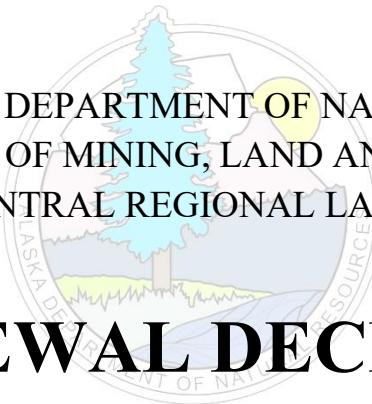


STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER
SOUTHCENTRAL REGIONAL LAND OFFICE



RENEWAL DECISION

ADL 227627

**The Bush Pilot, Inc.
Land Lease**

AS 38.05.070(e) and AS 38.05.070(b)

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 The Bush Pilot, Inc. (BPI), to renew a current lease for 2.98 acres of land for 10 additional years located approximately 5.2 miles south of the North Fork of the Swift River on an unnamed lake west of the Revelation Mountains. The location of the project area is further described as being within the NE1/4 of the NW1/4, Section 8, Township 17 North, Range 28 West, Seward Meridian. BPI uses this site to guide big game hunts and adventure tourism.

History:

In 1993, a Land Use Permit was initially issued to Eberhard Brunner for a commercial recreation camp, serialized as LAS 14208. Mr. Brunner held that permit until 1998 when he sold the structures and personal property located on state land to David Haeg dba BPI. An additional Land Use Permit was issued to BPI, serialized as LAS 21752, on February 5, 1998, expiring February 4, 2003. The Land Use Permit was closed and reauthorized as a lease under ADL 227627 on November 1, 1999, due to the increase in development and infrastructure in the leasehold. BPI then applied for an additional 10-year lease on October 23, 2009. A Land Use Permit was issued on November 1, 2009, for a term of 3 years, expiring October 31, 2012, for the purpose of accessing the leasehold while the lease was being adjudicated. The Land Use Permit was then extended for an additional 2 years, expiring October 31, 2014. The lease was issued on October 31, 2014, for a term of 10 years.

On May 9, 2023, BPI applied to renew the lease for 10 additional years. BPI is the current lessee for ADL 227627, which expired on October 30, 2024.

Existing Infrastructure:

- One 23-foot by 23-foot cabin
- One 12-foot by 14-foot cabin
- One 10-foot by 12-foot cabin
- One 14-foot by 25-foot cabin with a 12-foot by 14-foot porch
- One 12-foot by 14-foot shed
- One 4-foot by 4-foot shed
- One 4-foot by 8-foot outhouse
- One 4-foot by 4-foot outhouse
- One 14-foot by 18-foot sauna
- One 8-foot by 10-foot dock

Lease Renewal Authority:

In 2014 the original lease had been adjudicated pursuant to AS 38.05.035(b)(1) Delegation of the Powers and Duties of the Director; AS 38.05.035(e) Written Findings; AS 38.05.070(b) Generally; 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:

The first authorization of this lease site was issued under a Land Use Permit. When the infrastructure and development of the site increased, it was determined that a lease would be a more appropriate authorization. A lease is still the most appropriate authorization for this site due to the existing infrastructure.

Renewing the lease under AS 38.05.070(b) 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 enhance public use and enjoyment of the area by providing lodging and guided experiences, 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 1988 Kuskokwim Area Plan and other classification references described herein, and the casefile for the application serialized by DNR as ADL 227627.

Legal Description:

2.98 acres located NE1/4 of the NW1/4 of Section 8, Township 17 North, Range 28 West, Seward Meridian.

Title:

The State of Alaska holds fee title to the subject land under U. S. Patent No. 50-2008-0104 dated December 12, 2007. A DNR Title Report (RPT-3625) issued on November 6, 2012, 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 are no other reservations within the proposed lease site.

Third-Party Interests:

There are no known third-party interests.

Planning and Classification:

The project area is subject to the Kuskokwim Area Plan, Management Unit 12: South Alaska Range, Subunit 12a: Revelation Mountains – Swift River (map number 3.12). The land use designations for this site are Public Recreation, which converts to the land use classification Public Recreation Land; and Wildlife Habitat, which converts to the land use classification Wildlife Habitat Land. The management intent for this subunit states that these lands should be managed with emphasis on wildlife habitat and harvest, guiding, and public recreation (pg. 3-101). Chapter 2 of the Kuskokwim Area Plan highlights the goals of Public and Commercial Recreation to provide recreation opportunities and encourage commercial development of recreational facilities and services through leases and other authorizations (pg. 2-25). The authorization of continued use for BPI's commercial recreational hunting guide and adventure tourism site is consistent with the management intent, goals, designations, and land use classifications stated in the Kuskokwim Area Plan.

Access:

BPI utilizes float planes and wheeled planes to access the site.

Public Access:

Public access is not restricted.

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 renewal lease will be issued for an additional 10-year term. Unless an appeal is received, the lease term will begin upon **October 31, 2024**.

Compensation and Appraisal:

As this application is for a short-term lease for a 2.98-acre commercial recreation guide site that is located off of the road system and has no public utilities, the proposed lease qualifies under DMLW's Fee Schedule 2618-16, which sets the annual fee at **\$2,160**. As the Fee Schedule satisfies the requirements of AS 38.05.840, no appraisal will be required from the applicant. Furthermore, 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.

If the applicant does not agree with the fee schedule amount of \$2,160, a fair market value determination can be obtained by the applicant. Fair market value is determined by obtaining a DNR approved appraisal of the lease. If an appraisal is conducted to determine fair market value of the lease site, the applicant will be required to pay the appraised amount and the \$2,160 annual fee will no longer be an option. The appraisal cost will be borne by the applicant. The parcel may need to have an approved Alaska State Land Survey to accomplish the appraisal.

Visitor Day Use Fee:

All commercial recreation authorizations are subject to a **\$4.00/day** "Visitor Day" fee under 11 AAC 96.250(18), for each client using state land. This fee is collected once a year and will be due on the same day as the annual fee.

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, the existing performance bond of \$10,000 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:

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

Public Trust Doctrine:

Pursuant to AS 38.05.126 all authorizations for this site will be subject to the principles of the Public Trust Doctrine; specifically, the right of the public to use navigable waterways and the land beneath them for navigation, commerce, fishing, hunting, protection of areas for ecological studies, and other purposes. These rights must be protected to the maximum extent practicable while allowing for the development of this project. As such, SCRO is reserving the right to grant other authorizations to the subject area consistent with the Public Trust Doctrine.

Signature page follows

Recommendation:

SCRO has completed a review of the information provided by the applicant, examined the relevant land management documents, and found the proposed lease is consistent with all applicable statutes and regulations. SCRO recommends the issuance of another 10-year lease to support BPI's commercial recreation activities as they provide guided big game hunts and adventure tourism, as described in the following attachments:

Attachment A: Development Plan

Attachment B: Location Maps

Audrey Gilroy

1/27/2026

Audrey Gilroy, Natural Resource Specialist 2

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

1/27/2026

Cinnamon Micelotta, General Leasing Program Manager

Date

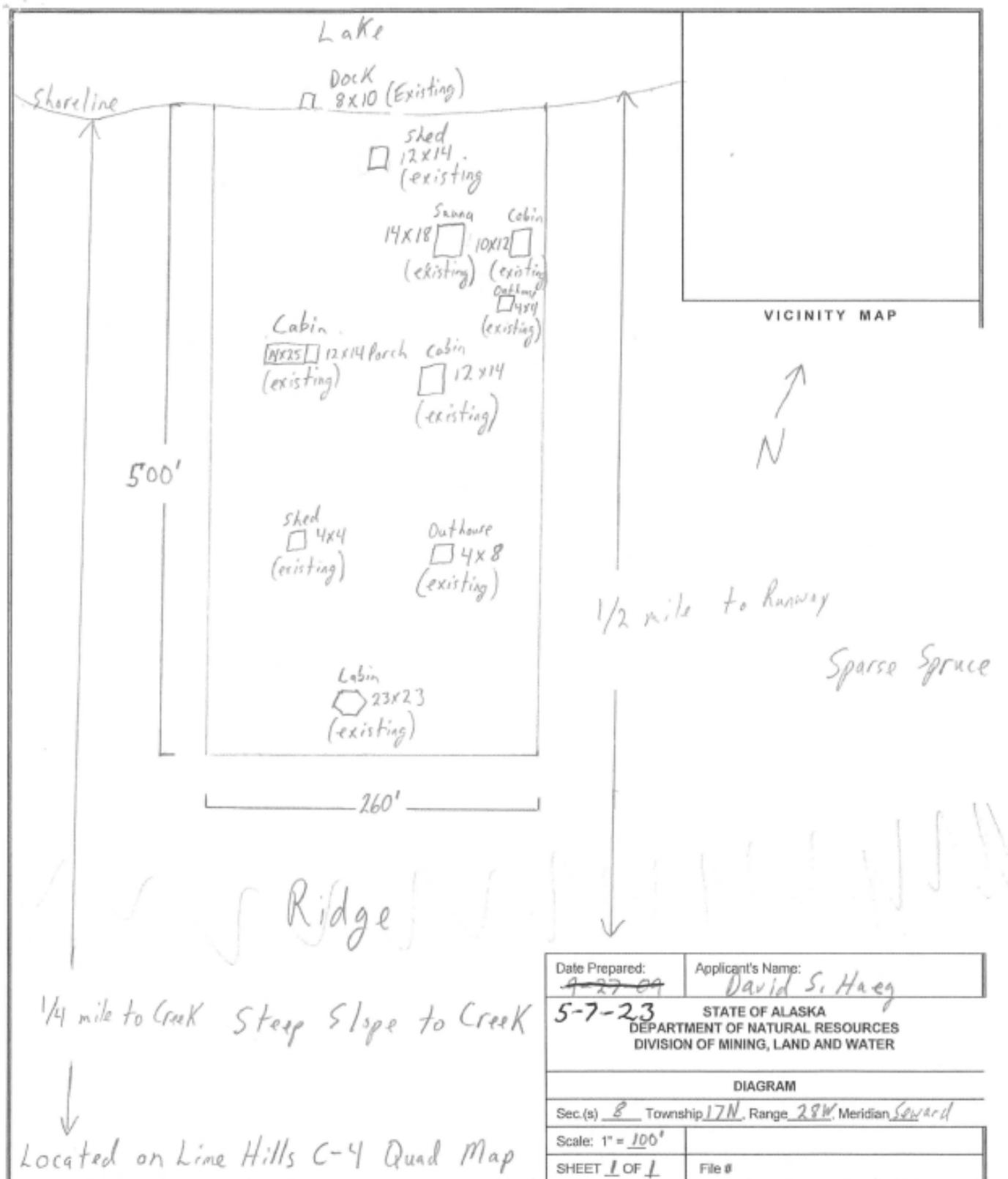
Division of Mining, Land and Water, Southcentral Regional Land Office

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



Attachment A

Development Plan

Development Plan – David S. Haeg

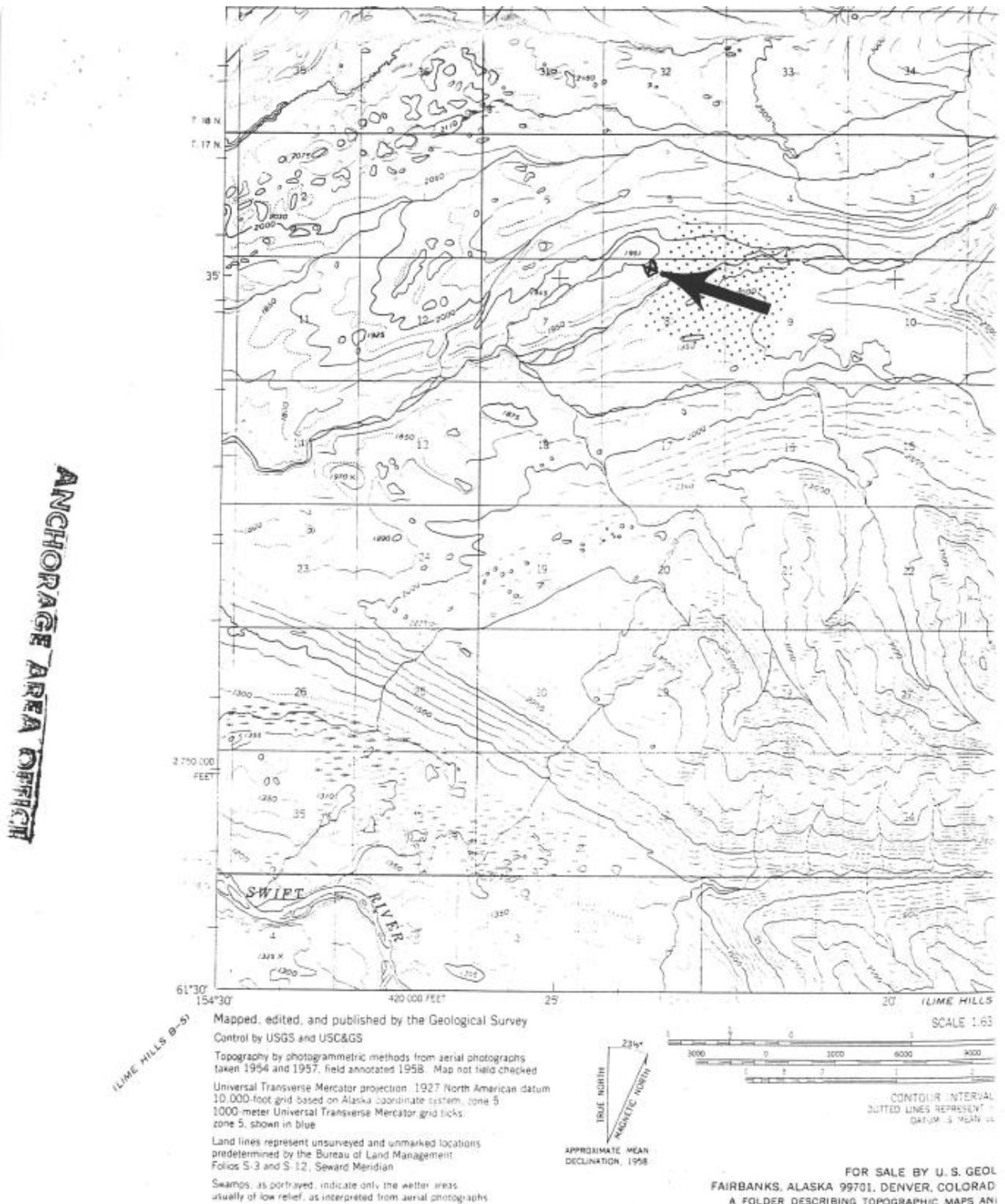
1. Land lease within NE1/4NW1/4 of Section 8, Township 17 North, and Range 28 West, of the Seward Meridian, containing approximately 2.98 Acres. Purpose is for commercial lodging of outdoors recreation guests including but not limited to: wildlife viewers, hikers, photographers, hunters, fishermen, and mountain climbers.
2. Ground cover is sparse spruce with no proposed change.
3. Access by float or wheel plane. Public access not restricted.
4. All structures exist and consist of log construction without foundation or with post foundation. Cabins are for lodging, eating, and for shelter; outhouses for toilet use; sauna for bathing; and shed for storage. Structures will be used 3 months or less per year.
5. Power by small (under 5000 watt) generator.
6. Solid waste from humans disposed of in pit outhouses treated with lime.
7. Water from creek. Wastewater disposed in pit.
8. Gasoline stored next to outhouse in 55-gallon drum and 5-gallon cans. Total less than 100 gallons. Propane stored next to each cabin (for cooking, heating water, and lighting) in 100 pound and 25 pound bottles. Total less than 400 pounds.
9. Storage shed will house equipment and personal gear. Equipment leaks will be regularly checked for and repaired.
10. Three people working on the site to service a maximum of 4 guests at a time. Ratio of staff to supervisor: 1 to 2. Maximum guests per year: 12
11. Because of poor economy and low wildlife numbers lease will definitely not be upsized and will almost certainly be downsized.
12. Very little long-term maintenance expected. David S. Haeg to perform maintenance. No subcontractors will be involved.
13. Property to be reclaimed by removal of all unburnable material and burning the rest.

David S. Haeg
PO Box 123
Soldotna, AK 99669
907-262-9249
haeg@alaska.net

D.S. Haeg 10-17-09
5-7-23

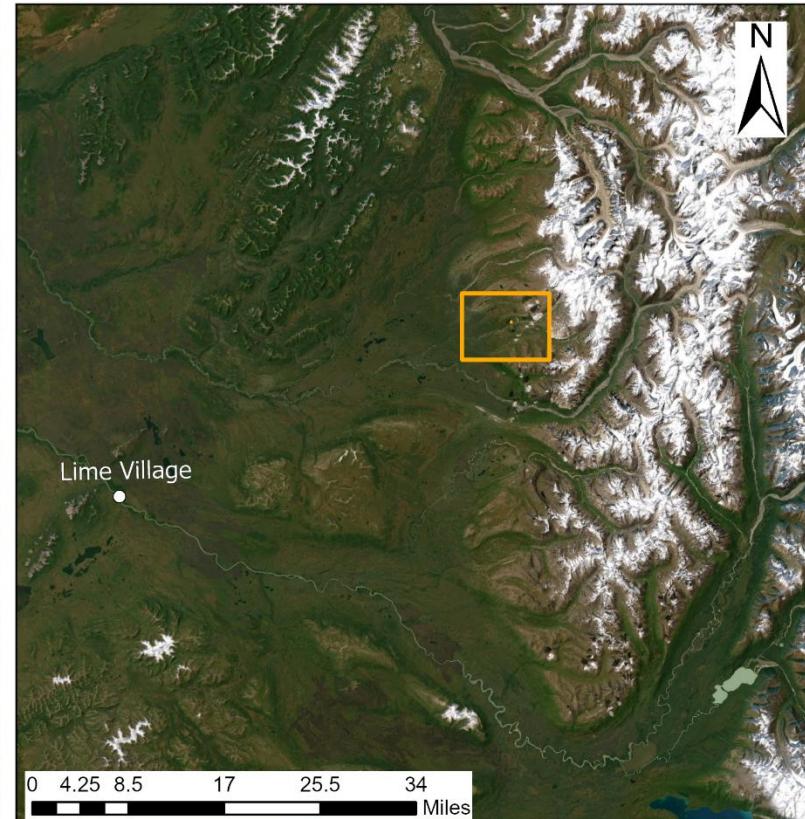
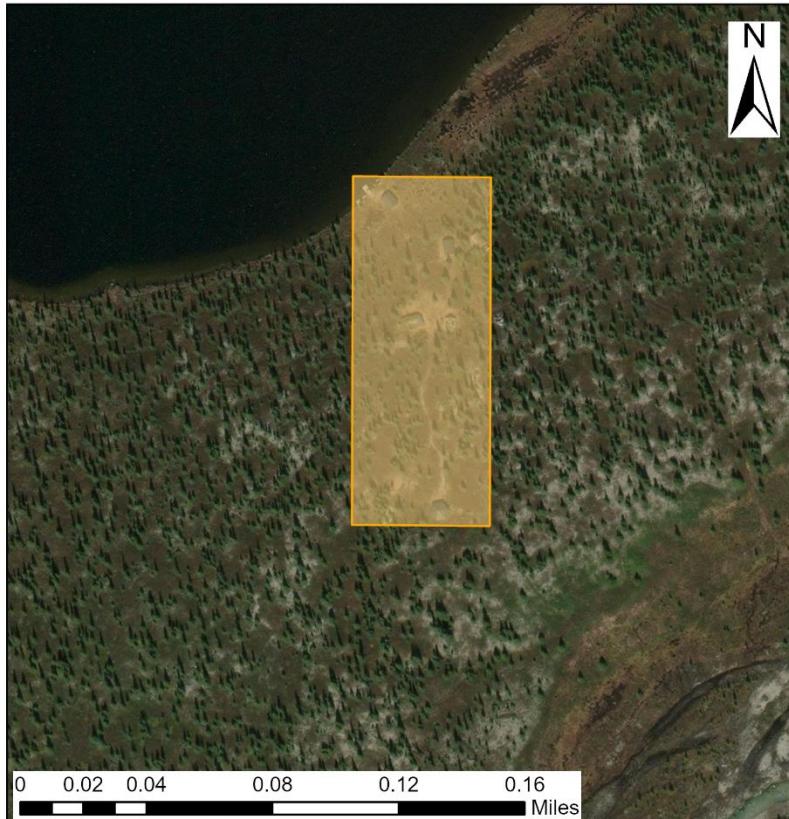
Attachment A

Development Plan



Attachment B

Location Maps



The Bush Pilot, Inc.
Land Lease
ADL 227627



NOTE: This map provides a graphical representation of the lease site and has 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.

Legend

Lease Area

