# The Alaska Mental Health Trust Authority Trust Land Office BEST INTEREST DECISION

Tower Hill Mines, Inc.

#### Negotiated, Non-Competitive Addition to Existing Mineral Lease - Livengood

MHT: **9400248** MH Parcel: **F70536** 

In accordance with AS 38.05.801 et seq. and the implementing regulations governing Alaska Mental Health Trust ("Trust") land management (11 AAC 99), Trust land shall be managed consistently with the responsibilities accepted by the State under the Alaska Mental Health Enabling Act (P.L. 84-830, 70 Stat. 709 (1956)). This means that management shall be conducted solely in the best interest of the Trust and its beneficiaries.

In determining the best interest of the Trust and its beneficiaries, and in determining consistency between state law and the Alaska Mental Health Enabling Act, the Executive Director of the Alaska Mental Health Trust Land Office ("TLO") shall, at a minimum, consider the following interactive Trust management principles in accordance with 11 AAC 99.020:

- Maximization of long-term revenue from Trust land;
- Protection of the corpus;
- Protection and enhancement of the long-term productivity of Trust land;
- Encouragement of a diversity of revenue-producing uses of Trust land; and
- Management of Trust land prudently, efficiently, and with accountability to the Trust and its beneficiaries.
- I. Proposed Use of Trust Land. Tower Hill Mines, Inc. (THM) is requesting the addition of approximately 3,016 acres, more or less, of Trust property to their existing mineral lease, serialized as MHT 9400248. The property in question was previously listed as exclusions from the mineral lease as they were valid mining claims issued by the Alaska Department of Natural Resources, prior to the reconstitution of the Alaska Mental Health Trust's land holdings in 1994, that have since been abandoned and/or closed.
- II. Applicant/File #. Tower Hill Mines, Inc. MHT 9400248
- III. Subject Property.
  - A. Legal Description. Given the size of the additions, the existing legal description of the mineral lease serialized as MHT 9400248 and all active exclusions on title, the proposed new legal description is attached in its entirety; however, this disposal is solely for a new 3,016 acres of Trust parcel F70536. The scope of this Best Interest Decision has no effect on the existing 9,970 acres currently leased by THM.
  - B. Settlement Parcel Number(s). F70536

- C. Site Characteristics/Primary Resource Values. The Subject Lands are located about 60 miles northwest of Fairbanks, in a relatively undeveloped area north of the old Elliot Highway, about 5 miles from the village of Livengood. The area is primarily rolling hills and some lowlands covered by a mixed spruce/birch forest. The area is in a historic mining district, and placer mining is occurring in the area today. The Trust owns the fee estate in the Subject Lands. At this point, the resource value of interest to the Trust is minerals. Continued exploration and development of these lands for this purpose would not preclude other compatible uses of the Subject Lands in the future.
- D. Historical and Existing Uses of the Property. The area around Livengood is the heart of the Tolovana Mining District, siting in the northern portion of the Tintina Gold Belt. The area has been mined since the early 1900's. Lode deposits in the Tolovana District contain gold, silver, antimony, mercury, chromium, nickel, and iron. Some of the other Trust land in the area has been encumbered by both state and federal mining claims, and a majority of the Trust land is within the existing mining lease with THM, serialized as MHT 9400248.
- E. Adjacent Land Use Trends. The majority of the adjacent lands to the Subject Lands proposed for additions to the existing lease are State or Federal mining claims held by THM. The existing mineral lease between the Trust and THM constitutes the bulk of adjacent lands.
- F. Previous State Plans/Classifications. The Tanana Basin Area Plan (TBAP). The primary surface use designation in the TBAP is Minerals, and Public Recreation is the secondary use. As previously mentioned, the management area around Livengood is the core of the Tolovana Mining District. While Trust land is not subject to the TBAP, the proposed use is consistent with the designated uses in the Plan.
- G. Existing Plans Affecting the Subject Parcel. None.
- H. Apparent Highest and Best Use. Parties to the Mental Health Trust Settlement assumed mineral development to be the highest and best use of lands in the area when they agreed to include extensive acreage in this area in the reconstituted trust. The proposed additions correspond with this assumption of land use, and therefore appears to be the highest and best use of the subject lands.
- IV. Proposal Background. The Livengood Gold Project covers approximately 48,300 acres, all of which is controlled by International Tower Hill Mines (ITHM), through its wholly owned subsidiaries, THM and Livengood Placers, Inc. The Livengood Gold Project is comprised of multiple land parcels: 100% owned patented mining claims, 100% owned State of Alaska mining claims, 100% owned federal unpatented placer claims, land lease by THM from the Alaska Mental Health Trust, and land leased from holders of state and federal patented and unpatented lode and placer mining claims, and undivided interests in patented mining claims.

THM originally was assigned the mineral lease serialized as MHT 9400248 in 2004 and have since been working to explore and develop the mineral resources of the area.

The Subject Lands of this disposal are formerly held State of Alaska mining claims that were previously exclusions on Trust title that have since been deemed abandoned and closed. These former exclusions are now available to be managed by the TLO as unencumbered Trust lands.

Given ITHM's land holdings of the Livengood Gold Project as a whole, including THM's mineral lease with the Trust, it is unlikely that another entity could offer the same potential to further the development of the mineral resources of the Subject Lands if they were to be offered competitively.

- V. Terms and Conditions. The Subject Lands proposed for addition would become subject to the existing mineral lease, serialized as MHT 9400248. This mineral lease already has established financial terms in addition to environmental and reclamation terms that bolster what is already required by law for mineral exploration and development.
- VI. Resource Management Considerations. The proposed addition of the Subject Lands is directly consistent with the 2021 Resource Management Strategy as "the major objective of the Minerals and Materials Resource Strategy is to attract industry partners to develop the mineral potential of Trust lands with the sole purpose of generating revenue for the Trust for generations to come." By expanding the existing boundary of a long-standing mineral lease on Trust land, the addition of these lands not only increases revenue in the near term, but also increases developable lands by THM to one day be in commercial production, providing for generations to come. Livengood has long been known as one of the Trusts most valuable subsurface holdings, denying the expansion proposed additions is in direct contradiction to the 2021 Resource Management Strategy.
- VII. Alternatives. The primary alternative is not to add the Subject lands to the existing mineral lease. This action is in direct contradiction to the intended use of the TLO issuing a mineral lease for the exploration and development of the mineral resources of the parcel and would not result in additional revenue generation.

Offering the Subject Lands competitively is not in the Best Interest of the Trust as THM already has progressed extensively through the years in development of the mineral resources and imposing outside parties into the project area would hinder overall development of the potential mine. Given the size of THM's non-Trust land holdings, in combination with the existing holdings within the Trust mineral lease, offering the Subject Lands non-competitively to THM is the most expeditious path to mine development and in turn, the most realistic path to having the Subject Lands provide for Trust beneficiaries.

#### VIII. Risk Management Considerations.

A. Performance Risks. Performance risks are minimized through aggressive enforcement of terms and conditions of the existing mineral lease, including, but

- not limited to, those provisions that address rent and royalty payments, development plan approval and diligent resource development over time.
- B. Environmental Risks. Environmental risks will be minimized by ensuring that the lessee complies with applicable environmental laws and the TLO continues to enforce existing bonding and insurance requirements of the existing lease.
- C. Public Concerns. Historically, significant concern has been expressed about the impact of leasing activities on public resources, such as fish and wildlife resources. Environmental laws and regulations have been promulgated over time to address these concerns. As noted above, the TLO lease already requires full compliance with those laws and regulations. Additionally, withholding Trust lands from leasing will not likely result in THM stopping its exploration and development of adjacent lands. Accordingly, it would not be prudent for the TLO to withhold Trust lands from leasing due to public concerns when exploration and development of adjacent lands will proceed whether or not these Subject Lands are leased.

#### IX. Due Diligence.

- A. Site Inspection. The TLO has completed multiple site visits to the Livengood parcel over the years and will be visited at some point again during the FY 2025 field season.
- **B.** Valuation. The subject lands will be leased pursuant to the existing terms and conditions of the mineral lease serialized as MHT 9400248, which are standard across TLO mineral lease transactions.
- C. Terms and Conditions Review. The existing terms and conditions of the mineral lease serialized as MHT 9400248 have been reviewed and amended throughout the years since the inception of the agreement in 2004. This proposed addition of lands does not amend, change, add any additional terms or conditions.

#### X. Authorities.

MH Parcel(s) F70536

- A. Applicable Authority. AS 37.14.009(a), AS 38.05.801, and 11 AAC 99 (key statutes and regulations applicable to Trust land management and disposal).
- B. Inconsistency Determination. As the proposed additions to the existing mineral lease is specifically authorized under 11 AAC 99, any relevant provision of law applicable to other state lands is inapplicable to this action if it is inconsistent with Trust responsibilities accepted by the State under the Alaska Mental Health Enabling Act (P.L. 84-830, 70 Stat. 709 (1956)) as clarified by AS 38.05.801 and Alaska Mental Health Trust land regulations (11 AAC 99). 11 AAC 99 includes determinations that certain State statutes applicable to other State land do not apply to Trust land unless determined by the Executive Director, on a case-by-case basis, to be consistent with 11 AAC 99.020. The State Statutes deemed inconsistent with Trust management principles and inapplicable to Trust land by these regulations have not been applied to this decision or this action, including, but not limited to, AS 38.04 (Policy for Use and Classification of State Land Surface), AS 38.05.035 (Powers and Duties of the Director), AS 38.05.300

(Classification of Land), AS 38.05.945 (Notice), AS 38.05.946 (Hearings), and 11 AAC 02 (Appeals).

XI. Trust Authority Consultation. The Alaska Mental Health Trust Authority Resource Management Committee was consulted on April 25, 2024, and the Resource Management Committee passed the following motion:

The Resource Management Committee recommends that the Alaska Mental Health Trust Authority board of trustees concur with the decision to amend MHT 9400248, a negotiated mineral lease, to include approximately 3,016 additional acres of Trust lands described and attached hereto in Exhibit B surrounding Livengood, expanding to an aggregate 12,986 acres, more or less, of Trust property.

The Board of Trustees was consulted on August 29, 2024, and the Board of Trustees concurred with the proposed expansion amendment of the existing mineral lease.

- XII. Best Interest Decision. Given the information above and the information contained in the complete record, the Executive Director finds that the proposed transaction is in the best interest of the Trust, subject to the terms and conditions addressed in this decision. The decision is based upon the consideration of the five Trust management principles set out in 11 AAC 99.020 and is in full compliance with 11 AAC 99. This decision does not preclude the TLO from determining that an alternative proposal will serve the best interest of the Trust. A future determination of that nature will require a best interest decision specific to the proposal.
  - A. Non-competitive Disposal Determination. 11 AAC 99.020 (d) allows for the disposal of Trust land through a competitive basis, unless the Executive Director in consultation with the Trust Authority, determines in a written decision required by 11 AAC 99.040 that a non-competitive disposal is in the best interest of the Trust and its beneficiaries. If another party submits a qualified offer as explained in Section XIII, the Executive Director may consider a competitive sale under the authority of this decision. Given that an existing mineral lease is in place, with built in financial escalations in addition to the substantial non-Trust land holdings by the applicant, it is unlikely that a competitive offering would result in a better suitor for the Subject Lands as the development of the mineral reserves of the parcel near extraction, which is ultimately in the Trust and its beneficiaries' best interests.
- XIII. Opportunity for Comment. Notice of this Best Interest Decision will take place as provided under 11 AAC 99.050. Persons who believe that the decision should be altered because it is not in the best interest of the Trust or its beneficiaries, or because the decision is inconsistent with Trust management principles set out in 11 AAC 99.020 or any other provision of 11 AAC 99, must provide written comments to the TLO during the notice period. Following the comment deadline, the Executive Director will consider

timely written comments that question the decision on the basis of the best interest of the Trust and its beneficiaries or inconsistency with 11 AAC 99. The Executive Director may then, in his or her discretion, modify the decision in whole or in part in response to such comments or other pertinent information, or affirm the Best Interest Decision without changes. The Best Interest Decision as modified or affirmed will become the final agency action, subject to reconsideration procedures under 11 AAC 99.060. Additional notice will be provided for a substantially modified decision. If no comments are received by the end of the notice period, this Best Interest Decision will be affirmed, and the proposed action taken. (See notice for specific dates.)

**XIV.** Reconsideration. To be eligible to file for reconsideration of this Best Interest Decision, or to file a subsequent appeal to the Superior Court, a person must submit written comments during the notice period.

Persons who submit timely written comments will be provided with a copy of the final written decision and will be eligible to request reconsideration within 20 calendar days after publication of the notice or receipt of the decision, whichever is earlier under 11 AAC 99.060(b). This request must be accompanied by the fee established by the Executive Director under 11 AAC 99.130, which has been set at \$500, to be eligible for reconsideration. The Executive Director shall order or deny reconsideration within 20 calendar days after receiving the request for reconsideration. If the Executive Director takes no action during the 20-day period following the request for reconsideration, the request is considered denied. Denial of a request for reconsideration is the final administrative decision for purposes of appeal to the superior court under AS 44.62.560.

XV. Available Documents. Background documents and information cited herein is on file and available for review at the TLO, located at 2600 Cordova Street, Suite 201, Anchorage, Alaska 99503. Phone: (907) 269-8658. Email: <a href="mailto:mhtlo@alaska.gov">mhtlo@alaska.gov</a>.

The disposal action proposed by this decision will occur no less than 30 days after the first publication date of this decision, and after the conclusion of the TLO administrative process. For specific dates or further information about the disposal, interested parties should contact the TLO at the above address, or visit the website at: <a href="https://alaskamentalhealthtrust.org/trust-land-office/">https://alaskamentalhealthtrust.org/trust-land-office/</a>.

# Jusdi Warner Jusdi Warner Date Executive Director Alaska Mental Health Trust Land Office

XVI. APPROVED:

Attachment A: Proposed New Legal Description Attachment B: Area Map of MHT 9400248

#### Attachment A

## MHT 9400248 Description of Leased Area

#### Township 8 North, Range 4 West, Fairbanks Meridian, Alaska

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Section 5: Lots 1 through 7, inclusive, NE1/4NE1/4, S1/2NE1/4, N1/2SW1/4, SE1/4;
Section 6: Lots 1 through 12, inclusive, NE1/4SE1/4;
Section 7: Lots 1 through 9, inclusive, SW1/4NE1/4, E1/2NW1/4, E1/2SW1/4, W1/2SE1/4, SE1/4SE1/4;
Section 8: Lots 1 through 7, inclusive, NE1/4, E1/2SE1/4;
Section 17: Lots 1 through 4, inclusive, NE1/4, S1/2;
Section 18: Lots 1 through 4, inclusive, E1/2, E1/2W1/2;
Section 19: Lots 1 through 4, inclusive, E1/2, E1/2W1/2;
Section 20: All;
Section 27: All;
Section 28: All;
Section 30: Lots 1 through 4, inclusive, E1/2, E1/2W1/2;
Section 30: Lots 1 through 4, inclusive, E1/2, E1/2W1/2;
Section 30: Lots 1 through 4, inclusive, E1/2, E1/2W1/2;
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Excluding mining claim recordations F-60602 through F-60606, F-61269 through F-61272, F-61380 through F-61383, F-61385 through F-61389, F-61392, F-61499 through F-61501, F-64359 and F-64360, which appear to fall within Sections 4 through 9.

#### Township 8 North, Range 5 West, Fairbanks Meridian, Alaska

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Section 1: Lots 1 through 5, inclusive, N1/2, N1/2SW1/4;
Section 2: Lot 1, N1/2, SW1/4, N1/2SE1/4, SW1/4SE1/4;
Section 3: All;
Section 10: Lots 1 through 4, inclusive, N1/2, W1/2SW1/4;
Section 11: Lots 1 through 10, inclusive, NE1/4SE1/4, S1/2SE1/4;
Section 12: Lots 1 through 8, inclusive, NE1/4, E1/2SE1/4;
Section 13: All;
Section 14: Lot 1, NE1/4, E1/2NW1/4, SW1/4NW1/4, S1/2;
Section 15: Lots 1 through 8, inclusive, NW1/4NW1/4, SE1/4SW1/4, SE1/4;
Section 16: Lots 1 and 2, N1/2, SW1/4, W1/2SE1/4;
Section 21: All;
Section 22: Lots 1 through 4, inclusive, N1/2NE1/4, E1/2NW1/4, SW1/4NW1/4, SW1/4, W1/2SE/14, SE1/4SE1/4;
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Section 23: Lots 1 and 2, E1/2, E1/2NW1/4, SW1/4;

Section 24: All;

Section 25: Lots 1 through 9, inclusive, N1/2NE1/4, E1/2NW1/4, NE1/4SW1/4, S1/2SW1/4;

Section 26: Lots 1 through 5, inclusive, W1/2E1/2, W1/2;

Section 27: All;

Section 28: All;

Section 33: All;

Section 34: All.
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Excluding mining claim recordations F-37580 through F-37585, F-55452 through F-55471, F-61249, F-61250, F-61256 through F-61270, F-61273 through F-61278, F-61322 through F-61379, F-61381, F-61382, F-61477, F-61498, F-61693 through F-61699, F61704, F-61706, F-61708 through F-61713, and F-63466, which appear to fall within Sections 1, 2, 3, 10, 11, 12, 13 through 16, and 21 through 28.

#### Township 9 North, Range 4 West, Fairbanks Meridian, Alaska

Section 31: All; Section 32: All; Section 33: All.

Excluding U.S. Mineral Survey Nos. 1609 and 1641, also excluding mining claim recordations F-61279 through F-61315, F-61389 through F-61396, F-61399, F-61400, F-61402 through F-61420, F-61478 through F-61494, F-61502 through F-61508, F-63461, F-63462, F-74190, and F-74191, which appear to fall within Sections 14, 16, 20, 21, 27 through 29, and 31 through 33.

Also Excluding from all of the above, the following State Mining Claims: ADL 330936, ADL 330937, ADL 330938, ADL 330939, ADL 330940, ADL 330941, ADL 330942, ADL 330943, ADL 330946, ADL 330947, ADL 330948, ADL 330951, ADL 330952, ADL 330953, ADL 330954, ADL 330957, ADL 330958, ADL 330959, ADL 330960, ADL 330963, ADL 330964, ADL 330965, ADL 330970, ADL 330971, ADL 330972, ADL 330977, ADL 338477, ADL 338478, ADL 338479, ADL 338480, ADL 338481, ADL 338482, ADL 338483, ADL 338484, ADL 338485, ADL 338486, ADL 338487, ADL 338488, ADL 338489, ADL 338490, ADL 338491, ADL 338492, ADL 338493, ADL 338494, ADL 338495, ADL 338496, ADL 338497, ADL 338498, ADL 338499, ADL 338500, ADL 338501, ADL 338503, ADL 338504, ADL 338505, ADL 338506, ADL 338507, ADL 338508, ADL 338509, ADL 338510, ADL 338511, ADL 338512, ADL 338513, ADL 338514, ADL 338515, ADL 338516, ADL 338517, ADL 338518, ADL 338519, ADL 338520, ADL 338521, ADL 338522, ADL 347945, ADL 347946, ADL 347949, ADL 347950, ADL 347951, ADL 347952, ADL 347953, ADL 347955, ADL 347956, ADL 347957, ADL 347958, ADL 347959, ADL 347960, ADL 347961, ADL 347962, ADL 347963, ADL 347964, ADL 347965, ADL 347966, ADL 347967, ADL 347968, ADL 347969, ADL 347970, ADL 347971, ADL 347972, ADL 347973, ADL 347974, ADL 347975, ADL 347976, ADL 347977, ADL 347978, ADL 347979, ADL 347980, ADL 348802, ADL 348803, ADL 348804, ADL 348805, ADL 348806, ADL 348807, ADL

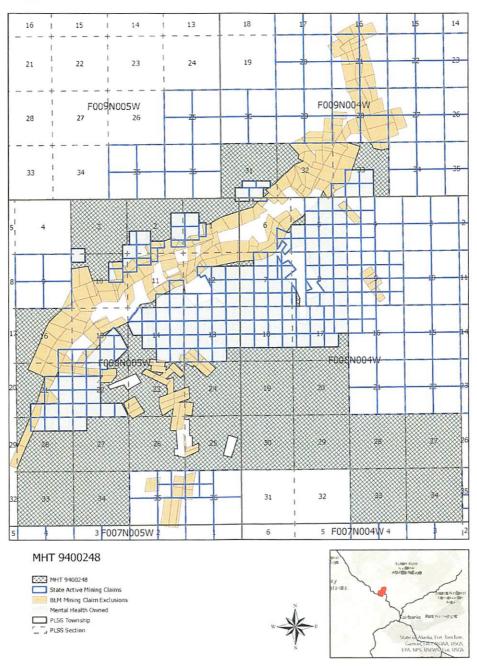
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Containing 12,986 acres, more or less.

According to the survey plats accepted by the United States Department of the Interior, Bureau of Land Management in Anchorage, Alaska on November 5, 1987 and January 7, 1991.

#### Attachment B





\*Attached solely for reference, actual boundary represented by legal description.

## Alaska Mental Health Trust Authority Trust Land Office Notice under 11 AAC 99.050 of

### <u>Decision to Expand Existing Mineral Lease – Livengood</u> <u>MHT #9400248</u>

Notice is hereby given that, pursuant to the provisions of AS 38.05.801 and 11 AAC 99, the Executive Director of the Alaska Mental Health Trust Land Office (TLO) has determined that it is in the best interest of the Alaska Mental Health Trust and its beneficiaries to complete an expansion of a **Lease, Non-Competitive** Mineral (471) of certain Trust land to the Tower Hill Mines, Inc. The basis for this determination is explained in a written best interest decision prepared by the Executive Director pursuant to 11 AAC 99.040.

The Trust land affected by the decision is within the Livengood region, and is more particularly described as being approximately located within Section 1-36, Township 8-9 North, Range 4-5, Fairbanks Meridian, containing approximately 3,016 acres (MH Parcel(s) F70536). Please refer to the decision for exact location.

Persons who believe that the written decision should be altered because it is not in the best interest of the Trust or its beneficiaries, or because the decision is inconsistent with Trust management principles set out in 11 AAC 99.020, or any other provision of 11 AAC 99, must provide written comments on or before **4:30 PM, October 14, 2024.** Comments should be submitted to the TLO at 2600 Cordova Street, Suite 201, Anchorage, AK 99503, or by fax (907) 269-8905 or email <a href="mailto:mhtlo@alaska.gov">mhtlo@alaska.gov</a>. Following the comment deadline, the Executive Director will consider timely comments that question the decision on the basis of the best interest of the Alaska Mental Health Trust and its beneficiaries or inconsistency with 11 AAC 99, and the best interest decision may be changed in response to such written comments or other information. Commenting parties will be provided a copy of the final best interest decision after the end of the notice period.

To be eligible to file for reconsideration of the best interest decision, or to file a subsequent appeal to the Superior Court, a person must have submitted written comments during the notice period. Eligible persons will have twenty (20) calendar days after published notice of or receipt of the final written decision to request that the Executive Director reconsider the decision under 11 AAC 99.060(b).

Copies of the written decision are available at the Trust Land Office, or at <a href="https://alaskamentalhealthtrust.org/trust-land-office/">https://alaskamentalhealthtrust.org/trust-land-office/</a>. If you have any questions concerning this action, please contact the Trust Land Office at (907) 269-8658.

In compliance with the Americans with Disabilities Act, the Alaska Mental Health Trust is prepared to accommodate individuals with disabilities. Please contact the Trust Land Office at (907) 269-8658 for assistance. Requests for assistance must be received at least 96 hours prior to the comment deadline in order to ensure that any necessary accommodations can be provided.

The Executive Director of the TLO reserves the right to waive technical defects in this notice or to amend, postpone, or vacate the best interest decision.

Signed by:	0.440.4000.4	
Jusdi Warner	9/10/2024	
-Juschi Worren	Date	
Executive Director	Published Fairbanks Daily News-Miner: 09/12/2024	

#### **Certificate Of Completion**

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Initials: 0

Status: Completed

Envelope Originator:

Tracy Andis PO Box 110206 Juneau, AK 99811

tracy.salinas@alaska.gov IP Address: 158.145.14.24

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tracy.salinas@alaska.gov

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#### **Signer Events**

Jusdi Warner

jusdi.warner@alaska.gov **TLO Executive Director** Trust Land Office

Security Level: Email, Account Authentication

(None)

#### **Signature**

Signed by:

Jusdi Warner -A4E9E1FC953B4D2...

Signature Adoption: Pre-selected Style Using IP Address: 72.35.119.220

#### **Timestamp**

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#### **Electronic Record and Signature Disclosure:**

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ID: bde0ac6d-9b67-4838-90ec-5eb887b3a145

Company Name: State of Alaska

In Person Signer Events	Signature	Timestamp	
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Agent Delivery Events	Status	Timestamp	
Intermediary Delivery Events	Status	Timestamp	
Certified Delivery Events	Status	Timestamp	
Carbon Copy Events	Status	Timestamp	
Witness Events	Signature	Timestamp	
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Payment Events	Status	Timestamps	
Electronic Record and Signature Disclosure			

#### ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

Please read this Electronic Records and Signature Disclosure (ERSD). It concerns your rights regarding electronically undertaking, and the conditions under which you and the State of Alaska agree to electronically undertake, the transaction to which it relates (the "TRANSACTION").

#### **Consent to Electronically Undertake the TRANSACTION**

You can electronically undertake the TRANSACTION only if you confirm that you meet the following requirements by selecting the box next to "I agree to use electronic records and signature" (the "AGREE BOX"):

- 1. you can fully access and have read this ERSD;
- 2. you can fully access all of the information in the other TRANSACTION records;
- 3. you can retain all of the TRANSACTION records in a form that you will be able to fully access for later reference;
- 4. you consent to undertake the TRANSACTION electronically; and
- 5. you are authorized to undertake the TRANSACTION. (Please note that falsely undertaking the TRANSACTION may subject you to civil liabilities and penalties and/or to criminal penalties.)

If you cannot or are not willing to confirm each of these five things, do not select the AGREE BOX.

#### Withdrawing Consent

If you select the AGREE BOX, you can withdraw your consent to electronically undertake the TRANSACTION at any time before you complete the TRANSACTION: simply do not finalize it. The only consequence of withdrawing your consent is that you will not finalize the TRANSACTION.

If you select the AGREE BOX, your consent will apply only to this TRANSACTION. You must separately consent to electronically undertake any other transaction with the State of Alaska.

#### Paper Option for Undertaking the TRANSACTION

You may undertake the TRANSACTION with the State of Alaska using paper records. (State of Alaska employees who want to undertake the TRANSACTION in paper should contact the agency responsible for the TRANSACTION.) Print the paper records on the website of the State of Alaska agency responsible for the TRANSACTION, or request them from the agency. The State of Alaska homepage is at http://alaska.gov/.

#### **Copies of TRANSACTION Records**

After completing the TRANSACTION but before closing your web browser, you should download the TRANSACTION records. Or you can download the records within 30 days after

completing the TRANSACTION using the link in the DocuSign email sent to the email address you used to complete the TRANSACTION. The State of Alaska will not provide a paper copy of the TRANSACTION records as part of the TRANSACTION. Under the Alaska Public Records Act (APRA), AS 40.25.100–.295, you can request a copy from the agency responsible for the TRANSACTION, but if too much time has passed, the agency may no longer have the records when you make your request. If required under the APRA, the agency will charge a fee.

#### Required Hardware and Software

For the minimum system requirements to electronically undertake the TRANSACTION, including accessing and thereby retaining the TRANSACTION records, visit https://support.docusign.com/guides/signer-guide-signing-system-requirements. These requirements may change. In addition, you need access to an email account.

#### How to Contact the State of Alaska

To ask a question on this ERSD or the DocuSign document generated after you complete the TRANSACTION or on using DocuSign to electronically undertake the TRANSACTION, contact the Alaska Department of Administration at either of the following addresses:

State of Alaska Department of Administration 550 West 7th Avenue Suite 1970 Anchorage, AK 99501 Reference: DocuSign

doa.commissioner@alaska.gov

Subject: DocuSign

To ask any other question on the TRANSACTION records or to update the information for contacting you electronically, contact the State of Alaska agency responsible for the TRANSACTION using the contact information in the TRANSACTION records or, if those records contain no contact information, using the contact information on the agency's website. Again, the State of Alaska homepage is at http://alaska.gov/.