

**STATE OF ALASKA**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Mining, Land and Water**  
Southeast Regional Land Office

**Renewal Decision**  
**ADL 107991**  
**Michael L. Shaw dba Cannery Cove**  
Application for Lease Renewal  
AS 38.05.070(e)



Figure 1. Development diagram showing the applicant's improvements in Cannery Cove, serialized as ADL 107991. The leasehold boundary is depicted by the thick dashed white line on the diagram.

### **Requested Action**

On September 24, 2023, the “Lessor” – State of Alaska, Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), received an application from the “Lessee” – Michael L. Shaw dba Cannery Cove, to renew their lease on state-owned, DMLW-managed tide and submerged lands for a 25-year term. This lease is for the continued use and maintenance of a commercial dock and floats located in Cannery Cove, a navigable body of water in Pybus Bay, 21 miles southeast of Angoon, Alaska, and adjacent to Admiralty Island.

The scope and intent of the lessee’s development plan has not changed. However, several seasonal improvements that were not incorporated in the original lease have been included in this lease renewal. This lease renewal is subject to the Development Plan approved on June 9, 2025, included as Attachment 1, and the terms and conditions of the draft lease agreement, included as Attachment 2.

The commercial dock and floats are used by floatplanes and vessels to access the adjacent upland parcel owned by the applicant where a commercial sportfishing and hunting lodge is located. The dock is 240 ft. long by 10 ft. wide (2,400 sq. ft.) and is secured by three pressure-treated wooden pilings, two anchors, and two shore-ties. The portion of the dock closest to the uplands is secured by three pressure-treated wooden pilings, located on the southwest side of the dock. The pilings are spaced roughly 50 ft. apart and are approximately 18 ft. tall, 12 in. in diameter, and installed 12 ft. into the ground. The portion of the dock furthest from the uplands is secured by two 2,000 lbs. cement block anchors that are settled on the seafloor and tied to the far corners of the dock with boom chain. The dock is also secured by two nylon rope shore-ties, tied to either side of the dock and extending several hundred feet to the uplands, where they are tethered.

From April to November, three wooden floats are tied to the dock in various configurations. During these months the floats are tied to the dock so the lessee can better access the deeper waters offshore. Two of the floats are each 60 ft. long by 22.5 ft. wide (1,350 sq. ft.), while the third float is 20 ft. long by 20 ft. wide (400 sq. ft.). One of the larger floats has a timber framed and metal roofed structure constructed on top of it. The roofed structure is roughly 25 ft. long by 17 ft. wide by 10 ft. tall (425 sq. ft., 4,250 cu. ft.). This roofed structure is used for the storage of fishing gear (rods, reels, fishing lines, etc.), two chest freezers, and one portable generator. The two chest freezers are used to store fish and hides harvested during commercially guided sportfishing and hunting excursions, as well as frozen food. The two chest freezers are powered by one 2,000 watts, gasoline powered (5-gallon tank), Honda portable generator. Lastly, a 275 ft. long, gravity-fed, cold freshwater waterline runs along the dock from the lessee’s uplands to a spigot installed on the outside of the roofed structure. This waterline is associated with the lessee’s surface water rights certificate, LAS 24395.

The commercial floating dock is also used for the year-round moorage of two vessels: one 30 ft. vessel and one 20 ft. vessel that are used for commercially guided hunting expeditions conducted by Wolfpak Guide & Outfitter, LLC. Wolfpak Guide & Outfitter, LLC is owned by the applicant, Michael L. Shaw, and his son Casey Shaw. For one month out of the year, another 30 ft. vessel is moored to the dock and is used for commercially guided sportfishing charters conducted by Admiralty Island Charters, LLC. Admiralty Island Charters, LLC is owned by the applicant’s son, Miles Shaw.

### **Proposed Action**

Under the authority of AS 38.05.070(e), DMLW proposes renewing this lease for the continued use and maintenance of a commercial dock and floats. DMLW proposes renewing the lease for a 10-year term instead of the requested 25-year term. Per AS 38.05.070(e), leases may be renewed only once for a term not longer than the initial term of the lease. ADL 107991 was issued in 2015 for a 10-year term; therefore, the term of the lease renewal will be 10 years as well.

To qualify for a renewal, the lessee must be in “good standing.” Good standing refers to the fact that the lessee’s accounts are current, that there are no outstanding compliance issues, and that the lessee maintains a healthy business relationship with the Lessor. Michael L. Shaw dba Cannery Cove has maintained its leasehold interest with no known compliance issues and is in good standing with DMLW.

### **Scope of Decision**

The scope of this decision is to determine if it is in the State’s interest to renew the short-term, non-competitive, tide and submerged lands lease, ADL 107991, for the proposed use. The scope of administrative review for this authorization, AS 38.05.070(e), is limited to (1) reasonably foreseeable, significant effects of the uses to be authorized; (2) applicable statutes and regulations; (3) facts pertaining to the land or resources; and (4) issues that are material to the determination that issuing the authorization will best serve the interest of the State of Alaska. All other aspects of the applicant’s project are outside the scope of this decision.

### **Authority**

This lease renewal application is being adjudicated pursuant to AS 38.05.035(b)(1), AS 38.05.070(b), AS 38.05.070(e), and AS 38.05.075(c). Under AS 38.05.070(e), leases may be renewed only once for a term not longer than the initial term of the lease. Lease renewal applications adjudicated under AS 38.05.070(e) are not subject to AS 38.05.035(e) or AS 38.05.945.

### **Administrative Record**

The administrative record for the proposed action consists of the Constitution of the State of Alaska; the Alaska Land Act as amended; applicable statutes and regulations referenced herein; the Northern Southeast Area Plan (NSEAP, October 2002) and other classification references described herein; and the casefile for the application serialized by DMLW as ADL 107991.

### **Location Information**

#### **Geographic Location**

The leasehold is located on state-owned, DMLW-managed tide and submerged lands in Cannery Cove, a navigable body of water in Pybus Bay, 21 miles southeast of Angoon, Alaska, adjacent to Admiralty Island; USGS Quad Sitka B-1.

#### **Legal Description**

A parcel located on state-owned, DMLW-managed tide and submerged lands within Section 4, Township 53 South, Range 71 East, Copper River Meridian, aggregating approximately 0.84 acres, more or less, and more particularly located seaward and adjacent to Lot 1, Shaw

Subdivision II, filed on March 8, 2008, as Plat 2008-8, Document No. 2008-000178-0, in the Petersburg Recording District.

### Other Land Information

**Municipality:** Unorganized Borough; Hoonah-Angoon Census Area

**Regional Corporation:** Sealaska Corporation

**Village Corporation:** Kootznoowoo, Inc., Kake Tribal Corporation

**Federally Recognized Tribe:** Angoon Community Association, Organized Village of Kake, Central Council of the Tlingit and Haida Indian Tribes of Alaska

### Title

A DNR title report (RPT-23862) issued on March 5, 2025, from DNR's Realty Services reports that the State of Alaska holds fee title to the subject tide and submerged land estates of the project area under the Alaska Statehood Act, the Equal Footing Doctrine, and the Submerged Lands Act of 1953.

Title is subject to valid existing rights, including reservations, easements, and exceptions in the U.S. Patent or other State or federal conveyance, and in acts authorizing the issue thereof, easements, rights-of-way, covenants, conditions, reservations, notes on the plat, and restrictions of record, if any.

### Planning and Classification

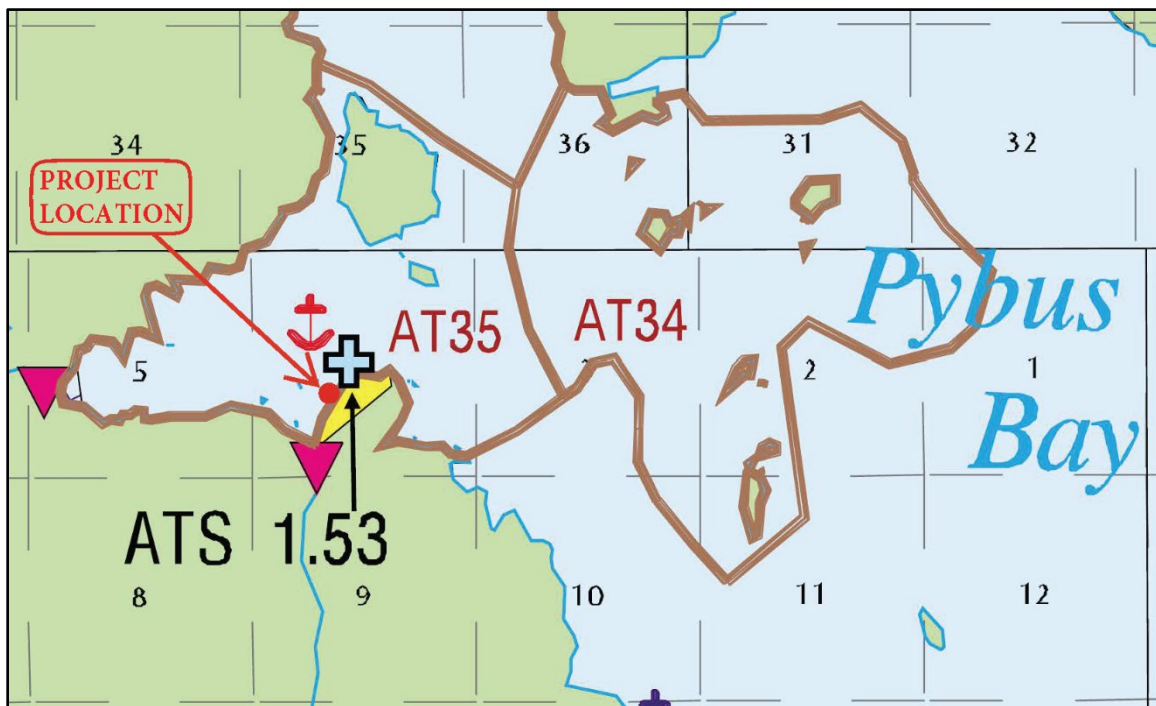


Figure 2. Plan map for Admiralty Island Area, Eliza Harbor (NSEAP 3-149). The red dot, arrow, and label indicate the approximate location of the proposed leasehold. The proposed leasehold is within Management Unit AT-35 and adjacent to Management Unit ATS 1.53.

The Northern Southeast Area Plan (NSEAP, October 2002) has remained unchanged since the leasehold was first authorized in 2015. The applicable Chapter 2 guidelines for the proposed leasehold are Fish and Wildlife Habitat and Harvest Areas (NSEAP 2–10-18); and Recreation, Tourism, and Scenic Resources (NSEAP 2–33-37).

The proposed leasehold is located within Management Unit AT-35 – Cannery Cove (NSEAP 3–149, 170). The management unit’s land use designations are Ha – Habitat (NSEAP 3–3, 131) and Hv – Harvest (NSEAP 3–3, 131) which converts to 11 AAC 55.230. Wildlife Habitat Land as the land classification (NSEAP 4–3, 5).

**AT-35 / Cannery Cove (NSEAP 3–170):**

**Management Intent, Resources and Uses, Other Resources**

**Management Intent:** Protect salmon and brown bear habitat values. Protect waterfowl and shorebird concentration areas. Maintain access and anchorage opportunities. Consult with NMFS prior to any permitting.

**Resources and Uses:** Harbor seal haulout lies within this unit. This unit also supports spring/fall waterfowl and shorebird concentrations. This unit is used by coho, chum, and pink salmon for rearing, schooling, spawning and migration. Anadromous streams identified are: 110-22-10150 and 110-22-10140. Eagle nests are found along the shoreline of this unit. Brown bears concentrate in the spring along the anadromous stream and estuarine areas in this unit. Harvest of Demersal shelf rockfish, Sablefish, Pacific Cod, Lingcod and other rockfish occur in statistical area 345703 which falls in this area. Commercial harvest of Dungeness, red King and Tanner crab along with shrimp are found within this unit. This area is also documented as a historical access use for the harvest of brown bear, deer, and fur bearers. Good anchorage opportunities are provided in this unit.

**Other Resources:** Composed of exposed tidal flats, intertidal marshes, and mixed sand to gravel, gravel to cobble beaches.

DMLW finds the proposed leasehold is consistent with Management Unit AT-35’s management intent, designations, classification, as well as the applicable Chapter 2 guidelines of the NSEAP. The proposed leasehold is consistent with AT-35’s management intent, resources and uses because the proposed leasehold provides and maintains a suitable location for safe anchorage and access within the management unit. The proposed leasehold is consistent with the Habitat and Harvest designations, the Wildlife Habitat Land classification, and the applicable Chapter 2 guidelines because the proposed leasehold meets the appropriate design, siting, and operation criteria to make it compatible with the variety of wildlife resources and harvests in the area.

**Mineral Orders**

The proposed leasehold does not fall within the areas delineated in Administrative Mineral Closing Order (MCO) No. 770 (NSEAP, Appendix B). The uplands adjacent to the proposed site are also not subject to an MCO. Neither an MCO nor a leasehold location order is necessary to or appropriate for this proposed leasehold.

**Local Planning**

This proposed leasehold is not in an organized municipality and is not subject to local planning zoning ordinances.

**Traditional Use Finding**

Pursuant to AS 38.05.830, and after due consideration, DMLW finds that renewal of this lease is likely to have little or no effect on the density of the population in the immediate vicinity and that there is little potential for conflict with the known traditional uses of the land.

**Access****Physical and Legal Access**

The lessee may access the proposed leasehold over state-owned, DMLW-managed tide and submerged lands underlying Cannery Cove, a navigable body of water in Pybus Bay. The lessee may also access the proposed leasehold from the lessee's privately-owned adjacent uplands parcel.

**Access To and Along Public Waters**

Pursuant to AS 38.05.126(a), the public has a constitutional right to free access to, and use of, navigable or public waters of the State of Alaska. Under AS 38.05.127 and 11 AAC 51.045, DMLW is required to reserve specific public access easements to and along these waters. Unless comments and other information submitted to DMLW provide justifiable and convincing evidence to do otherwise, this disposal of state interest will be subject to a 50-foot public access easement seaward of the line of mean high water.

**Environmental Risk**

It is our management responsibility to protect the overall public interest if there is a reasonable expectation that a hazardous condition, or hazardous, toxic or radiological material or contamination from such material exists or is known to exist on the land being disposed of. Environmental risk associated with this proposed authorization should be minimal. A maximum of five gallons of fuel will be stored in the tank of the portable generator located on the dock. Per Stipulation 25 of the draft lease agreement, the lessee must have drip pans and materials, such as sorbent pads, on hand to contain and clean up all spills within the leasehold.

**Background**

June 6, 1991: The applicant purchases the adjacent upland parcel (U.S. Survey 1984).

December 10, 1992: DMLW issues a five-year tidelands permit to the applicant under casefile number, SET 93-001, to construct and maintain a floating dock on the tide and submerged lands of Cannery Cove adjacent to their upland parcel. The floating dock and its associated improvements (pilings, anchors, etc.) are used for personal, non-commercial purposes.

December 10, 1997: DMLW reissues the applicant's tidelands permit for another five-year term, under a new casefile number, LAS 21286. The floating dock and its associated improvements continue to be used for personal, non-commercial purposes.

December 31, 2002: Due to recently adopted changes to the regulation, 11 AAC 96.020. Generally allowed uses. (GAU), DMLW determines the applicant's personal, non-commercial floating dock meets the qualifications for Generally allowed uses. Therefore, DMLW decides to not reissue tidelands permit, LAS 21286.

March 8, 2004: The applicant reapplies for a tidelands permit under the same casefile number, LAS 21286, because the applicant wishes to now use the floating dock for commercial purposes, i.e., so clients and staff can access the hunting and sportfishing lodge on the adjacent upland parcel, and to moor vessels to the floating dock that are used for hunting and sportfishing trips as well. DMLW reissues LAS 21286 later that year.

March 13, 2008: The applicant informs DMLW that the floating dock is no longer used to transfer clients and staff to their hunting and sportfishing lodge on the adjacent uplands. Based on this information, DMLW determines the floating dock meets the qualifications for GAU. Therefore, DMLW closes the applicant's tidelands permit, LAS 21286.

January 26, 2010: DMLW learns the applicant is continuing to use the floating dock for commercial purposes. DMLW informs the applicant that if the floating dock is being used for commercial purposes, it requires an authorization from DMLW. After some internal discussion, DMLW informs the applicant that the most suitable authorization type for this commercial dock would be a short-term, ten-year lease, and not a permit.

May 17, 2010: DMLW receives a lease application from the applicant for the commercial dock. The application is serialized by DMLW as casefile number, ADL 107991.

March 17, 2015: DMLW issues a short-term, ten-year lease to the applicant.

September 24, 2023: DMLW receives a lease renewal application from the applicant for the commercial dock.

### **Agency Review**

An Agency Review of this application was conducted from Thursday, January 30, 2025, to Monday, March 3, 2025. Information and comments received from sections within DMLW during this Agency Review have been considered and included in the preparation of this Renewal Decision.

In accordance with the Management Intent for Management Unit AT-35 – Cannery Cove (NSEAP 3–170), the National Marine Fisheries Service (NMFS) was also given the opportunity to comment on this application. This opportunity to comment was conducted from Friday, July 11, 2025, to Monday, July 28, 2025.

The following agencies outside DMLW were included in this review:

Alaska Association of Conservation Districts (AACD); Administrator's Office  
Alaska Department of Fish and Game (ADF&G); Habitat Section; Juneau/Douglas Office  
ADF&G, Division of Wildlife Conservation; Access Defense Program



Department of Environmental Conservation (DEC); Division of Environmental Health; Solid Waste Program; Hazardous Waste Section  
 DEC; Division of Spill Prevention and Response (SPAR); Contaminated Sites Program; Brownsfield Unit  
 DEC; SPAR; Prevention, Preparedness, and Response (PPR) Program; Southeast Region  
 DEC; SPAR; PPR; Interagency Coordination Unit  
 DEC; Division of Water (Water); Compliance Program; Juneau Team  
 DEC; Water; Director's Office  
 DEC; Water; Wastewater Discharge Authorization Program (Wastewater); Engineering Support and Plan Review Section  
 DEC; Water; Wastewater; Stormwater Section; Wetlands and 401 Certifications of 404 Permits  
 DEC; Water; Water Quality Standards, Assessment, and Restoration Program; Nonpoint Source Water Pollution, Prevention, and Restoration  
 DEC; Office of the Commissioner; Hearings, Regulations, and Special Projects  
 Department of Natural Resources (DNR); Division of Parks and Outdoor Recreation (DOPOR); Office of History and Archaeology (OHA); Review and Compliance Section  
 Department of Transportation and Public Facilities (DOT&PF); Design and Engineering Services (DES); Design and Construction Standards (DCS); Right-of-Way (ROW) Office  
 U.S. Department of Commerce (USDOC); National Oceanic and Atmospheric Administration (NOAA); NMFS; Alaska Region; Alaska Aquaculture Program  
 USDOC; NOAA; NMFS; Alaska Region; Habitat Conservation Division  
 USDOC; NOAA; NMFS; Alaska Region; Protected Resources Division  
 USDOC; NOAA; NMFS; Alaska Region; Sustainable Fisheries Division

### **Agency Review Comment and Response**

#### **ADF&G; DWC; ADP Comment Summary:**

ADF&G has no objection to this lease renewal but has provided the following comments and recommendations:

1. Public Access: Maintain a 50-foot-wide public access easement along the uplands from the Mean High Water line to preserve public access to navigable waters.
2. Northern Southeast Area Plan: The site is located in an area designated as Habitat and Harvest (Unit AT-35) where sensitive resources such as harbor seal haulouts, waterfowl, shorebirds, salmon, and an anadromous fish stream (AWC 110-22-10150) are present. Nearby waters also support commercial harvests of crab and shrimp. The applicant should minimize impacts to public access and sportfishing, and request no fuel be stored on the dock to reduce the risk of spills.
3. Marine Mammals:
  - a. While no critical habitat is designated, several marine mammal species inhabit the area. Notable harbor seal haulouts are located in Pybus Bay. Consultation with NMFS and USFWS is recommended to mitigate potential disturbances.



- b. Reporting stranded or injured marine mammals: NOAA Fisheries Alaska 24-hour hotline (877-925-7773). Reporting stranded or injured sea otters: USFWS (800-362-5148) or Alaska SeaLife Center (888-774-7325). In addition to these hotlines, please send reports of negative marine mammal interactions to ADF&G at [dfg.dwc.mmcomments@alaska.gov](mailto:dfg.dwc.mmcomments@alaska.gov).
  - c. To reduce risks to marine mammals, keep tethered lines taut and out of the water whenever possible, properly dispose of waste, store fuel securely, and keep a spill kit on-site.
4. Wildlife Conflicts: Properly store all food, waste, fuel, and attractants using bear-resistant containers. Maintain a clean site and remove attractants when unoccupied to prevent nuisance wildlife encounters. More information can be found on the following ADF&G webpages: [Bear Safety](#) and [Nuisance Wildlife Report](#).

**DMLW Response:**

In accordance with 11 AAC 51.045(c)(1)(B), because the proposed leasehold is located on state-owned, DMLW-managed tide and submerged lands seaward and adjacent to water affected by tidal action (i.e., Cannery Cove), the proposed leasehold is subject to a public access easement 50 feet in width seaward of the mean high water line, not 50 feet in width landward of the mean high water line. In accordance with AS 38.05.128(e) and 11 AAC 51.045(c)(2), DMLW does not find the improvements within the leasehold to be an obstruction that makes access to and along the 50-foot-wide easement seaward of the mean high water line difficult for the public, therefore reserving a public access easement across the applicant's privately-owned uplands is not necessary. If needed, AS 38.05.128(e) provides the public with the right to access the adjacent uplands in the least obtrusive manner possible.

The proposed leasehold is limited in scope and meets the appropriate design, siting, and operation criteria to make it compatible with the variety of wildlife resources, harvests, and public uses in the area. DMLW will inform the applicant of the light sport fishing effort for finfish and shellfish in the area. Furthermore, DMLW will include stipulations in the renewed lease agreement (Attachment 2) addressing ADF&G's comments and recommendations about the proposed leasehold's impact on marine mammals and avoiding conflicts with wildlife in the area.

**DEC; Water; Water Quality Standards, Assessment, and Restoration Program; Nonpoint Source Water Pollution, Prevention, and Restoration Section Comment Summary:**

The DEC Non-Point Source section has no issues with this lease renewal.

**DMLW Response:**

None required.

**DOT&PF; DES; DCS; ROW Office Comment Summary:**

DOT&PF has no comment at this time.

**DMLW Response:**

None required.

**USDOC; NOAA; NMFS; Alaska Region; Habitat Conservation Division Comment Summary:**

After reviewing the documents, we have determined the current measures are sufficient to protect Essential Fish Habitat. No further comment.

**DMLW Response:**

None required.

**Discussion**

DMLW proposes renewing this lease for a 10-year term for the continued use and maintenance of a commercial dock and floats. The commercial dock and floats are used by floatplanes and vessels to access the adjacent upland parcel owned by the applicant where a commercial sportfishing and hunting lodge is located.

This lease renewal is in the best interest of the State as the leasehold will continue to provide recreational opportunities in a remote area that would otherwise be difficult to access without commercial development and private enterprise. The leasehold is limited in scope and the appropriate mitigation measures have been implemented to ensure the leasehold is compatible with local habitat resources and reduces potential conflicts with other users in the area. The applicant has remained in good standing and has a positive working relationship with DMLW.

**Recommendation and Renewal Decision****Authorization Type and Term**

As provided by AS 38.05.070(e), DMLW has determined that it is appropriate to renew the lease issued to Michael L. Shaw dba Cannery Cove for a consecutive 10-year term beginning March 17, 2025, and expiring March 16, 2035, subject to the terms and conditions of the renewed lease (Attachment 2) and the following.

**Performance Guaranty**

Performance guaranties are a means to encourage compliance with the terms and conditions of a lease and provide for a way to pay for corrective action should the user of state-owned land fail to meet those requirements. The amount of a performance guaranty should equal the possible costs the state would incur to terminate an agreement authorizing use of state land, and return the land to marketable and environmentally sound condition.

The performance bond amount has been increased to \$6,500.00, which is a difference of an additional \$1,500.00 from the prior authorization. The performance bond amount has been increased by \$1,500.00 to account for the three wooden floats, two 2,000 lbs. cement block anchors, and the 60-mile distance to transport the improvements to the nearest solid waste site

in Petersburg, AK. These factors were not considered when the original bond amount was calculated in 2015.

### **Insurance**

Consistent with AS 38.05.035(a) to protect the State from liability associated with the use of the site, the applicant shall provide and maintain a comprehensive general liability insurance policy with the State of Alaska named as an additional insured party per the stipulations of the Lease Agreement. The applicant shall secure or purchase at its own expense and maintain in force at all times during the term of this lease, liability coverage and limits consistent with what is professionally recommended as adequate to protect the applicant and the State, its officers, agents and employees from the liability exposures of all the insured's operations on state land. The insurance requirement may be adjusted periodically.

### **Compensation and Appraisal**

#### **Annual Land Use Fee**

Pursuant to 11 AAC 58.410(b), AS 38.05.075(f) and AS 38.05.840(b), the annual lease compensation will be \$1,000.00.

In accordance with the terms of the original lease, a formal appraisal will not be required at this time as this site qualifies for a remote fee schedule or compensation assignment from a Minimum Rent Determination. In accordance with AS 38.05.840(a), an acceptable appraisal may be required for future rent adjustments if the sites no longer meet the conditions and limitations to apply the remote land fee schedule, or if a periodic market analysis indicates the need for such an appraisal.

#### **Payment for Land Use without Authorization**

The annual land use fee was paid through the term of the lease, which expired on March 16, 2025. Payment of the annual use fee in the amount of \$1,000.00 for the period beginning on March 17, 2025, must be received prior to issuance of the new lease.

#### **Periodic Rate Adjustment**

In accordance with AS 38.05.105, the annual rent payment will be subject to adjustment at five-year intervals after the issuance of the lease renewal.

### **Survey**

Pursuant to AS 38.04.045, official cadastral surveys are not required for a lease of 10 years or less. A development plan diagram (Attachment 1) was approved to delineate the leasehold. DMLW will continue to accept this diagram.

### Adjudicator Recommendation

Based on the information provided by the applicant and other agencies, as well as review of planning documents, statutes, and regulations, I recommend approving a renewed lease.

John Henry Driscoll III  
John Henry Driscoll III  
Natural Resource Specialist 2

08/04/2025  
Date

### Renewal Decision

The file has been reviewed and found to be complete. It is the finding of the Division of Mining, Land and Water; Southeast Regional Land Office; Natural Resource Manager 2 that renewal of this lease is appropriate. 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 21<sup>st</sup> day after issuance.

Mason Auger  
Mason J. Auger<sup>1</sup>  
Natural Resource Manager 2

8/4/2025  
Date

### Attachments

Attachment 1. Development Plan

Attachment 2. Standard Lease Agreement and Additional Stipulations

Attachment 3. Performance Guaranty Form

### Appeals

An eligible person affected by this decision may appeal 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 Court System establishes 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](mailto:dnr.appeals@alaska.gov). Appeals must be accompanied by the fee established in 11 AAC 05.160(d)(1)(F), which has been set at \$200 under the provisions of 11 AAC 05.160(a)-(b). A copy of 11 AAC 02 is available on the department's website at [dnr.alaska.gov/mlw/pdf/DNR-11-AAC-02.pdf](http://dnr.alaska.gov/mlw/pdf/DNR-11-AAC-02.pdf).

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<sup>1</sup>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. Authority to sign on behalf of the Southeast Regional Manager has been delegated by memorandum dated April 15, 2024, to the Natural Resource Manager 2.