

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

Southeast Regional Land Office

**Preliminary Decision
ADL 109312
Glacier Construction, Inc.
Application for Lease
AS 38.05.075(c)**

Executive Summary

This Preliminary Decision (PD) is the State's preliminary best interest finding regarding a proposed disposal of interest in state land. Glacier Construction, Inc. requests a tideland lease within Lutak Inlet to construct and maintain a barge landing area to improve the transshipment of materials and equipment in Haines, Alaska. The state intends to authorize this lease for a 25-year term. The public is invited to comment on this PD. The deadline for commenting is 11:59 pm on June 11, 2026. Please see the Public Notice section of this decision for requirements related to submitting comments for consideration. Only the applicant and those who comment have the right to appeal the Final Finding and Decision (FFD).

Requested Action

The Division of Mining, Land, and Water (DMLW) originally received an application from Glacier Construction, Inc. on March 21, 2023. After requesting additional information, DMLW received a revised application on March 25, 2025, for the issuance of a 55-year lease for the construction of a permanent barge landing area. The total area requested by the applicant was approximately 4.667 acres, listed as Tract D of Alaska Tideland Survey 1340.

Existing Improvements:

On site currently, there is an undetermined amount of existing man-made fill material, assumed to have been placed by a previous leaseholder.

Proposed Improvements:

The applicant proposes improving the existing fill area into a 30' x 50' barge landing by adding approximately 83 cubic yards of fill material. Approximately 75 cubic yards of riprap material will be added to the sides of the barge ramp to provide erosion control and protection for the ramp. The applicant also proposes to install two, 24" galvanized steel pilings with ½" walls to accommodate the mooring of barges.

Proposed Action

DMLW proposes to issue a lease to the applicant for the construction, operation, and maintenance of the permanent barge landing facility requested. To allow for the re-evaluation of the land and state resources at a more regular interval and to reassess the use of the area, DMLW proposes a 25-year term length. Due to discrepancies in the boundary between the tidelands and adjacent uplands, the total lease area proposed by DMLW is approximately 7.041 acres as recorded on Alaska Tideland Survey 1340 as Plat 88-10 in the Haines Recording District. More

details on the lease boundary can be found in the location and discussion sections of this decision. ATS 1340 is also included as Attachment 2 as the lease boundary.

Scope of Decision

The scope of this decision is limited to the determination of whether it is in the State's best interest to issue a 25-year lease to the applicant. The administrative review for this authorization is defined by AS 38.05.035(e)(1)–(2) and 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.

Authority

This lease application is adjudicated pursuant to AS 38.05.035(b)(1) and AS 38.05.035(e) Powers and Duties of the Director, AS 38.05.070 Generally, AS 38.05.075 Leasing Procedures, and AS 38.05.945 Notice. The authority to execute the PD, Final Finding and Decision (FFD), Entry Authorization (EA), and the lease has been delegated to the Regional Managers of DMLW.

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 here-in, the Northern Southeast Area Plan, 2002 (NSEAP), the Haines State Forest Management Plan, 2002 (HSFMP), and other classification references described herein, and the casefile for the application serialized by DNR as ADL 109312.

Location Information

Geographic Location:

The parcel is located in Haines, Alaska, on a navigable body of water within Lutak Inlet. The site is on state tide and submerged land within Copper River Meridian, Township 30 South, Range 59 East, Sections 9 & 10. The approximate coordinate locations are 59.283872° N and 135.472407° W.

Legal Description:

Tracts A, B, C and D of Alaska Tidelands Survey No. 1340, according to the plat filed in the Haines Recording District on December 28, 1988, as Plat No. 88-10, containing 7.041 acres, more or less.

Other Land Information:

Municipality: Haines Borough

Regional Corporations: Sealaska and Central Council of the Tlingit and Haida Indian Tribes of Alaska

Village Corporation: Klukwan Incorporated

Federally Recognized Tribe: Chilkoot Indian Association and Chilkat Indian Village

Title

The State of Alaska holds title to lands beneath tidally influenced and navigable waterways within its jurisdiction, including lands underlying Lutak Inlet in the sections referenced above, on the basis of the Alaska Statehood Act, the Equal Footing Doctrine, the Submerged Lands Act of 1953 and AS 38.04.062 (Identification of State Submerged Lands). A DNR Title Report RPT-23954 issued on October 23, 2025, from DMLW's Realty Services Section attests to the state's ownership of the subject parcel.

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.

Third Party Interests

Adjacent to the west, Chilkoot Lumber Company currently holds four active DMLW tideland leases: ADL 24871, ADL 34122, ADL 104846, and ADL 67499. Adjacent to the east, the tidelands have been conveyed to the Haines Borough and are the location of the current Haines Ferry Terminal.

Planning and Classification

The proposed activity is consistent with the Northern Southeast Area Plan (NSEAP, 2002). Located in Management Unit HT-05, Tanani Point, the site holds two designations: Waterfront Development (Wd) and Harvest (Hv). These designations convert to Waterfront Development Land and Wildlife Habitat Land as land classifications.

According to 11 AAC 55.040(c), "A classification identifies the primary use for which the land will be managed, subject to valid existing rights and to multiple use."

"A land use designation recognizes uses or resources that are of major importance in a particular management unit. Unit designations are based on current and projected future use patterns and the most significant resources identified in each unit. DNR will manage activities in the unit to encourage, develop, or protect the uses of resources for which the unit is designated. When the plan assigns a designation to a unit, the designation is accompanied by regionwide management guidelines and by management intent specific to that unit. These three pieces of information – designations, management guidelines, and statement of intent – promote the most beneficial use and set conditions for allowing for non-designated uses. Where a unit has two or more designated uses, DNR will avoid or minimize conflicts between designated uses by applying the management intent statement and guidelines for the unit, the regional intent, and the Chapter 2 guidelines from this plan together with existing statutes, regulations, and procedures (NSEAP 3, 1-2)."

According to 11 AAC 55.215, the classification of Waterfront Development Land is tideland, submerged land, or shoreland that is suitable to be used for commercial or industrial activities such as fish processing, aquatic farming, mineral and log transfer facilities, or commercial recreation.

According to 11 AAC 55.230, the classification of Wildlife Habitat Land is primarily valuable for fish and wildlife resource production, whether existing or through habitat manipulation, to supply sufficient numbers or diversity of species to support commercial, recreational, or traditional uses on an optimum sustained yield basis; or a unique or rare assemblage of a single or multiple species of regional, state, or national significance.

The Chapter 2 guidelines specifically for areas designated as Harvest states that the seasonality associated with certain marine mammals and fish shall be taken into consideration. This section of the NSEAP also states that the seasonality criteria could be met and the uses permitted if stipulations are implemented to minimize adverse impacts to harvest activity (NSEAP 2, 16). In Chapter 3 of the NSEAP, the overall management summary for tidelands within the Northern Region states that “State tidelands are to be managed to protect sensitive habitats and areas important as fisheries, marine mammal concentration sites, wildlife movement corridors, subsistence, and to protect community and commercial harvest (NSEAP 3, 25).” It goes on to explain that development authorizations are allowable if the sensitive fisheries or wildlife resources are protected.

The Haines Borough has its own comprehensive plan and coastal district management plan. The designations used for state tidelands in the NSEAP generally reflect similar zoning of the district management plan, while the designations for uplands in the NSEAP reflect the communities' comprehensive plan priorities (NSAP 3, 24-25). The NSEAP explains that upland uses in the proposed area are zoned either Waterfront Development or Waterfront by the City of Haines, which allow industrial, commercial, and some forms of residential use. The NSEAP management intent statement of subunit HT-05 says “to manage the unit to allow for the intensive use of the uplands, which include commercial and industrial uses. To the extent practicable, protect and maintain opportunities for community, sport, and commercial harvest (NSEAP 3, 105).”

After reviewing the NSEAP and the applicable designations, classifications, and management intent of the area, DMLW has determined the proposed uses are allowable. The proposed lease will meet the management intent by providing support structures to improve upland industrial uses in the area. Access stipulations and construction timing recommendations provided through agency comment will help minimize impacts to harvest activities and further meet the management plan requirements.

Traditional Use Finding

This finding is not required since the proposed leasehold is located within an organized borough (AS 38.05.830). The Borough will be notified of this Preliminary Decision.

Access

The physical and legal access to the proposed lease site is available via the tide and submerged lands of Lutak Inlet, a navigable body of water. DOT&PF Southcoast Region Right-of-Way staff have also worked with the applicant to provide four separate access points from Lutak Road onto their private property at the applicant's request.

Access Along Public Waters:

The site is located within Lutak Inlet, a navigable body of water. 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 11 AAC 51.045 and AS 38.05.127, 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.

Operations may involve loud, heavy equipment as well as increased marine traffic. Public access along public waters at this site may be unsafe during operation periods. Therefore, DMLW will allow temporary closure of the 50-foot public access easement during these times. DMLW will establish a stipulation for the lease to state:

“Pursuant to provisions of AS 38.05.127(a)(2) the public access easement may be temporarily closed for short periods when operations are occurring that may pose a risk to public safety. The Lessee is required to post notice along the public access easement during these times to alert the public of such closure. DMLW will defer to the Lessee to determine the appropriate manner of notification to be provided to the public should temporary closure occur. If DMLW receives notification of concerns or issues related to any restriction public access, DMLW may require alternative measures to address site-specific access issues to ensure that public access can be reasonably provided.”

Public Trust Doctrine

Pursuant to AS 38.05.126, the proposed lease 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, DMLW is reserving the right to grant other authorizations to the subject area consistent with the Public Trust Doctrine.

Reservation of Mineral Estate

In accordance with section 6(i) of the Alaska Statehood Act and AS 38.05.125, the state, in this decision, reserves unto itself the mineral estate, including oil and gas, and the rights expressed in the reservation clause of the statute, that being the right to reasonable access to the surface for purposes of exploring for, developing and producing the reserved mineral resources. Exploration and development, if any, which could occur, would be consistent with AS 38.05.130 and other applicable statutes and regulations.

Mineral Orders

The proposed leasehold does not fall within areas delineated in an Administrative Mineral Closing Order (MCO). Neither an MCO nor a leasehold location order is necessary or appropriate for this lease.

Hazardous Materials and Potential Contaminants

No hazardous materials, specifically fuel, motor oil, power generators, human waste, trash, gray water, will be stored within the proposed leasehold. Stipulations will be included in the lease to ensure proper handling and storage. The use and storage of all hazardous substances must be done in accordance with existing federal, state, and local laws. Debris such as soil contaminated with used motor oil, solvents, or other chemicals may be classified as a hazardous substance and must be removed from the leasehold and disposed of in accordance with state and federal law.

In the project development plan, the applicant stated that all fuel and fuel storage will be done on the adjacent upland properties. The applicant also stated that spill kits will be kept on site for emergency use and that they intend to maintain environmental standards.

Agency Review

An agency review was conducted on September 30, 2025. The deadline for agency comments was October 31, 2025. The following agencies were included in the review:

- ADF&G – Alaska Department of Fish & Game
- DEC – Department of Environmental Conservation
- OHA – Office of History & Archaeology, Review & Compliance
- DPOR – Division of Parks & Outdoor Recreation
- DFFP – Division of Forestry & Fire Protection
- DOT&PF – Department of Transportation & Public Facilities
- AACD - Alaska Association of Conservation Districts

Agency Review Comment and Response:

DOT&PF Comment: “No new accesses will be allowed or permitted. DOT&PF Southcoast Region Right-of-Way staff have worked with the property owner to provide four separate access from Lutak Road onto their private property per their request. The property owner determined that the current (4) driveways are sufficient for full development of their site plan. No parking or storage will be allowed or permitted on DOT&PF right of way adjacent the parcels in question, as the property owner stated the area will be kept free of alternate uses.”

DMLW Response: Comments regarding access and right of way use have been noted. No further response is needed.

DEC Comment: “Since excavation or drilling activities are not proposed and they intend to pile drive, exposure potential is low. Future excavation or dewatering activities, if any, may require the submission of a soil or groundwater management plan for approval from the CS PM prior to excavation or dewatering. If contamination is observed, the DEC Division of Spill Response and Prevention should be notified immediately.”

DMLW Response: Comments regarding future excavation or dewatering activities have been noted. No further response is needed.

DFFP Comment: DFFP had no objection to the issuance of a lease for the requested use, but stated the following:

“These improvements increase safe access to the ramp and upland asset for the transfer of resources to marine vessels. The improvements will allow for expanded use of the facility from a hard rock transfer site to include safe responsible transfer of forest resources to regional, interstate, and international markets. This site is classified “Industrial Use” by the Haines Borough and Glacier Construction has been successfully operating the site for the transfer of rock resources to regional markets.”

“The DFFP manages the Haines State Forest timber resources for use and the benefit of Alaskans. DFFP prepares timber resources for sale in consideration of the requirements to develop responsible access to timber markets by purchasers ensuring the economic success of the operation. The improvement of the Transfer Facility as proposed increases the opportunity for the successful execution of existing and future timber contract agreements with the expansion of the use to include safe log transfer.”

DMLW Response: No response necessary.

ADF&G Comment: ADF&G provided detailed information from studies and research related to public access and resource use, fish and marine mammal use, and freshwater fish habitat. No information provided was in opposition to the requested use; however, ADF&G supplied the following recommendations to mitigate public access restrictions and habitat impact:

“Public access should not be closed along the shore or in the near shore area when the site is not in use. If approved, we recommend the applicant install signs at the public easement location to notify the public and include language such as, ‘public access may be closed during periods when operations make public use unsafe.’”

“Due to juvenile fish sensitivity to underwater noise, we recommend pile driving occur outside of April and May; by June most juvenile salmonids move offshore to deeper waters.”

DMLW Response: DMLW will share research information and construction timing recommendations provided by ADF&G with the applicant. Additionally, DMLW will include standard stipulation language in the lease agreement requiring the Lessee to post notice if and when the public access easement is temporarily closed.

Background and Discussion

On April 1, 1992, a 25-year lease was issued to Albert Schafer, serialized as ADL 104345. Though the lease was terminated two years later in 1994 at the lessee’s request, an Alaska

Tideland Survey, ATS 1340, had already been completed and filed on December 28, 1988, prior to lease issuance. The proposed lease area for ADL 109312 will use the existing boundary of ATS 1340.

DMLW originally received a lease application from Glacier Construction, Inc. on March 21, 2023. In July of 2023, DMLW requested additional information necessary to begin adjudication. An updated application with a significantly reduced development plan was then received on March 25, 2025. In the application, the applicant explained their desire to create a shipping facility in Haines that would spur new business in the area. The permanent barge landing facility would be made up of a barge ramp and two pilings. These structures would be used as a transfer station for materials and equipment and are expected to accommodate vessels up to 100 feet in width.

Glacier Construction, Inc. stated the above uses would take place on Tract D of ATS 1340, which totals 4.667 acres. The remaining tracts A, B, and C, were labeled on their development plan as parcels owned by the applicant. After DMLW's Survey and Realty sections reviewed ATS 1340 and related documents, it was determined that the state of Alaska owns all four tracts (A, B, C & D) displayed on ATS 1340. The applicant's intent is to use all tracts of ATS 1340; therefore, this preliminary decision encompasses all tracts within ATS 1340, which total 7.041 acres. As the owner of the uplands directly adjoins the proposed lease boundary, the applicant qualifies for this lease through a preference right under AS 38.05.075(c).

Pursuant to AS 38.05.075(c)(1), the director must determine that the lease of tideland "is necessary to facilitate water transportation of goods, services, or resources to or from the owned or leased upland or for another water-dependent purpose." In this case, the applicant proposes to use the leasehold for barging in goods, equipment, and materials to their own adjacent uplands. Additionally, AS 38.05.075(c)(2) states that the director must also determine the proposed use of tideland "is compatible with the classification of the land." The Planning and Classification section in this decision outlines how the proposed uses meet the management intent and requirements of the area's specific classification.

On January 12, 2026, DMLW signed a Land Use Permit (LUP) Memorandum of Decision, serialized as LAS 35438, to NSEA Timber, Inc. for a log transfer facility. LAS 35438 consists of three operational sites: Site A, a log transfer facility; Site B, a log storage area; Site D, a ship moorage area. The LUP activity and improvements associated with Site A would be located within the proposed lease boundary of ADL 109312, on the west portion of ATS 1340, but would not overlap with the proposed activity or improvements of ADL 109312 located on the east side of ATS 1340. As the upland owners, Glacier Construction, Inc. provided DMLW with a letter of non-objection regarding the utilization of the tidelands for purposes of the LTF, as proposed by NSEA Timber, Inc.

Although the applicant requested a 55-year lease, DMLW is authorizing a 25-year lease to allow for the re-evaluation of the land and state resources at a more regular interval and to reassess the use of the area at that time. Given the minimal impact of the proposed improvements, the recommended mitigation strategies, and the compliance with the management intent of the

region to allow for industrial use of the uplands, the proposed lease is considered in the best interest of the state. The lease shall be subject to the standard DMLW Lease Agreement, Special Stipulations and the terms and conditions set forth therein (Attachment 3).

Development Plan

The Development Diagram attached to this decision (Attachment 1) was submitted to DMLW as the applicant's requested use. Should the proposed lease be granted, it is anticipated that the DP will need to be updated throughout the life of the lease as activities and/or infrastructure are added or subtracted. All updates must be approved, in writing, by DMLW before any construction, deconstruction, replacement of infrastructure, or change in activity will be authorized. DMLW reserves the right to require additional agency review and/or public notice for changes that are deemed by DMLW to be beyond the scope of this decision.

Entry Authorization

Pursuant to AS 38.05.075(f), DNR-DMLW will authorize the applicant entry onto state land through the issuance of an Entry Authorization (EA) to allow site development and conduct the required appraisal, described below. The proposed EA is for a term of three years and would be issued after the Final Decision becomes effective. Once the conditions of the EA are met, the lease will be issued. The total lease term is inclusive of the term of the EA.

Performance Guaranty

In accordance with AS 38.05.035, AS 38.05.860, and 11 AAC 96.060(a) Performance Guaranty, the applicant will be required to submit performance guaranties for the lease to incentivize performance of the conditions of the EA and the lease. This provides a mechanism for the state to ensure that the lessee shares any financial costs associated with noncompliance of the lease agreement for site cleanup, restoration, and any associated costs after termination or expiration of the leases. The following bonds will be required:

\$8,000 Performance Bond:

Performance guaranties provide a means to pay for corrective action if the lessee fails to comply with the lease requirements. In accordance with AS 38.05.035(a)(4), the applicant will be required to submit an \$8,000 performance guaranty. The amount of the performance guaranty is based on the scope and the nature of the activity and the potential cost of restoring the site. Performance guaranties are subject to periodic adjustments during the term of the authorization to address increases or decreases in the costs of rectifying problems and rehabilitating state land due to inflation, changes in the level or nature of development, or other appropriate factors.

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.

Survey

In accordance with AS 38.04.045, this lease does not require a new survey. In 1988, DMLW received an approved survey for previous lease, ADL 104345. The same, approximately 7.041 acres applied for under ADL 109312 are therefore displayed on ATS 1340 and recorded as Plat 88-10 in the Haines Recording District. The State of Alaska reserves the right to require additional survey in the future, should the need arise due to changes in statutes or increased use of the area.

Appraisal

In consultation with DMLW Appraisals Unit and in accordance with AS 38.05.840(a), it was determined that an appraisal is required. The applicant must provide a fair market value appraisal of the proposed leasehold prepared by a licensed appraiser approved by the Appraisals Unit. The cost of the appraisal shall be borne by the Applicant.

Compensation

Annual Land Use Fees:

The annual land use fee shall be the minimum lease fee of \$1,000.00 as established in 11 AAC 58.410(b) until a fair market value appraisal has been completed. Once the appraisal has been completed and fair market value rent for the subject parcel has been determined, if the amount is less than \$1,000 per annum the annual fee shall remain at \$1,000 in accordance with 11 AAC 58.410(b). However, if it is determined from the appraisal that the fair market value for the subject parcel is greater than the minimum land use fee, then the annual land use fee will be adjusted to reflect this amount from the effective date of the lease. Additionally, the applicant will be responsible for the payment of any difference from payments made during the term of the Entry Authorization.

For information on general appraisal requirements and acceptable appraisers, contact the Chief Review Appraiser at:

Department of Natural Resources
Division of Mining, Land & Water
550 West 7th Ave., Suite 1050-A
Anchorage, AK 99501-3579
Phone: 907-269-8512
Fax: 907-269-8914

Periodic Rate Adjustment:

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

Subleases

Subleasing may be permissible through AS 38.05.095, if the proposed lease is approved. All potential subleases must first be approved in writing by DMLW. DMLW may conduct further agency review and/or public notice before making a determination on the appropriateness of the proposed sublease. The sublease fee will not be less than 25% of the annual fee paid to the lessee by the sublessee.

Reclamation

In accordance with AS 38.05.090, the leasehold must be restored to a “good and marketable condition” as determined by DMLW within 120 days after termination of the lease.

Public Notice

Pursuant to AS 38.05.945, this PD will be noticed for a 30-day public comment period, starting on May 11, 2026. In addition, the post office(s) located near the proposed leasehold will be requested to post the notice pursuant to AS 38.05.945(b)(3)(C). The notice will also be posted on the State of Alaska Online Public Notice website pursuant to AS 38.05.945(b)(3)(B) located at: <https://aws.state.ak.us/OnlinePublicNotices/Default.aspx>. In accordance with AS 38.05.946, a municipality or a corporation entitled to receive notice under AS 38.05.945(c) may hold a hearing within 30 days after the receipt of the notice.

Comments

The public is invited to comment on this PD. All comments received during the public comment period will be considered in the FFD. If public comments result in significant changes to the PD, additional public notice may be given. A copy of the FFD, along with instructions on filing an appeal, will be sent to all persons who comment on the PD. To be eligible to appeal, a person affected by the FFD must provide written comments during the public comment period per AS 38.05.035(i).

Written comments about this project must be received in this office no later than 11:59 PM on June 11, 2026, to be considered.

To submit comments please choose one of the following methods:

Mail: Department of Natural Resources
Division of Mining, Land and Water
Southeast Region Office
ATTN: *Laurel Smith*
400 Willoughby Avenue, 4th Floor
PO Box 111020
Juneau, AK 99811-1020
Email: laurel.smith@alaska.gov
Fax: (907) 500 - 9011

Questions about the lease portion of this project can be directed to Laurel Smith at (907) 465-3524.

Signature page follows:

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 25-year lease to the applicant authorizing the applicant to construct and maintain a barge landing facility to enable the transshipment of materials and equipment in Haines, Alaska. I recommend proceeding to public notice for the purpose of providing the members of the public and those entities identified in AS 38.05.945 with an opportunity to review and submit comments.

Laurel Smith

Laurel Smith, Natural Resources Specialist 3

05/11/2026

Date

Unit Manager Concurrence

It is the determination of the Division of Mining, Land & Water that it may be in the State’s best interest to issue a 25-year lease to the applicant, as described above. This preliminary decision shall now proceed to public notice.

Mason Auger

Mason Auger, Natural Resources Manager 2

5/11/2026

Date

ATTACHMENTS:

- Attachment 1. Development Diagram
- Attachment 2. ATS 1340
- Attachment 3. Draft Lease Agreement and Special Stipulations
- Attachment 4. Draft Entry Authorization