

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

RENEWAL DECISION

ADL 36139

Eric Haddock

Land Lease

AS 38.05.070(e) and AS 38.05.070(c)

Proposed Action:

The Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), Southcentral Regional Land Office (SCRO) has received a request from Eric Haddock to renew a current lease for 5.72 acres of land for 50 years located in Kasilof, Alaska. The location of the project area is further described as being within Lot 1 in Block 1 of Engineering Plat File 54-12, containing 5.72 acres, more or less, according to the amended survey plat filed in the Kenai Recording District on August 12, 1983 as Plat 83-166. The location can be further identified as within the S1/2 of the SE1/4 of Section 36, Township 4 North, Range 12 West, Seward Meridian. Lessee uses this site as his primary residence.

History:

1. The lease was first established in a Lease Agreement between DNR and Wesley and/or Hazel Hansen on June 27, 1967.
2. On July 13, 1976, the name on the lease was changed from Wesley and/or Hazel Hansen to Wesley Hansen, per a death certificate documenting Hazel Hansen's death on December 10, 1967.
3. On April 26, 1979, the lease was amended to adjust the annual rent and maintain the rent amount for 25 years, subject to adjustment at that point and at 10-year intervals thereafter.
4. On October 26, 1979, the lease was assigned from Wesley Hansen to Keith and Clyda Hallstead.
5. On June 23, 1989, the lease was assigned from Keith and Clyda Hallstead to Dawn Marie Haddock.
6. Pursuant to a certificate of death signed April 19, 2010, the lessee of record for this lease dated June 27, 1967, and serialized as ADL 36139, was altered to remove Dawn Marie Haddock's name from the lease.
7. Pursuant to the Statement of Information Appointment of Personal Representative Intestacy and Letters of Administration in the matter of the estate of Dawn Marie Haddock, Eric Randal Haddock (son of the deceased) was appointed personal representative of the estate of Dawn Marie Haddock.

8. On September 11, 2013, the lease was assigned from the estate of Dawn Marie Haddock to Eric Randal Haddock.
 9. On September 8, 2022, the lease was extended for 2 years.
 10. On June 18, 2024, Erick Haddock applied to renew the lease.
- Eric Haddock is the current lessee for ADL 36139, which expired on June 26, 2024.

Existing / Planned Infrastructure:

1. 24-foot by 24-foot square, 1-story, studio cabin w/ pier blocks on gravel pad;
2. 22-foot by 52-foot mobile home w/ addition, on axels, with addition on cinder block/wood posts;
3. 12-foot by 12-foot greenhouse (no foundation);
4. 8-foot by 8-foot smoke house (no foundation);
5. Planned 13-foot by 18-foot shed with pier blocks on gravel pad.

Lease Renewal Authority:

In 1967 the original lease had been adjudicated pursuant to AS 38.05; AS 38.05.035(b)(1) Delegation of the Powers and Duties of the Director; AS 38.05.035(e) Written Findings; and AS 38.05.945 Public Notice. Upon lease expiration, subsection AS 38.05.070(e) allows the Director to renew a lease previously issued under section AS 38.05.070 if the lease is in good standing and the lease renewal is determined to be in the best interest of the State.

Lease Renewal Qualifications:

In order to qualify for a renewal, a 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. A review of the case file has shown that the lessee is in good standing.

Lease Renewal Discussion:

Mr. Haddock utilizes the leasehold as his primary residence, where he has lived since his mother, Dawn Marie Haddock, was assigned the lease in 1989. The leasehold has already been surveyed via Engineering Plat File 54-12, according to the amended survey plat filed in the Kenai Recording District on August 12, 1983 as Plat 83-166. Renewing this lease would require that the leasehold receive a fair-market appraisal to determine appropriate annual fees, and afford SCRO the opportunity to implement more contemporary lease terms and stipulations.

Renewing the lease under AS 38.05.070(e) will allow the lessee and the lessor to reenter into a lease contract with minimal delays or disruptions. This lease renewal is in the best interest of the State as the land under lease will continue to abide by its initial purposes, including residence, and the renewal is consistent with the State’s Constitution as the lease provides for the utilization,

development, and conservation of the natural resources belonging to the State for the maximum benefit of its people.

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 January 2000 Kenai Area Plan (KAP) and other classification references described herein, and the casefile for the application serialized by DNR as ADL 36139.

Legal Description:

Lot 1 in Block 1 of Engineering Plat File 54-12, containing 5.72 acres, more or less, according to the amended survey plat filed in the Kenai Recording District on 8/12/1983 as Plat 83-166.

Title:

The State of Alaska holds fee title to the subject land under U. S. Patent No. 1226102 dated 4/2/1962. A DNR Title Report (RPT-22752) issued on February 6, 2024 from DMLW's Realty Services Section attests that aside from the usual reservations for ditches, canals, railroads, telegraph and telephone lines, and water rights, there is no other reservation within the proposed lease site:

Third-Party Interests:

- ADL 233476, Public Easement, Utility, Issued, Homer Electric Association, Inc. Public Utility Easement, granted 7/6/2020, recorded on Doc. No. 2020-006341-0;
- LST CI0090, Oil & Gas Lease Sale Tract has no active associated lease as of the date of title report.

Planning and Classification:

The project area is subject to the Kenai Area Plan (KAP), Region 6 (Kasilof River Drainage), Unit 83B (map number 6A). The land use designation for this site is settlement which converts to the land use classification of Settlement land. Page 3-170 of the KAP notes that Unit 83B is "composed of scattered lots within the Kasilof Subdivision that the state offered in 1963. Lots that return into statement ownership may be resold. Retain lot(s) that were identified through sale process as a community center or facility. Also retain lots (or management of lots or portions of lots) that adjoin the bluff and are appropriate for public recreation and access."

A stated goal of the KAP regarding compact settlement areas notes that "the plan attempts to concentrate lands for settlement in areas with existing settlements or in areas that are most suitable for settlement: lower elevations, areas with well-drained soils, and areas with existing infrastructure (p. 2-47)."

ADL 36139 exists within the boundaries of the Kenai National Moose Range. Page 2-9 of the KAP, in addressing DNR Management Authority in Critical Habitat Areas, Game Refuges, and Sanctuaries, notes that “some uses within these wildlife areas require that the land be classified before they can be authorized. For this reason, consistent with legislative intent for these areas, this plan designates and classifies all lands within these wildlife areas “fish and wildlife habitat” with one exception. State lands within the Kenai National Moose Range and Tuxedni Refuge boundaries that were legislatively designated under AS 16.20.030(a)(8) and (13) in 1960 are not designated fish and wildlife habitat based on legislative designation alone.” Rather, the lands in question were designated as Settlement lands as recently as January 2000.

ADL 36139 adheres to the KAP’s management goals, intent, guidelines, and land use classification/designation. It further adheres to the noted exception regarding its inclusion within the Kenai National Moose Range. As such, ADL 36139 is consistent with and supported by the KAP.

Access:

Access to the leasehold is accomplished via the adjacent Kasilof Beach Road, which immediately intersects with Kalifornsky Beach Road.

Public Access:

ADL 36139 is bounded on the east and west by Kalifornsky Beach Road (public access easement ADL 1772) and Kasilof Beach Road (public utility easement ADL 233476), respectively, and on its southern boundary by ADL 233476, and the southern section line of Section 36, representing a section line easement for continued public access to lands beyond the leasehold. As the leasehold is utilized as a residence, public access must be restricted from the customer’s developed infrastructure and dwellings.

Authorization and Term Length:

Pursuant to AS 38.05.070(e) leases may only be renewed once and for a duration no longer than the original lease term. As such, this renewed lease will be issued for an additional 30-year term, rather than its initial 55-year term in order to enable greater flexibility for DNR to make adjustments to this authorization based on potentially changing conditions. Unless an appeal is received, the lease term will begin on **June 27, 2024**.

Compensation and Appraisal:

In accordance with AS 38.05.840, state-owned land may only be leased if it has been appraised within two years before lease issuance. SCRO has coordinated with DMLW’s Appraisal Unit, and Mr. Haddock will be required to provide an appraisal of the lease site before the proposed lease will be issued. Once the appraisal has been approved by DMLW, the annual lease fee will be set at the fair market value of the proposed lease site.

Entry Authorization:

SCRO is proposing to authorize Mr. Haddock entry onto state land through the issuance of an Entry Authorization (EA) while they are completing the required appraisal for the lease site. The proposed EA would be issued after this Renewal Decision goes into effect. The effective date of the EA will be the start of the lease term length.

The estimated annual fee for the proposed EA is \$1,000.00. Should the report indicate that the value of the land is greater than anticipated, the shortfall must be remedied before the lease will be issued.

Periodic Rate Adjustment:

In accordance with AS 38.05.105, the proposed lease will be subject to reappraisal at five-year intervals after the issuance of the proposed authorization.

Bonding:

In accordance with the terms of the original lease, a performance bond of \$6,000.00 will be sufficient to satisfy 11 AAC 96.060 for this land lease. This bond will remain in place for the life of the proposed lease. The bond amount is based upon the level of development, amounts of hazardous material/substances on site, and the perceived liability to the State. This bond will be used to ensure the applicant's compliance with the terms and conditions of the lease issued for their project. This bond amount will be subject to periodic adjustments and may be adjusted upon approval of any amendments, assignments, reappraisals, changes in the development plan, changes in the activities conducted, or changes in the performance of operations conducted on the authorized premises, and as a result of any violations to one or more of the authorizations associated with this project.

Reclamation Bond:

SCRO reserves the right to require a reclamation bond in the event of noncompliance issues during the term of the lease or near the end of the life of the project.

Insurance:

Mr. Haddock will be required to submit proof of liability insurance to SCRO, with the State of Alaska listed as a "NAMED" insured party. Mr. Haddock will be responsible for maintaining such insurance throughout the term of the renewed lease.

Recommendation:

SCRO has completed a review of the information provided by the applicant, examined the relevant land management documents, and has found the proposed lease is consistent with all applicable statutes and regulations. SCRO recommends the issuance of a 30-year lease to support Mr. Haddock's residential activities. This issuance would ensure that the lease continues to abide by its initial purposes, including residence, and the renewal is consistent with the State's Constitution as the lease provides for the utilization, development, and conservation of the natural resources belonging to the State for the maximum benefit of its people, as described in the following attachments:

Attachment A: Development Plan

Attachment B: Location Maps

Benjamin J. Powell

10/7/2025

Ben Powell, Natural Resource Specialist 3

Date

Division of Mining, Land and Water, Southcentral Regional Land Office

Decision:

The findings presented above have been reviewed and considered. The case file has been found to be complete and the requirements of all applicable statutes and regulations have been satisfied. SCRO finds that it is in the best interests of the State to renew this lease as described under the authority of AS 38.05.070(e).

Cinnamon Micelotta

10/7/2025

Cinnamon Micelotta, General Leasing Program Manager

Date

Division of Mining, Land and Water, Southcentral Regional Land Office

Appeal:

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. 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 <https://dnr.alaska.gov/mlw/pdf/DNR-11-AAC-02.pdf>.

Attachment A Development Plan

Narrative Site Development Plan

Site:

52144 Kasilof Beach Rd., Kasilof, AK

Legal: Lot 1, Block 1, Kasilof Alaska Subdivision, According to the plat thereof 83-166, Kenai Recording District, State of Alaska

Reference Key: 1

Description: EXISTING 24' x 24', 576 sq ft Cabin. 1-story, studio. Foundation, pier blocks/gravel pad. Subfloor-wood.

Current Proposed Activity: Owner-Occupied, Primary Residence

Future Proposed Activity: Owner-Occupied, Primary Residence

Utilities:

- Electric aboveground
- Fuel Oil – 300 gal tank connected to Toyo Stove
- Propane – 5 gal tank connected to cooking stove
- Well / Septic onsite – active

Reference Key: 2

Description: EXISTING 22' x 52', 1,144 sq ft mobile home w/addition. 1-story. Foundation: Mobile home is still on axels, addition is on cinder block/wood posts. Subfloor-wood.

Current Proposed Activity: Unoccupied building, used for personal storage

Future Proposed Activity: Restore to a habitable dwelling.

Utilities:

- Access to Electric – inactive
- Well / Septic onsite – inactive
- No other utilities

Reference Key: 3

Description: EXISTING 12' x 12', 144 sq ft greenhouse 1-story. No foundation. No subfloor.

Current Proposed Activity: Unoccupied Building, Personal Use – Greenhouse food production/subsistence

Proposed Future Activity: No change from current proposed activity.

Utilities:

Attachment A

Development Plan

- No utilities

Reference Key: 4

Description: EXISTING 8' x 8', 64 sq ft smoke house 1-story. No foundation. No subfloor.

Current Proposed Activity: Unoccupied building, personal use smoke house used for processing food/subsistence

Proposed Future Activity: No change from current proposed activity.

Utilities:

- No utilities

Reference Key: 5

Description: EXISTING 24' x 16', 384 sq ft dry cabin, 1-story. Foundation cinder blocks/gravel pad. Subfloor-wood.

Current Proposed Activity: Unoccupied building, used for personal storage

Proposed Future Activity: Sell structure, if sold new owner to transfer to an offsite location of their choosing.

Utilities:

- No utilities

Reference Key: 6

Description: Shed – materials only currently

Current Proposed Activity: n/a

Proposed Future Activity: build a 13'x18' shed with existing materials onsite. Shed foundation will be pier blocks on gravel pad. Starting Fall 2025 pending lease approval.

Utilities:

- No utilities

Other Notes:

- No commercial use planned including business operations, rental, employees, etc.
- No non-residential hazardous materials stored.
- All non-operable vehicle onsite will be listed for sale and removed by the new owner once sold. Vehicles are showing no signs of leaks, spills, etc.
Exception: 1966 Pontiac Catalina to be restored unless sale occurs.
- Terrain/Ground Cover - Existing landscaping includes natural vegetation, driveway (gravel), and lawn.

Attachment A Development Plan

Attachment B – Driveway Markup Map

Attachment C – Underground Utility Map

Attachment B Driveway Map

Description:

Driveway markup – Red markings in property boundaries



Access:

Existing access is gravel driveways x2. No public access will be allowed without the lessees consent.

**Attachment A
Development Plan**

Attachment C

Underground Utility Map

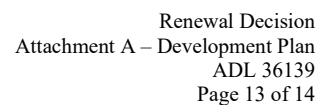
Key:

- Blue – Approximate Existing Well Locations
- Brown – Approximate Existing Septic Locations
- Electric – Approximate Electric



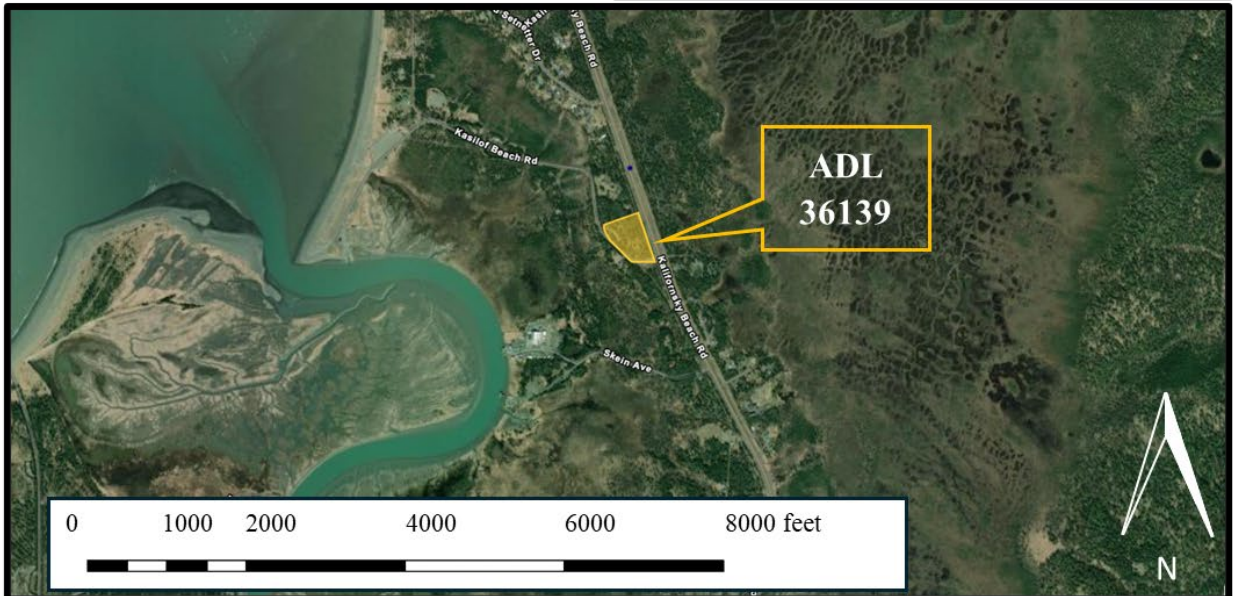
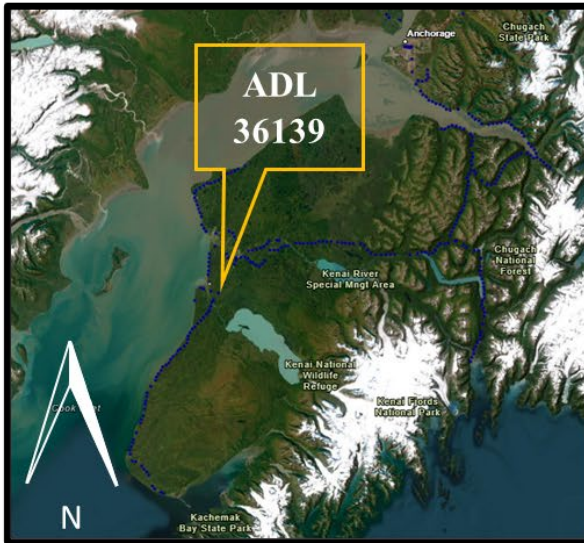
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Attachment B Location Maps

ADL 36139



ADL 36139 consists of 5.71 acres of land, more or less, and is located approximately 9 miles SW of Soldotna, Alaska. The location of the project area is further described as being within the S1/2 of the SE1/4 of Section 36, Township 4 North, Range 12 West, Seward Meridian.

DNR Lease Inventory

Drawn by Ben Powell, DNR



NOTE: This map provides a graphical representation of the lease sites and has only been provided as a general reference. Exact location of the lease site may be adjusted prior to lease issuance. This map is not intended for navigational purposes. World Imagery.