

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

MINERAL LEASEHOLD LOCATION ORDER NO. 40

1.0 Order restricting to leasehold location

After the effective date of this order (see paragraph 5), and unless otherwise closed to mineral entry, rights to locatable minerals in the land covered by this order within the Southeast State Forest may be acquired only under the leasehold location system, AS 38.05.205, and may not be acquired by locating a mining claim under AS 38.05.195.

2.0 The lands subject to the terms of this order are classified Forest Land and located in the legislatively designated Southeast State Forest. This order applies to those lands within the state forest not already covered by an existing Mineral Order or Leasehold Location Order. The affected lands are shown on maps in the Southeast State Forest Management Plan. For legal descriptions see [AS 41.17.500](#) (d) & (e).

<u>Land Units</u>	<u>Acreage</u>
Rowan Bay	664
Frederick Point	904
South Mitkof	1,758
South Mitkof	1,046
Bradfield Canal	2,533
Crittenden Creek	3,143
Earl West Cove	2,157
Eastern Passage	626
Pat Creek	2,592
Bostwick	5,101
Vallenar	2,397
Neets Bay	2,133
Leask Cove	326
Traitors Cove	314
Hook Arm	976
Coffman Cove	2,485
El Capitan North	1,528
El Capitan South	603
Naukati	1,857
Whale Pass East	648
Whale Pass West	323
Control Lake	745
Thorne Bay North	2,041
Thorne Bay South	1,120
Indian Creek	1,009

Tuxekan	606
Kitkun Bay	516
Suemez	1,085
Heceta	2,036
Edna Bay East	637
Edna Bay North	490
Edna Bay South	2,193

Total Acreage: 46,592

3.0 Authority for this order

This order is issued under the authority granted by AS 38.05.185 to the Department of Natural Resources for the State of Alaska.

4.0 Findings and Determinations

The following findings and determinations are made:

- 4.1 The land described in paragraph 2.0 is found to be subject to potential use conflicts, which require that mining be allowed only under written lease issued under AS 38.05.205. These potential conflicts include, but are not necessarily limited to the following:

The land area of the Southeast State Forest is classified Forest Land and was established for intensive forest management and timber production. Few state lands are available for providing timber to local industry in Southeast Alaska. Mining operations may adversely affect these activities and the timber sale process; the leasehold process provides a mechanism to coordinate the commercial timber sales or timber salvage of surface resources prior to mineral development taking place. In addition, coordinated access for timber and mineral development may improve efficiencies and lower costs for both industries, while further minimizing potential conflicts.

- 4.2 Because of the potential mineralized nature of the lands identified in this order, mining may be a use of these lands. Leasehold location is an appropriate measure to allow mineral development with minimal impacts to areas that have been described as sensitive to mining operations in paragraph 4.1. The Department of Natural Resources, following review by the Division of Forestry, will only approve Plans of Operations (PoO) that demonstrate a proposed mining operation's impacts on forestry uses are mitigated to as large an extent as possible.
- 4.3 The land described in paragraph 2.0 is found and determined to have mineral potential.

4.4 The stipulations described in paragraph 4.2 are determined to be necessary in minimizing impacts to forest productivity on the lands described in paragraph 2.0 and are to be used in approving mineral plans of operations by the Department of Natural Resources.

5.0 Effective Date

This order is effective as of the following date: _____

Concur: _____
Director, Division of Mining, Land and Water Date

Approved by: _____
Commissioner, Department of Natural Resources Date

