

**STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER**

Northern Regional Land Office

Memorandum of Decision

LAS 35972

Nuiqsut Community Search and Rescue

Application for Land Use Permit

AS 38.05.850

Requested Action

The Division of Mining, Land, and Water (DMLW) has received an application from the Nuiqsut Community Search and Rescue for the placement of an emergency shelter cabin. The applicant has placed a prefabricated 8 ft X 10 ft cabin to serve travelers on the North Slope near the village of Nuiqsut. Placement took place in April 2026.

Proposed Action

DMLW proposes to issue a land use permit for the placement of an emergency shelter cabin.

Scope of Decision

The scope of this decision is limited to determining if it is appropriate for DNR to issue an authorization for the proposed land use activities.

Statutory Authority

This permit is being adjudicated pursuant to AS 38.05.850.

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 2021 North Slope Area Plan and other classification references described herein, and the casefile for the application serialized by DNR as LAS 35972.

Location Information

Geographic Location: Approximately 42 miles South of Nuiqsut between the Colville and Itkillik Rivers.

Legal Description: Within Section 18, Township 3 North, Range 4 East, Umiat Meridian

Other Land Information

Municipality: North Slope Borough

Regional Corporation: Arctic Slope Regional Corporation

Title

The State of Alaska holds title to lands within Section 18, of Township 3 North, Range 4 East, Umiat Meridian, Alaska on March 12, 2007 under Patent Number 50-2007-0295, which is serialized by DNR as GS 4902. Standard title reservation apply.

Planning & Classification

This area is within unit C-02 of the North Slope Area Plan. Unit C-02 is designated Resource Management. The unit is to be managed for multiple uses to continue to provide opportunities for subsistence, hunting, fishing, material sales, and other beneficial public uses. Therefore, this activity is considered consistent with the management intent of the area plan.

Third Party Interests

There are no known third party interests that will be impacted by this authorization.

Background

The Nuiqsut Community Search and Rescue has installed a safety shelter to offer protection from the elements. The shelter is approximately 8 feet by 10 feet. It is mounted on an aluminum skid. There will be 6 to 8 inches of clearance between the shelter floor and the tundra. The shelter will be anchored in place.

Olgoonik Oilfield Services, LLC (OOS) was contracted by Santos to transport the shelter to the pre-determined location. OOS contacted the AO for approval for off-road travel to transport the shelter under their land use permit LAS 30782. OOS wanted to conduct the travel prior to closure of winter tundra travel. Due to the potential for closure of winter tundra travel the transport and placement of the shelter was approved, on April 15, with the understanding that a permit would be issued to retroactively approve placement.

Agency Review & Public Notice

Since this permit is retroactively authorizing the placement of the shelter cabin, notice of the decision will be conducted after issuance of the permit.

Environmental Considerations

This decision considers the environmental factors directly related to the authorization for use of state lands, specifically whether the approval of the authorization is in the State's interest. The purpose of this consideration is to identify any associated mitigation measures or other requirements necessary to protect the public interest, while informing the overall decision of whether or not to approve the authorization.

Environmental contamination risk associated with this proposed permit is minimal. No fuel or other hazardous materials will be stored on site. There are no other known environmental considerations or constraints in this location. The applicant is ultimately responsible for determination of site suitability.

Discussion

When adjudicating a Land Use Permit, DMLW seeks to facilitate development, conservation, and enhancement of state lands for present and future Alaskans while minimizing disturbance to vegetative, hydrologic, and topographic characteristics of the area which may impair water quality and soil

stability. The subject area has no other competing interests. Risks associated with the activity are mitigatable through permit stipulations while the activity is necessary to protect access to a remote community, therefore, no alternatives to permit issuance were considered.

Performance Guaranty

Performance guarantees are means to assure performance and to provide ways to pay for corrective action if the permittee fails to comply with the requirements set forth in the permit document. They are also used to protect state land from damage and to make certain that improvements are removed and that the land is returned in a usable condition upon termination of the permit. As the permit would be issued to a municipality which is self-bonded, no performance guaranty will be required.

Insurance

Insurance is a means to protect the state from liabilities incurred through the use of state property, or from damage to state property as a result of accidental or catastrophic events. This type of protection is necessary in the event of an accident or negligence that was consequentially connected to activities conducted on state land, and/or if the state is named in a lawsuit as a result of an accident or negligence. As the permit would be issued to a municipality which is self-insured, no proof of insurance will be required.

Fees

As the permit is issued to a municipality and the emergency shelter will serve to keep community members safe, no fee is required.

Fee: No Fee

Relevant Fee Regulation(s): 11 AAC 05.020(b)(5)

Term

Effective Date: April 15, 2026

Expiration Date: April 14, 2031

Decision

It is the decision of this office to take the action as recommended above. This decision takes effect immediately. If no appeal is filed by the appeal deadline, this decision becomes a final administrative order and decision of the department. This decision may be rescinded by written notification if, after 60 days from the effective date of this decision, the applicant has not completed all requirements outlined in this decision for issuance of the permit. Additional time may be allotted to complete these requirements at the applicant's request and concurrence of the Authorized Officer, however this will not extend the total term of the authorizations issued under this decision.



Becky Baird
Natural Resource Specialist

5/8/2026

Date

Attachments

Land Use Permit

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. 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>.