

**STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER
Southeast Regional Land Office**

**Final Decision
ADL 108979
Haines Huts
Application for Lease
AS 38.05.810**

This Final Finding and Decision, and all attachments hereto, supplement the Preliminary Decision dated September 1, 2022, and comprise the record of decision for this disposal of interest under AS 38.05.810.

Summary of Public Comments Received During the Public Notice Period:

Lynn Canal Conservation, Inc. (LCC): LCC provides support for DMLW's proposal to issue a lease to Haines Huts but recognizes ADF&G predictions of goat selection and brown bear denning near the site. LCC supports DMLW's decision to adopt the ADF&G recommendations to minimize helicopter disturbance, properly store animal attractants, and avoid conflict with hunter user groups. LCC also suggests requiring any wildlife conflict be reported to ADF&G as well as requiring signage inside the cabin of how to make contact and reports with ADF&G.

DMLW Response: DMLW has incorporated additional stipulations to address concerns. As stated in the preliminary decision, since helicopter use is not part of this authorization, the applicant will be advised of ADF&G recommendations to minimize disturbance. To address other concerns mentioned, the following stipulations have been added to the Lease Agreement:

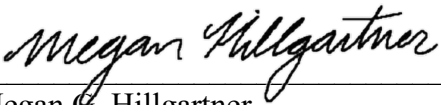
- a) The Lessee is responsible for ensuring all food, fuel, waste, or other potential bear/animal attractants are properly stored on site.
- b) To avoid impacts to wildlife and reduce the potential for conflict with hunting user groups, the Lessee is required to avoid construction between September 15th and November 15th.
- c) The Lessee is required to post signage inside the cabin providing ADF&G contact information and directing users to report any conflicts with wildlife to the Douglas office of ADF&G at (907) 465-4265 or the Alaska Wildlife Troopers if an emergency occurs.

Mr. Tim McDonough: Mr. McDonough supports the decision to issue Haines Huts a lease agreement.

DMLW Response: DMLW notes the support of Mr. McDonough.

DMLW has re-affirmed that the case file is complete and the requirements of all applicable statutes and regulations have been satisfied. It is the finding of the Commissioner of the Department of Natural Resources

that it is in the best interest of the State to proceed with this disposal of interest under the authority of AS 38.05.810.¹



Megan G. Hillgartner
Acting Southeast Regional Manager

11/4/2022

Date

An eligible person affected by this decision, and who provided timely written comment or public hearing testimony to the department, may appeal the decision to the DNR Commissioner per AS 44.37.011 and 11 AAC 02. Any appeal must be received within twenty (20) calendar days after issuance of this decision under 11 AAC 02.040. An eligible person must first appeal a decision to the Commissioner before seeking relief in superior court. The Alaska State Courts establish its own rules for timely appealing final administrative orders and decisions of the department. Appeals may be mailed or hand-delivered to the DNR Commissioner's Office, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska, 99501; or faxed to (907)-269-8918; or sent by electronic mail to dnr.appeals@alaska.gov. Appeals must be accompanied by the fee established in 11 AAC 05.160(d)(6), which has been set at \$200 under the provisions of 11 AAC 05.160 (a)-(b). A .pdf or print copy of 11 AAC 02 may be obtained by contacting Erik Fossum via phone at (907) 269-8429, via email at erik.fossum@alaska.gov, and is also available on the department's website at <https://dnr.alaska.gov/mlw/pdf/DNR-11-AAC-02.pdf>.

¹ Authority to sign on behalf of the Commissioner has been delegated by memorandum dated September 30, 1999 to the Director of the Division of Mining, Land and Water, and redelegated from the Director to the Regional Managers.