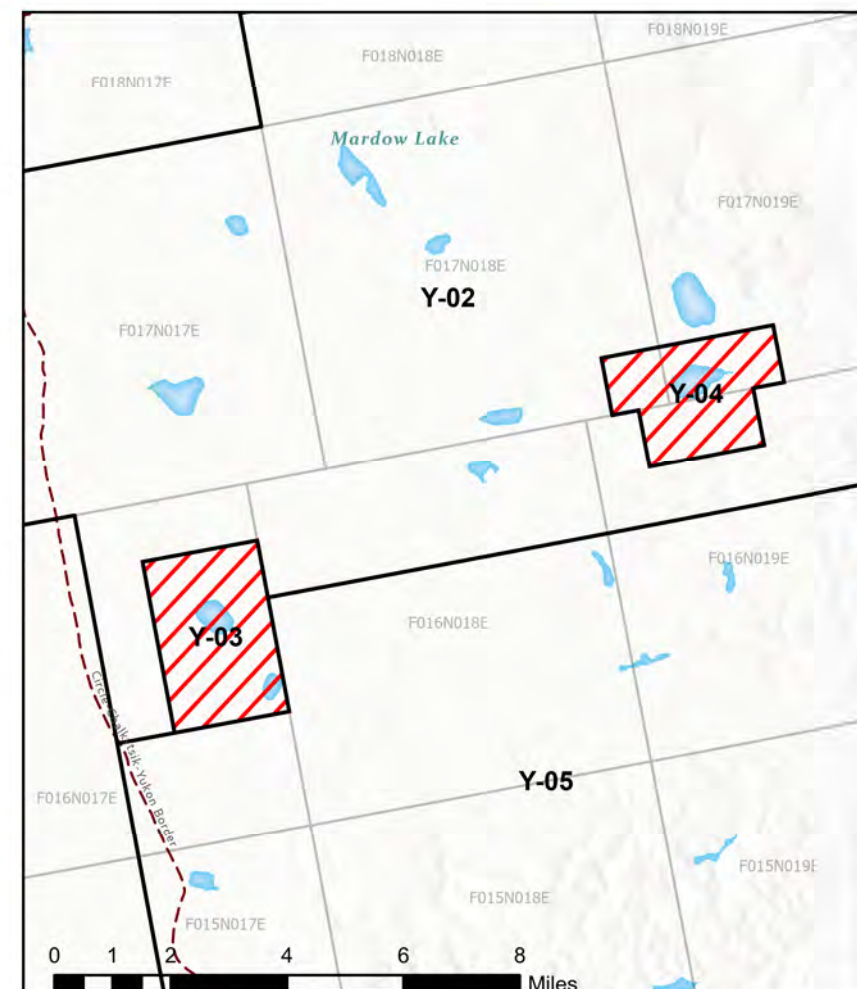
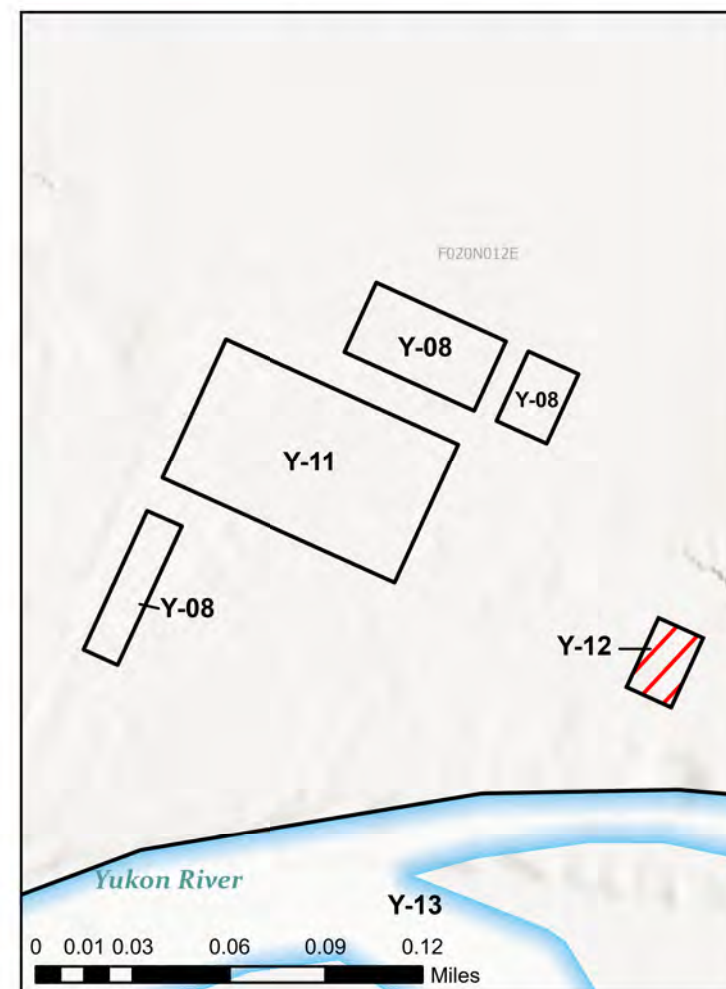
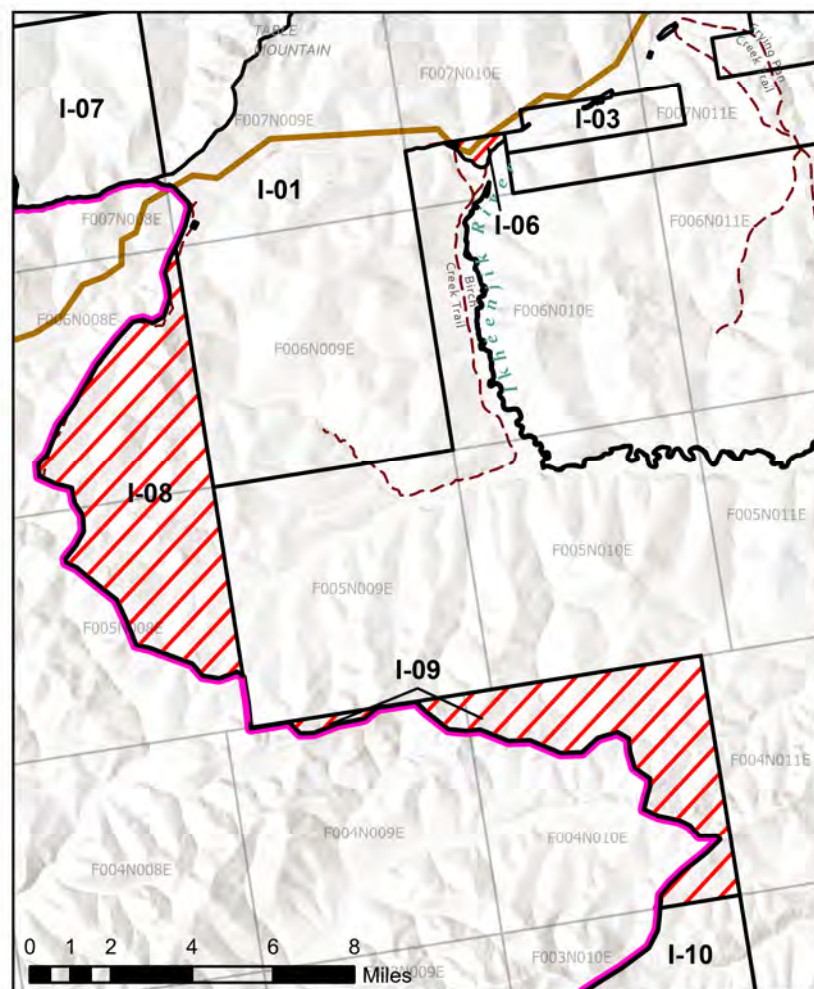
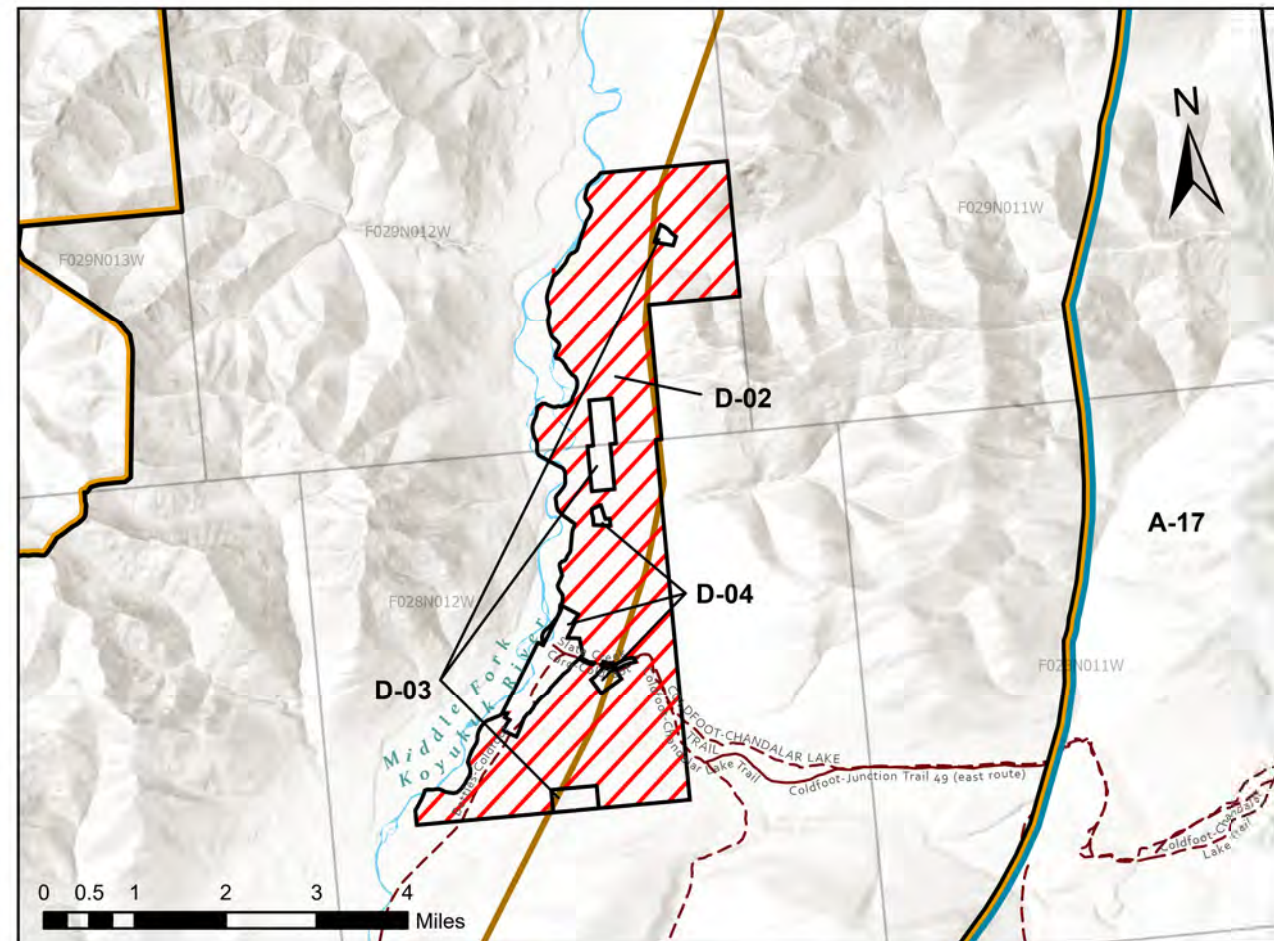
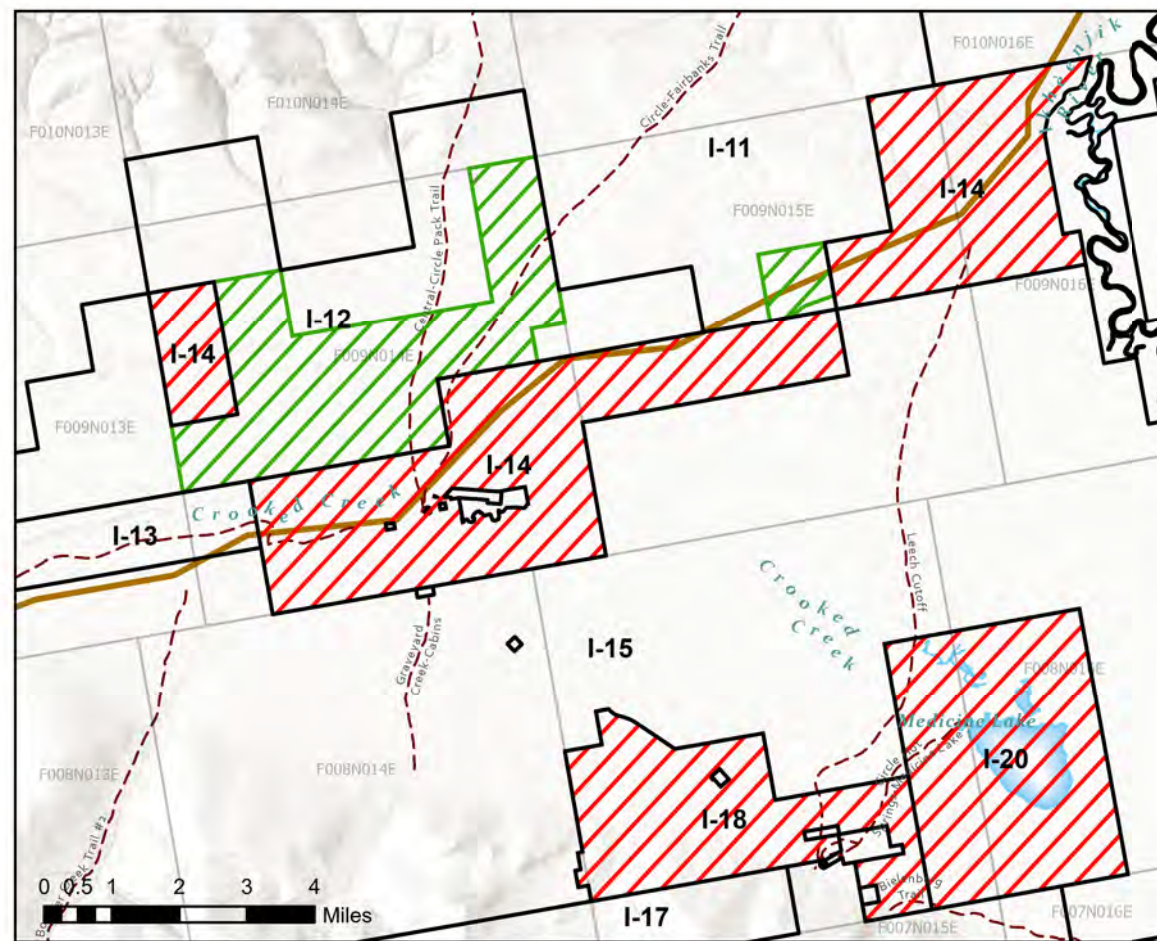
MO #	ACRES	MAP	Management Units	MTRS
MO 1291, Closing	72,300	C-1	D-02, Y-03, Y-04, Y-12, I-06, I-08, I-09, I-14, I-18, I-20	See Map C-1
MO 1291, Opening	8,094	C-1	I-11, I-12	See Map C-1

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# Northeast Alaska Area Plan Map C-1

## Mineral Order 1291

- Planning Units
- MO 1291 Closing Areas
- MO 1291 Opening Areas
- Highways
- RS 2477
- Arctic Region
- Yukon Flats Region
- Interior Highlands Region
- Dalton Corridor Region

## Unit Affected by MO 1291

Opening	Closing
I-11	D-02
I-12	I-06
	I-08
	I-09
	I-14
	I-18
	I-20
	Y-03
	Y-04
	Y-12



Land use designations only apply to land owned by the State Department of Natural Resources, as indicated by the management units on this map. There are some small private parcels contained within these units but the designation does not apply to these non-state lands.

This map is for graphic representation only and is intended to be used only as a guide.

Created: August 2025  
DS, DNR, DMLW, RADS  
Projected Coordinate System: NAD 1983  
UTM Zone 6 North





1 **Appendix D**  
2 **Current Mineral Orders and Leasehold Location**  
3 **Orders Retained by this Plan**

4 **Table D-1: Current Mineral Orders and LLOs Retained By This Plan**

MO #	LLO #
MCO 780	LLO 30
MCO 627	LLO 32
MCO 621	LLO 39
MCO 582	
MCO 577	
MCO 554	
MCO 552	
MCO 428	
MCO 427	
MCO 398	
MCO 296	
MCO 201	
MCO 200	
MO 1236	
MO 1165	
MO 1162A03	
MO 1162A01	
MO 1147	
MO 1118	
MO 1045	
MO 1042	

5  
6

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2



## 1 **Appendix E**

### 2 **Public Trust Doctrine**

3 The Public Trust Doctrine provides that public trust lands, waters, and living natural  
4 resources in a state are held by the state in trust for the benefit of all the people, and  
5 establishes the right of the public to fully utilize the public trust lands, waters, and resources  
6 for a wide variety of public uses. Each state has the authority and responsibility for managing  
7 these public trust assets to assure the public rights are upheld.  
8

9 The Public Trust Doctrine applies whenever navigable waters or the lands beneath those  
10 waters are altered, developed, conveyed, or otherwise managed. It also applies whether the  
11 trust lands are publicly or privately owned. Shorelands below the ordinary high-water mark  
12 are considered public trust lands. In summary, all lands beneath navigable waters, be they  
13 shorelands, tidelands, or submerged lands out to the three mile limit are public trust lands.  
14

15 The Alaska Constitution contains numerous provisions embracing principles of the Public  
16 Trust Doctrine that require the state to exercise authority to ensure that the right of the public  
17 to use navigable waters for navigation, commerce, recreation, and related purposes is  
18 protected. In Alaska, the Public Trust Doctrine extends beyond those submerged lands in  
19 which the state holds title to include all waters that are navigable. The state's waters are  
20 themselves reserved to the people for common use.  
21

22 The Alaska Constitution (Article VIII, sections 1, 2, 3, 6, 13, and 14) and Alaska Statutes  
23 (38.05.127 and 38.05.128) contain some of the provisions, which are the legal basis for  
24 applying the Public Trust Doctrine in Alaska. In Alaska, this doctrine guarantees the public's  
25 right to engage in activities such as commerce, navigation, fishing, hunting, trapping, and  
26 swimming, while also providing for the protection of areas for ecological study.  
27

28 The Alaska Constitution provides that "free access to the navigable or public waters of the  
29 state, as defined by the legislature, shall not be denied any citizen of the United States or  
30 resident of the state, except that the legislature may by general law regulate and limit such  
31 access for other beneficial uses or public purposes." The Alaska Supreme Court has  
32 concluded "the provisions in Article VIII [of the Constitution] were intended to permit the  
33 broadest possible access to and use of state waters by the general public." *Wernberg v. State*,  
34 516 P. 2d 1191, 1198-9 (Alaska 1973). The Alaska legislature has broadly defined the  
35 navigable and public waters available for public use in AS 38.05.965. Moreover, the  
36 legislature has endorsed a broad interpretation of the Public Trust Doctrine in Article VIII of  
37 Alaska's Constitution in finding that:  
38  
39

1 “Ownership of land bordering navigable or public waters does not grant an exclusive right to  
2 the use of the water and any rights of title to the land below the ordinary high-water mark are  
3 subject to the rights of the people of the state to use and have access to the water for  
4 recreational purposes or any other public purposes for which the water is used or capable of  
5 being used consistent with the public trust.” Sec. 1, Ch. 82, SLA 1985.

6  
7 The legislature has also declared that the right to use state waters does not include the right to  
8 enter or trespass upon private lands. Nevertheless, with 99 percent of Alaska in public  
9 ownership at statehood, state laws regarding the transfer of land to private parties provide for  
10 public access to navigable waters. For instance, AS 38.05.127 implements the state’s  
11 constitutional guarantee of access to navigable waters under Article VIII, Section 14. Under  
12 the statute, the Commissioner of the Alaska Department of Natural Resources must “provide  
13 for the specific easements or rights-of-way necessary to ensure free access to and along the  
14 body of water, unless the Commissioner finds that regulating or eliminating access is  
15 necessary for other beneficial uses or public purposes.” The State’s responsibilities to  
16 implement the Public Trust Doctrine are considered and used throughout this plan. Any  
17 management actions will be consistent with the Public Trust Doctrine as defined by the  
18 Alaska Constitution, statutes, court decisions, and public involvement.  
19

## Appendix F

### Reservations of Water

This appendix includes specific information for planning units containing a body of water with existing or pending reservations of water (Table F-1). Table F-1 describes the units by region, the water body, the LAS number, the map number, the customer name and the legal description of the reservation. See Chapter 2 for more information on reservations of water.

**Table F-1: Reservations of Water**

Region/Unit	Waterbody	LAS	Plan Map No.	Customer/Cert holding/applying agency	Description
Arctic Region					
A-01	Middle Fork Koyukuk River	30712	3-1b	ADF&G	<b>Certificate</b> Middle Fork Koyukuk River from the ordinary high water mark (OHWM) of the outer bank (of the outside braid, where braided) of the left bank up to the OHWM of the outer bank (of the outside braid, where braided) of the right bank, including any sloughs, braids, or channels which carry water and are an integral part of the river beginning at the mouth of the Middle Fork Koyukuk River (at its confluence with the North Fork Koyukuk River) and extending upstream approximately 55 river miles to the confluence with the Hammond River.
A-02					
A-07					
A-10					
A-11					
A-26	Teedriinjik (Chandalar) River	33351	3-1a		<b>Application Pending</b> Teedriinjik (Chandalar) River, beginning at its confluence with the Yukon River and continuing upstream approximately 70 river miles to its confluence with the East Fork Teedriinjik River.
Yukon Flats Region					
Y-09	Draanjik (Black) River	25585	3-2b	USFWS	<b>Application Pending</b> Draanjik River and its flood plain, Yukon Flats National Wildlife Refuge, with the upstream limit at the confluence of the Draanjik River and the Salmon Fork of the Draanjik River and the downstream limit at the confluence of the Draanjik River and the Porcupine River.
Y-15					

Region/Unit	Waterbody	LAS	Plan Map No.	Customer/Cert holding/applying agency	Description
Y-14	Ikheenjik River (Birch Creek)	24000	3-2b	USFWS	<b>Application Pending</b> Upper mouth Birch Creek and its floodplain, beginning at the point where Birch Creek bifurcates into upper mouth Birch Creek and lower mouth Birch Creek. The stream segment is approximately 65.21 river miles in length and ends at the confluence of upper Mouth Birch Creek and the Yukon River.
		24003			<b>Application Pending</b> The lower mouth Birch Creek and its flood plain, Yukon Flats National Wildlife Refuge. The upstream limit is that point where the main stem, single-channel Birch Creek bifurcates into lower mouth Birch Creek and upper mouth Birch Creek. The downstream limit is the confluence of lower mouth Birch Creek and the southernmost channel of the Yukon River.
		24004			<b>Application Pending</b> The lower main stem Birch Creek and its flood plain beginning at the confluence of Birch Creek and Preacher Creek, and extending approximately 48.83 river miles downstream. The downstream limit is the point where Birch Creek bifurcates into lower mouth Birch Creek and upper mouth Birch Creek.
		24005			<b>Application Pending</b> The upper main stem Birch Creek and its flood plain with the upstream limit at the confluence of Birch and Big Creek, a point approximately 5 river miles upstream of the exterior boundary of the refuge and the downstream limit at the confluence of Birch Creek and Preacher Creek.
Y-16	Beaver Creek	24007	N/A	ADF&G	<b>Application Pending</b> Beaver Creek and its floodplain beginning below the confluence of Victoria Creek and Beaver Creek. The stream segment is approximately 190.52 river miles in length and ends at the confluence of Beaver Creek and the Yukon River.
Y-17	Teedriinjik (Chandalar) River	33351			<b>Application Pending</b> Teedriinjik (Chandalar) River, beginning at its confluence with the Yukon River and continuing upstream approximately 70 river miles to its confluence with the East Fork Teedriinjik River.
Interior Highlands Region					
I-29	Ikheenjik River (Birch Creek)	24386	3-3a	BLM	<b>Application Pending</b> The upper main stem Birch Creek with the upstream limit at the beginning of creek and continuing approximately 43 miles to the downstream limit at Section 21, Township 7 North, Range 17 East, Fairbanks Meridian.

Region/Unit	Waterbody	LAS	Plan Map No.	Customer/Cert holding/applying agency	Description
I-30	Beaver Creek	11997	3-3b	BLM	<b>Certificate</b> The main stem of Beaver Creek from the vicinity of the present confluence of the Bear and Champion Creeks to the east boundary of Section 1, Township 11 North, Range 5 East, Fairbanks Meridian.
<b>Water Reservations Not Within a Unit</b>					
No unit; refer to Navigable Waters Section in Chapter 3	Jim River	13700	N/A	ADF&G	<b>Application Pending</b> Stream flows within the Jim River and its floodplain from the mouth of the Jim River at its confluence with the Koyukuk River to approximately river mile 14.0.
		26581		BLM	<b>Application Pending</b> The location to which this reservation is appurtenant is stream flow within the Jim River and its associated sloughs and floodplain from the confluence of Grayling Creek downstream to the confluence of Prospect Creek.
	Hadweenzic River	23997		USFWS	<b>Application Pending</b> The Hadweenzic River and its floodplain beginning below the confluence of Forty-two Mile Creek and Hadweenzic River. The stream segment is approximately 72.82 river miles in length and ends at the confluence of the Hadweenzic River and the Yukon River (Slough).
	Hodzana River	23998			<b>Application Pending</b> The Hodzana River and its floodplain beginning below the confluence of Pitka Fork and Hodzana River. The stream segment is approximately 85.94 river miles in length and ends at the confluence of the Hodzana River and the Yukon River.
	Sheenjok River	23999			<b>Application Pending</b> The Sheenjok River and its floodplain, beginning below the confluence of Thluichohnjik Creek and Sheenjok River. The stream segment is approximately 108.88 river miles in length and ends at the confluence of the Sheenjok River and the Porcupine River.
	Lakes	23642 – 23662 23665 – 23672 23674 – 23677			<b>Application Pending</b> Various lakes with the Yukon Flats National Wildlife Refuge. Refer to LAS casefiles for further information.
	Preacher Creek	24001			<b>Application Pending</b> Preacher Creek and its flood plain beginning at the confluence of north fork Preacher Creek and Preacher Creek and extending approximately 71.92 river miles downstream. The downstream limit is the point where Preacher Creek discharges into Birch Creek.

Region/Unit	Waterbody	LAS	Plan Map No.	Customer/Cert holding/applying agency	Description
	Little Black River	24006			<b>Application Pending</b> Little Black River and its floodplain, beginning below the confluence of Paddle Creek and the Little Black River. The stream segment is approximately 130.35 river miles long and ends at the point where the Little Black River bifurcates into the distributaries Sucker River and Grass River.

1  
2