

STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES

DIVISION OF MINING, LAND AND WATER

- | | | | |
|---|--|--|--|
| <input type="checkbox"/> Land Sales and Contract Administration
550 W 7th Ave., Suite 640
Anchorage, AK 99501-3576
(907) 269-8594 | <input type="checkbox"/> Northern Region
3700 Airport Way
Fairbanks, AK 99709
(907) 451-2740 | <input checked="" type="checkbox"/> Southcentral Region
550 W 7th Ave., Suite 900C
Anchorage, AK 99501-3577
(907) 269-8552 | <input type="checkbox"/> Southeast Region
400 Willoughby, #400
P.O. Box 111020
Juneau, AK 99811-1021
(907) 465-3400 |
|---|--|--|--|

APPLICATION FOR PURCHASE OR LEASE OF STATE LAND

10/01/2023

226790

Date

ADL # (assigned by DNR)

Applicant's Name CATC Alaska Tourism Doing business as: Kenai Fjords Tours

Mailing Address PO Box 1889

City/State/Zip Seward, AK E-Mail gnipp@kenaifjords.com

Message Phone [REDACTED] Work Phone () Date of Birth

Is applicant a corporation qualified to do business in Alaska? **yes** **no**. Is the corporation in good standing with the State of Alaska, Dept. of Commerce and Economic Development? **yes** **no**.

Is applicant 18 years or older? **yes** **no**. Are you applying for a **lease** or **sale**?

What kind of lease or sale are you applying for? **Tideland**; **Public/Charitable Use**; **Grazing**; **Millsite**;
 Negotiated; **Competitive**; **Non-Competitive**; **Preference Right**

If a lease, how many years are you applying for? 20 years. (55 years Max.)

Legal Description: Lot(s) Block/Tract # 2A Survey/Subdivision
Other:

Meridian Township 003s Range 001E Section(s) Acres

Municipality: Kenai Peninsula Borough LORAN Reading (optional)

Geographic Location: Fox Island - Kenai Peninsula (Renard Island) Latitude 59.9287°N, Longitude 149.3422°

What is the proposed use of and activity on the state land? Renewal of Lease

Are there any improvements on the land now? **yes** **no**. If yes, who owns the improvements, and what is the estimated value?

If yes, describe any existing improvements on the land. Upgraded dock - for general maintance of dock - see Att A

Are there any improvements or construction planned? **yes** **no**. If yes, describe them and their estimated value.

State the proposed construction date: ; estimated completion date*:

Name and address of adjacent land owners and, if you are applying for tidelands, the name and address of the adjacent upland owners:

Are you currently in default on, or in violation of, any purchase contract, lease, permit or other authorization issued by the department under 11 AAC? **yes** **no**. Within the past three years, has the department foreclosed or terminated any purchase contract, lease, permit or other authorization issued to you? **yes** **no**.

Non-refundable application fee: See current Director's Order for applicable fees.
(Fee may be waived under 11 AAC 05.020.)

Date Stamp:

Is the land applied for subject to any existing leases or permits? yes no. If yes, lease or permit?
Name lease/permit is issued under: CATC Alaska Tourism ADL # 226790

Do you think you qualify for a non-competitive lease or sale? yes no. If yes, under what provision of AS 38.05?

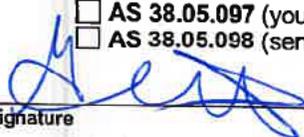
- AS 38.05.035(b)(2) (to correct an error or omission);
- AS 38.05.035(b)(3) (owner of bona fide improvements);
- AS 38.05.035(b)(5) (occupied, or are the heir of someone who occupied the land before statehood);
- AS 38.05.035(b)(7) (adjacent owner of remnant of state land, not adjoining other state land);
- AS 38.05.068 and .087 (U.S. Forest Service Permittee);
- AS 38.05.075(c) (upland owner or lessee);
- AS 38.05.035(f) (previous federal and state authorization, erected a building and used the land for business purposes);
- AS 38.05.102 (current long-term lessee or current shore fishery lessee);
- AS 38.05.255 (millsite lease for mine-related facilities);
- AS 38.05.810(a)* (government agency; tax-exempt, non-profit organization organized to operate a cemetery, solid waste facility, or other public facility; or a subdivision's nonprofit, tax-exempt homeowners' association);
- AS 38.05.810(b)-(d) (non-profit corporation, association, club, or society operated for charitable, religious, scientific, or educational purposes, or for the promotion of social welfare, or a youth encampment);
- AS 38.05.810(e) (licensed public utility or licensed common carrier);
- AS 38.05.810(f) (non-profit cooperative organized under AS 10.25, or licensed public utility);
- AS 38.05.810(h) (Alaska Aerospace Development Corporation);
- AS 38.05.810(i) (port authority);
- AS 38.05.825 (municipality applying for eligible tidelands, or tidelands required for private development);
- other (please explain): _____

If you have checked one of the above statutes, attach a statement detailing your qualifications under each requirement of that statute.

Do you think you qualify to lease the land for less than fair market value? yes no. If yes, under what provision of AS 38.05?

- AS 38.05.097 (youth encampment or similar recreational purpose);
- AS 38.05.098 (senior citizen discount for a residential lease);
- other (please explain).

Signature



Date

10/20/23

CATC Alaska Tourism

If applying on behalf of an agency, municipality, or organization, state which one

General Manager

Title

NOTICE TO APPLICANT:

- * For applications filed by a municipality under AS 38.05.810, if there is a remaining entitlement of the municipality under AS 29.65, land transferred under AS 38.05.810 shall be credited toward fulfillment of the entitlement.
- * Construction may not commence until approval is granted by lessor.
- * This application will not be considered unless it is accompanied by the appropriate filing fee and completed in full. THE FILING FEE WILL NOT BE REFUNDED NOR IS IT TRANSFERABLE. All checks are to be made payable to the Department of Natural Resources.
- * Include a 1:63,360 USGS map showing location of proposed activities in relation to survey monumentation or fixed geographical features which fully illustrates your intended use, including the location of buildings and improvements and access points, labeled with all dimensions, and a development plan providing a complete list of proposed activities.
- * The applicant may be required to deposit a sum of money sufficient to cover the estimated cost of survey, appraisal, and advertising. If the land is sold or leased to another party, the deposit will be returned to the applicant.
- * The filing of this application and payment of the filing fee vests the applicant with no right or priority in the lands applied for. It is merely an expression of the desire to purchase or lease a parcel of land when and if it becomes available. Filing an application serves the purpose of notifying the state that an individual is interested in purchasing or leasing land. It is not a claim, nor does it in any way obligate the state to sell or lease land.
- * If the application is for use in conjunction with a guide/outfitter operation, include proof of a guide/outfitter certification for the use area.
- * If the application is for a commercial fish camp, include a copy of your limited entry permit or an interim-use salmon set net permit.
- * If applying for a senior citizen discount, include form 102-1042.
- * AS 38.05.035(a) authorizes the director to decide what information is needed to process an application for the sale or use of state land and resources. This information is made a part of the state public land records and becomes public information under AS 40.25.110 and 40.25.120 (unless the information qualifies for confidentiality under AS 38.05.035(a)(8) and confidentiality is requested, AS 43.05.230, or AS 45.48). Public information is open to inspection by you or any member of the public. A person who is the subject of the information may challenge its accuracy or completeness under AS 44.99.310, by giving a written description of the challenged information, the changes needed to correct it, and a name and address where the person can be reached. False statements made in an application for a benefit are punishable under AS 11.56.210. In submitting this form, the applicant agrees with the Department to use "electronic" means to conduct "transactions" (as those terms are used in the Uniform Electronic Transactions Act, AS 09.80.010 – AS 09.80.195) that relate to this form and that the Department need not retain the original paper form of this record: the department may retain this record as an electronic record and destroy the original.

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APPLICANT ENVIRONMENTAL RISK QUESTIONNAIRE

The purpose of this questionnaire is to help clarify the types of activities you propose to undertake. The questions are meant to help identify the level of environmental risk that may be associated with the proposed activity. The Division of Mining, Land and Water's evaluation of environmental risk for the proposed activity does not imply that the parcel or the proposed activity is an environmental risk from the presence or use of hazardous substances.

Through this analysis, you may become aware of environmental risks that you did not know about. If so, you may want to consult with an environmental engineer or an attorney.

CATC Alaska Tourism Corp		Kenai Fjords Tours		
Applicant's Name		Doing Business As		
PO Box 1889, Seward, AK 99664				
Address				
		City	State	Zip
		gnipp@kenaifjords.com	Gerri Nipp	
Message Phone	Work Phone	E-Mail	Contact Person	

Describe the proposed activity:

Renewal of alaska Tideland Survey 226790

In the course of your proposed activity will you generate, use, store, transport, dispose of, or otherwise come in contact with toxic and/or hazardous materials, and/or hydrocarbons? Yes No

If yes, please list the substances and the associated quantities. Use a separate sheet of paper, if necessary.

If the proposed activities involve any storage tanks, either above or below ground, address the following questions for each tank. Please use a separate sheet of paper, if necessary, and, where appropriate, include maps or plats:

a. Where will the tank be located? _____

b. What will be stored in the tank? _____

c. What will be the tank's size in gallons? _____

d. What will the tank be used for? (Commercial or residential purposes?) _____

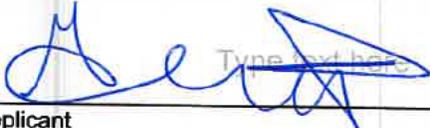
e. Will the tank be tested for leaks? _____

f. Will the tank be equipped with leak detection devices? Yes No . If yes, describe: _____

Do you know or have any reason to suspect that the site may have been previously contaminated? Yes No

If yes, please explain: _____

I certify that due diligence has been exercised and proper inquiries made in completing this questionnaire, and that the foregoing is true and correct to the best of my knowledge.

 Type and print name

Applicant

10/20/23

Date

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INSTRUCTIONS FOR COMPLETING A DEVELOPMENT PLAN

A development plan is a written statement (narrative) and a sketch or blueline drawing describing the proposed use and development of state land. The information contained in a development plan is needed to provide a complete review of the application and the proposed use and development, and helps to determine the terms and conditions of the authorization and the level of bonding and insurance that may be required.

Most applications submitted to the Division of Mining, Land and Water must have an attached development plan. The few exceptions to this rule include applications for state land sales and some types of land use permit. The amount and type of information included in the development plan will depend on the proposed use and level of development. Insufficient information in the development plan and/or application or failure to provide a development plan may result in a delay in processing the application. If you are unsure whether your application will require a development plan, contact the regional office responsible for managing the area you are planning to use (regional office addresses and phone numbers are shown at the top of this sheet).

If the application is approved, the approved development plan becomes a part of the authorization document. Authorized activities are limited to those described in the development plan and/or authorization document. The development plan must be updated if changes to an approved project are proposed before or during the project's siting, construction, or operation; if any additional structures, buildings, or improvements are proposed; or if there is a change in activity that was not addressed during consideration of the application. Please note that these development plans or plan changes must be approved by the Division of Mining, Land and Water before any change occurs in use, construction, or activity. Conducting activities that are not authorized by the development plan and authorization document could result in revocation and termination of the authorization and/or other appropriate legal action.

I. **General Guidelines for Preparing a Development Plan** For new authorizations, the development plan must show the proposed improvements and/or use areas, as well as preconstruction plans. For existing authorizations without a current development plan or if the development plan is being updated, the plan must show existing improvements and/or use areas, etc., and any known future changes. The development plan must include:

- **Maps:** a USGS map at a scale of at least 1:63,360 showing the location of the proposed project; a blueline drawing or sketch, drawn to scale (the attached diagram may be used); and
- **Written Project description:** a detailed written description (narrative) of the intended use and level of development planned under the authorization and an explanation of the sketch or blueline drawing.

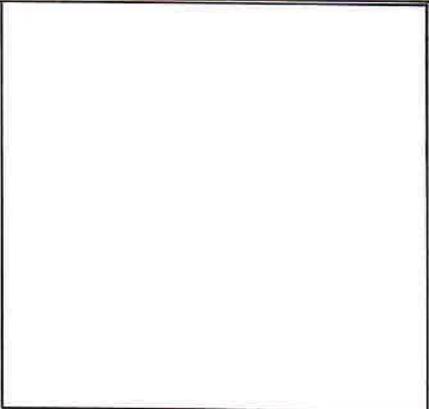
II. **Land Use Permits** Permanent improvements cannot be authorized by a land use permit. However, a development plan accompanying a land use permit application must describe nonpermanent structures and activities. (Nonpermanent structures are structures that can be easily and quickly taken down and removed from the site, without any significant disturbance or damage to the area.) Several of the specific development plan items listed below will not apply to activities authorized under a land use permit; those items that do apply should be described in as much detail as possible, to enable prompt review of the application. If the proposed land use permit activity is of a mobile nature, such as a permit to move heavy equipment across state land, a development plan is not required; but a map showing the proposed route of travel is required. If the impact would not have a significant effect on the environment, such as a permit to harvest wild produce, a development plan is not required, but a map showing the location of the proposed harvest area is required.

III. **Narrative portion of the development plan** Describe the type of activities or development planned for the site; specify if any facilities are intended for commercial use, or will be rented out; and provide a description and explanation of the items shown on the sketch or blueline. Following is a list of specific information to be included in the narrative, if applicable to the proposed project:

- **Legal description.** Provide a legal description of the parcel, i.e. a metes and bounds description, survey, lot and block, aliquot part, or other legal description.
- **Terrain/ground cover.** Describe the existing terrain/ground cover, and proposed changes to the terrain/ground cover.
- **Access.** Describe existing and planned access, and mode of transportation. If public access is to be restricted, define possible alternative public access routes.
- **Buildings and other structures.** Describe each building or structure, whether permanent or temporary, including a description of the foundation as well as the building and floor construction; the date when the structure is to be constructed or placed on the parcel; the duration of use; and what activities are to occur within each structure.
- **Power source.** Describe type and availability of power source to the site.
- **Waste types, waste sources, and disposal methods.** List the types of waste that will be generated on-site, including solid waste, the source, and method of disposal.
- **Hazardous substances.** Describe the types and volumes of hazardous substances present or proposed, the specific storage location, and spill plan and spill prevention methods. Describe any containment structure(s) and volume of containment structure(s), the type of lining material, and configuration of the containment structure. Provide Material Safety Data Sheets (MSDS).
- **Water supply.** Describe the water supply and wastewater disposal method.
- **Parking areas and storage areas.** Describe long-term and short-term parking and storage areas, and any measures that will be taken to minimize drips or spills from leaking vehicles or equipment. Describe the items to be stored in the storage areas.
- **Number of people using the site.** State the number of people employed and working on the parcel, and describe the supervisor/staff ratio. Estimate the number of clients that will be using the site.
- **Maintenance and operations.** Describe the long-term requirements, how they will occur and who will perform the work. Specify if any subcontractors will be involved, and explain the tasks they will perform.
- **Closure/reclamation plan.** Provide a closure/reclamation plan, if required for the type of authorization being applied for, e.g. material sale.

IV. **Sketch or blueline portion of the development plan** The sketch or blueline must be drawn to scale, and each item labeled in such a way that the information contained in the drawing can be located in the narrative portion of the development plan (professional quality drafting and mechanical lettering is preferred). Following is a list of information to be shown on the drawing, if applicable:

- Section, Township, and Range lines; North arrow; scale; title; and legend (attached is an acceptable format).
- All property boundaries, ordinary or mean high water lines, and existing or proposed rights-of-way; major topographic features such as roads, streams, rivers, and lakes, and their geographic names.
- Location and dimensions of any gravel pads, or cement foundations, buildings, and other structures and improvements, appropriately labeled.
- Location of any buried or above-ground utility lines (power, water, fuel, natural gas, etc.); sewage facilities, including sewage and wastewater outfall point; underground water system; and water source (if any).
- Location where any hazardous substances, including but not limited to oil, lubricants, fuel oil, gasoline, solvents, and diesel fuel, are stored. Method of storage (tank, drum, etc.).
- Location of parking areas, and areas for the storage of inactive vehicles; snow storage areas; storage areas for any other items not mentioned above (drill rigs, camps, pipe, watercraft, etc.).



VICINITY MAP

Date Prepared:	Applicant's Name:
STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES DIVISION OF MINING, LAND AND WATER	
DIAGRAM	
Sec.(s) _____ Township _____, Range _____, Meridian _____	
Scale: 1" = _____	
SHEET ___ OF ___	File #