

**STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
Division of Mining, Land and Water**

NOTICE OF DECISION

**PARTIAL RELEASE OF STATE INTEREST
State Selection Files: GS-4060**

Relinquishment of Certain State-Selected Lands

*AS 38.05.035(a)(11), AS 38.05.035(e),
Consolidated Appropriations Act for Fiscal Year 2023 (Pub. L. 117-328)
and the University of Alaska Fiscal Foundation Act*

I. ACTION

This decision reviews and approves proposed relinquishments of State of Alaska (State) land selections on certain lands. The purpose of relinquishment is to facilitate University of Alaska (UA) land selections under the University of Alaska Fiscal Foundation Act. The University of Alaska Fiscal Foundation Act was included in the federal Consolidated Appropriations Act for Fiscal Year 2023 (Pub. L. 117-328) (CAA 2023).

II. AUTHORITY

The CAA 2023 provides that the Bureau of Land Management (BLM) may convey up to 360,000 acres of land selected by the State of Alaska (State-selected land) pursuant to Section 6(b) of the Alaska Statehood Act (Pub. L. 85-508) to the University of Alaska. Additional information about the Fiscal Foundation Act can be found at:

<https://www.alaska.edu/ualand/about/land-grant/index.php>.

The ability to relinquish Statehood Act selections in favor of the UA is codified in Sec. 302(c) of the CAA 2023. The provisions of Alaska Statute (AS) 38.05.035(a)(11) allow the Director of the Division of Mining, Land and Water (DMLW) to manage Statehood Entitlement selections. AS 38.05.035(e) provides authority for disposals of lands, resources, property, or interests in them. Article XIII of the Alaska Constitution provides guiding principles for maximum use of state lands and resources and authority for disposals of interests in lands and resources.

III. BACKGROUND AND PROCESS

The CAA 2023 authorizes the BLM to directly convey up to 360,000 acres of land to the UA. The available lands must be federal lands selected by the State pursuant to Sec. 6(b) of the Alaska Statehood Act.

The University of Alaska Land Management Office (UALMO) reviewed available State land selections and identified possible land for conveyance. UALMO submitted land selections to the DMLW Realty Services Section (Realty). Realty worked with UALMO to refine the selection, then completed state-wide agency review and public notice for the specific proposed relinquishment. This decision reflects a consideration of comments received during agency review and public notice and will be published on the State's online public notice board while the reconsideration period runs. Information about how to file a request for reconsideration is

appended to this decision. Following the closure of the reconsideration period, provided there are no requests for reconsideration, the State and UALMO will jointly submit to BLM lists of lands to be conditionally relinquished by the State and conveyed to the UA. Any request for reconsideration will be reviewed under the applicable State law and process. Final relinquishment of the State's selections would be affected upon conveyance of the lands to the UA.

IV. ADMINISTRATIVE RECORD

The selection file for State selection GS-4060 constitutes the administrative record for this action.

V. LOCATION

The proposed for relinquishment lands are located within the Department of Natural Resources' (DNR) Northern Region. The proposed relinquish lands are located approximately 30 miles northeast of Kivalina, 38 miles northwest of Noatak, and 80 miles southeast of Point Hope, Alaska. See legal description for exact locations. Please see Attachment A for a visual depiction of the area.

- *USGS Map Coverage:* De Long Mountains A-3 and A-4 15-Minute Quadrangle, Alaska
- *Regional Corporation:* NANA Regional Corporation
- *Federally Recognized Tribe:* Native Village of Kivalina, Native Village of Noatak
- *Village Corporations:* NANA Regional Corporation, Inc. Successor in Interests to Kivalina Sinaukmeut Corporation and Napaaktukmeut Corporation

VI. LEGAL DESCRIPTION

Within the Kateel River Meridian, Alaska:

Township 31 North, Range 22 West, Sections 19-31 and 36
Containing approximately 8,864 acres

VII. SELECTION HISTORY

- State records indicate lands in townships K031N022W (GS-4060) were selected in November 1978; the application was published in August 1980.
- The lands in K031N022W are validly selected.
 - The Alaska National Interest Lands Conservation Act (ANILCA) federal subsistence priority for rural residences only applies on State top-filed lands.
 - Lands that are validly selected by the State are not managed under federal subsistence regulations and are subject to State subsistence regulations.
- UA submitted requests to DNR to consider relinquishing the subject lands on November 25, 2025.
- The lands are currently ranked as a mix of conveyance priorities three (3) medium and four (4) low, in the statehood selection prioritization.

VIII. AGENCY REVIEW

Information and comments received from State agencies have been considered and included in the preparation of this decision. The proposed relinquishment documents were distributed to State agencies for review from December 15, 2025, through December 31, 2025. Public Notice with a concurrent agency review was conducted from February 13, 2026, to March 31, 2026. Agencies were given the opportunity to evaluate and comment on the relinquishment to determine if it is in the State's best interest to release the land selection.

The following agencies or groups were included in the agency review and provided comments, which are summarized and responded to, as appropriate, below:

Department of Transportation and Public Facilities (DOT&PF): The Department of Transportation and Public Facilities has no further comment at this time.

DMLW Realty Response: Thank you for your comment.

DNR Division of Oil & Gas (DOG): Has no objection to the relinquishment and no third-party interests in the area.

DMLW Realty Response: Thank you for your comment.

DNR Division of Parks and Outdoor Recreation (DPOR): Has no issue with the relinquishment.

DMLW Realty Response: Thank you for your comment.

DMLW Public Access Assertion and Defense Section (PAAD): There are no navigable waters within the proposed relinquishment per AS 38.04.062. There are no known RS 2477 ROWs or DOT 1973 inventory trails within the proposed relinquishment. PAAD does not object to the relinquishment.

DMLW Realty Response: Thank you for your comment.

Alaska Department of Fish & Game, Division of Wildlife Conservation (ADF&G): ADF&G does not support the relinquishment of this State selection due to the loss of hunting and subsistence access and potential habitat damage for the Western Arctic caribou herd. ADF&G had the following comments and considerations:

Fisheries

The easternmost selection of Sections 24, 25, and 36 is approximately 1.5 to 3 kilometers from the West Fork Wulik River (AWC Code: 331-00-10060-2107), which supports anadromous Dolly Varden spawning, rearing, and overwintering habitat. The West Fork Wulik River is an important waterbody for overwintering Dolly Varden and incubating eggs as there is extensive groundwater that keeps water flowing all winter. On the western side of the land selection is the Kivalina River drainage. An unnamed tributary of the Kivalina River is documented as an anadromous waterbody (AWC Code: 331-00-10044-2100) 5 kilometers from Section 31. This tributary is also an important waterbody for spawning anadromous Dolly Varden.

Small creeks that run throughout the selected land sections are highly likely to support anadromous rearing Dolly Varden and resident Arctic grayling. The Wulik and Kivalina River drainages are sensitive as the area, along with the broader Brooks Range, is experiencing a permafrost thaw rusting rivers phenomenon that is influencing water quality downstream of rusting seeps. The rust rivers are leading to increased acidity and elevated levels of toxic metals. In general, the Wulik and Kivalina rivers are important for spawning and overwintering anadromous Dolly Varden populations, and their small tributaries provide important rearing habitat for juveniles.

Caribou

The Wulik River area is an important corridor for a large portion of the Western Arctic caribou herd during the summer, fall, and winter, with a number of caribou occupying the vicinity nearly every month of the year. Development of the land may impact localized caribou movements and presence. The Western Arctic herd has experienced substantial declines in recent years, and its presence in an area now has increased significance to local users who no longer have predictable access. Caribou in the Wulik River drainage are heavily relied on for subsistence by residents of Kivalina and Noatak, and a reduction in hunter access and success, or the displacement of caribou from the area would likely lead to both an increase in user conflict and a decrease in a culturally significant food source. Additionally, with the herd approaching its lowest abundance since the late 1970s, any reduction in suitable habitat or activities that may adversely affect the herd should be minimized to the greatest extent possible.

Considerations

Any conveyance of land out of the State public-use system would be a loss to both local and non-local Alaskan residents. Game Management Unit (GMU) 23, which encompasses these lands, has about 15% State-owned land with the remaining bulk being federally owned. In the past several years, the Federal Subsistence Board has, at times, closed all federal public lands to non-local users wishing to hunt caribou or moose; this means that over 75% of GMU 23 becomes unavailable for hunting by most Alaska residents who then become limited to State-owned land. Reducing State-owned land within GMU 23 further restricts hunting (both subsistence and recreational) opportunities to Alaskan residents.

DMLW Realty Response: Thank you for your comment and valuable information. Realty notes that the UA has developed a non-commercial hunting program on its lands; details can be found here: <https://www.alaska.edu/ualand/permits/hunting-revised.php>.

Realty notes that any proposed future use, development, or sale of the land would include a public process on the part of the UA. In addition, applicable State regulations would require permitting for most development projects and would also include a federal permitting process.

ADF&G will continue to retain management of fish and wildlife resources on the lands should ownership be transferred to the UA. Should the West Fork Wulik River selection be conveyed to the UA, the Federal Subsistence Board would not be able to close the land to hunting or fishing—only the UALMO, in conjunction with ADF&G, would be able to close them. DNR must consider and weigh its own and the public's interests in retaining or relinquishing land selections while supporting the UA's public interests in new land entitlement.

DNR, DMLW, Resource Assessment and Development Section (RADS): Based on its review of the proposed relinquishment, RADS recommends relinquishing the selections to UA, with deference to ADF&G or mining if they note specific values in the selection. The selections may be important to the management of the WACH, with management intent specified to the herd's habitat use, and eastern sections are noted for potential mineral value, but no specific mines or projects are identified in the area. We recommend relinquishment given the selection's low priority, lack of localized management concerns, and marginal location relative to other State lands and selections. RADS provided the following comment:

The Statehood Entitlement Unit received a request to relinquish Statehood Act land selections under General Grant GS-4060 within MTRS K031N022W, located approximately 30 miles northeast of Kivalina and 1–7 miles west of the West Fork Wulik River. The selection is within the Northwest Area Plan (NWAP, adopted 2008), top filed under the Alaska National Interest Lands Conservation Act since 1981, and remains State selected lands with priority 4 according to BLM records. The management intent of NWAP 2008 remains in effect, should the land be conveyed to the State, and applies to the surrounding State and selected lands.

The selection is located within NWAP Kotzebue Sound Region (NWAP Map 11). Sections 19–20 and 28–31 are within management unit K-02, classified as Wildlife Habitat Land (NWAP p. 3-38), and sections 22–27 and 36 are within management unit K-03, classified as Mineral Land and Wildlife Habitat Land (NWAP p. 3-39). The stated management intent of unit K-02 is to “manage to protect sensitive species and habitats” whereas the management intent of unit K-03 is to “manage for mineral values.” Authorizations of long-term or permanent uses in either unit are to consider impacts upon the Western Arctic Caribou Herd (WACH) with ADF&G consultation and special consideration given during the winter and summer seasons, when the region is part of the herd’s core and migration ranges. K-03 is also considered to have mineral potential.

DMLW Realty Response: Thank you for your comment.

DNR, Division of Geological & Geophysical Surveys (DGGS): Had no objections to the proposed relinquishment and provided the following comments:

Geologic Units: Alluvial deposits, colluvial deposits (solifluction), eolian deposits (upland silt?), glacial deposits (outwash), paludal peat deposits, bedrock

Suitability For Construction: Areas of clean sand and gravel may be suitable as a material resource, depending on their distribution, thickness, and ice content, as well as the thickness of any fine-grained surface cover. Materials on slopes may be unsuitable as a resource due to potential instability.

Ice-rich areas susceptible to thawing and areas of poor drainage may be unsuitable as foundation material.

Use best construction practices.

Permafrost: Continuous (90-100%)

Susceptibility To Frost Action: Generally intense frost action where sediments are fine-grained and/or wet. Generally, less intense where sediment is coarse-grained and/or well-drained. Bedrock may be susceptible to frost action along bedding planes or joints.

Thaw Stability: Thaw unstable where ice content is high, especially in areas of poor drainage. Generally, well-drained, coarse sediments are more thaw-stable than poorly drained, fine-grained sediments.

Surface Drainage and Flooding Potential: Flooding is possible along streams in the spring and during intense storm events. Surface drainage is often poor near swamps and areas of

permafrost, especially where sediment is fine-grained. Surface drainage is good along slopes where the soil is unfrozen as well as in coarse-grained sediment when it is unfrozen.

Seismic Hazard: Moderate; Standard best building practices should be used to accommodate the regional seismic hazard.

Volcanic/Ashfall Hazard: This area is generally not subject to ashfall from erupting Alaska volcanoes, although there is evidence for ashfall from much older (about 200,000 years ago), very large events such as the Old Crow tephra.

Radon: Radon, a naturally occurring cancer-causing radioactive gas, has been modeled to be medium to high in this area (<https://maps.dggs.alaska.gov/radon/>).

The Environmental Protection Agency's (EPA) Action Level for radon is 4 pCi/L; the EPA suggests homeowners consider radon mitigation for test results of 2–4 pCi/L. Any home, school, or building can have high levels of radon and should be tested.

Mineral Resources: While this parcel is 20 miles west of Red Dog and 12 miles west of the Lik/Sue prospect, the bedrock geology is not permissible for this type of deposit. It is mapped as Angayucham terrane mafic/ultramafic rocks. There are no documented metallic mineral resource prospects in the Alaska Resource Data File.

Energy Resources: The proposed parcels for conveyance are in the westernmost Brooks Range west of Red Dog Mine and north of the offshore Hope basin. There are no known energy resources in the area.

Optional Reference(s):

Mayfield, C.F., Curtis, S.M., Ellersieck, Inyo, and Tailleur, I.L., 1990, Reconnaissance geologic map of the De Long Mountains A-3 and B-3 quadrangles and parts of A-4 and B-4 quadrangles, Alaska: U.S. Geological Survey Miscellaneous Investigations Series Map I-1929, 2 sheets, scale 1:63,360.

Hamilton, T.D., 2009, Guide to surficial geology and river-bluff exposures, Noatak National Preserve, northwestern Alaska: U.S. Geological Survey Scientific Investigations Report 2008-5125, 116 p

DMLW Realty Response: Thank you for your detailed comment.

The following agencies did not provide comments in response to the notice:

- DMLW Mining/Mineral Property Management
- DMLW Northern Region
- DMLW Land Conveyances Section
- DMLW Water Section
- Division of Forestry

IX. PUBLIC COMMENT

Public notice of the proposed relinquishment was conducted from February 13, 2026, to March 31, 2026. This was a combined public notice seeking public input on the proposed West Fork Wulik River selection as well as the Delong Mountains selection, which is located approximately

nine miles to the north. The combined notice was posted to the State of Alaska Online Public Notice System. Copies of the combined notice were sent to the following: University of Alaska; ADF&G Board of Game and its' members, Board of Fisheries and its' members; U.S. Post Masters of Kivalina, Noatak, and Point Hope; North Slope Borough; Northwest Arctic Borough; City of Kivalina; City of Point Hope; Native Village of Kivalina IRA Council; Native Village of Noatak IRA Council; Native Village of Point Hope IRA Council; Iñupiat Community of the Arctic Slope; Arctic Slope Native Association; Maniilaq Association; Arctic Slope Regional Corporation; NANA Regional Corporation; NANA Regional Corporation, Inc.; Successor in Interests to Kivalina Sinaukmeut Corporation and Napaaktukmeut Corporation; Tikigaq Corporation; Kisimigiugtuq School; Napaagtugmiut School; Tikigak School; Kivalina Native Store; Noatak Native Store; the Point Hope ACC Store; Noatak National Preserve; BIA Regional Realty Office and Title Services Center; BLM Arctic District Office; BLM Anchorage Field Office; Alaska Department of Natural Resources Commissioners Office; Alaska State legislature; adjacent landowners; and interested private parties.

In total, Realty received four separate comment submissions in response to the proposed relinquishment. All comment submissions were opposed to the relinquishment and received via email. These four comment submissions did not specify which particular UA relinquishment they were regarding and have been addressed in all UA relinquishments that were undergoing public notice at the time the email was received.

Each of the four comment submissions comprised multiple topics. These topics were found to be largely common across all comment submissions and, as such, were consolidated into seven thematic categories (addressed as Comment Topics 1 – 7 below) for evaluation. These topics are summarized below, followed by the Department's response and analysis of each topic.

Additionally, one of the four comment submissions contained an individualized remark, which was deemed to be specific and separate from the common topics discussed above. This individualized comment is addressed separately, with the comment being reproduced as an excerpt in this decision and is followed by the Department's response.

Comment Topic 1: I personally use this area for Hunting and Fishing.

DMLW Realty Response: Thank you for your comment. UALMO has created a program allowing non-commercial hunting and subsistence activities on UA lands. More information about the program can be found here: <https://www.alaska.edu/ualand/permits/hunting-revised.php>. Realty notes that most lands within the area of discussion are validly selected by the State, therefore the federal subsistence priority created under ANILCA does not currently apply.

ADF&G would retain management of fish and wildlife resources on the lands should ownership be transferred to the UA.

Comment Topic 2: I personally use this area for Historical/Family Traditional Use. These areas contain established trail systems and patterns of traditional use. I have concerns regarding potential closure of traditional use areas.

DMLW Realty Response: Thank you for your comment. Public access and use of UA lands for

non-commercial uses such as hiking and berry picking are allowed without a permit. Dedicated access to and through UA lands, or for commercial applications, is available by obtaining a permit from the UALMO. More information on the permit process can be found here: <https://www.alaska.edu/ualand/permits/>.

The scope of this decision is limited to whether DNR should relinquish its land selection to facilitate conveyance of the lands to the UA. Comments regarding future land use restrictions, development, or land preservation options are beyond the scope of this decision. Realty notes that relinquishment of DNR's land selection does not authorize any development. Should the lands be conveyed to the UA, any future actions would be subject to applicable State and federal environmental laws, regulations, permits and authorizations. While comments regarding UALMO land management practices are beyond the scope of this decision, the UA is a public institution and there are opportunities for input to the UA Board of Regents (BOR) policies affecting these lands. The UALMO provides public notices for actions on university lands via their website: <https://www.alaska.edu/ualand/>.

Comment Topic 3: I personally use this area for Subsistence Activities.

DMLW Realty Response: Thank you for your comment. Public access and use of UA lands for non-commercial uses such as hiking and berry picking are allowed without a permit. Dedicated access to and through UA lands, or for commercial applications, is available by obtaining a permit from the UALMO. More information on the permit process can be found here: <https://www.alaska.edu/ualand/permits/>.

UALMO has created a program allowing hunting and subsistence activities on UA lands. More information about the program can be found here: <https://www.alaska.edu/ualand/permits/hunting-revised.php>. Realty notes that the land within the area of discussion is validly selected by the State, therefore the federal subsistence priority created under ANILCA does not currently apply. ADF&G would retain management of fish and wildlife resources on the lands should ownership be transferred to the UA.

Comment Topic 4: I personally use this area for Hiking, Snowmachining, Camping.

DMLW Realty Response: Thank you for your comment. Public access and use of UA lands for non-commercial uses such as hiking and berry picking are allowed without a permit. Dedicated access to and through UA lands, or for commercial applications, is available by obtaining a permit from the UALMO. More information on the permit process can be found here: <https://www.alaska.edu/ualand/permits/>.

Comment Topic 5: I have concerns regarding loss of public access to trails and routes, and risk to existing/historic RS2477 rights-of-way. Relinquishing before possible routes are documented and protected will permanently disrupt generational access. I urge the State to retain its selection unless public access protections, including recognition of existing trails and rights-of-way, can be guaranteed prior to conveyance.

DMLW Realty Response: Thank you for your comment. No existing trails or rights-of-way were located or identified by any State agency or commentor. Trails and access are discussed further in Section X below.

Public access and use of UA lands for non-commercial uses such as hiking and berry picking are allowed without a permit. Dedicated access to and through UA lands, or for commercial applications, is available by obtaining a permit from the UALMO. More information on the permit process can be found here: <https://www.alaska.edu/ualand/permits/>.

UALMO has created a program allowing hunting and subsistence activities on UA lands. During the review period of this decision UALMO implemented a trapping program. More information about the program can be found here: <https://www.alaska.edu/ualand/permits/hunting-revised.php>.

The State would retain management of fish and wildlife resources on any conveyed lands.

Comment Topic 6: Better alternatives exist on non-selected federal lands elsewhere.

DMLW Realty Response: Thank you for your comment. The scope of this decision is limited to whether DNR should relinquish its land selection to facilitate conveyance of the lands to the UA. Realty notes the only lands available under the CAA 2023 are lands selected or top-filed by the State under the Alaska Statehood Act. Federal lands not selected or top-filed by the State are unavailable.

Comment Topic 7: Bypassing State's land selection process under Statehood Act, and framework designed to keep lands in the public interest, as lands were strategically selected for their public value, access potential, and long-term benefit to Alaskans.

DMLW Realty Response: Thank you for your comment. The December 2022 CAA for fiscal Year 2023 created a mechanism for BLM to convey lands to the UA in furtherance of what was deemed by Congress to be a public purpose, and for management and use consistent with the University's public mission. The State is participating in the program towards those ends, consistent with the Alaska Constitution's Article VII directives for the University. While this land was selected by the State of Alaska under the Alaska Statehood Act, selections only represent a contingent right and there may be other public policy reasons — such as the imperative to support the University's operations reflected in both the federal program and the Alaska Constitution — that weigh in favor of relinquishing a selection, as here. for its natural resources, mineral resources, and fish and game interests, the selected lands are ranked three or 'medium' and four or 'low' in conveyance priority for statehood land entitlement selections. This means, while the land is selected, other lands selected by the State may be an equal or higher priority to acquire as part of the Statehood Land Entitlement¹, and this land is unlikely to ever come into general state ownership. The Statehood Act land selection process is further discussed in Section X below.

Individual Comment 1: It is for WE THE PEOPLE.

DMLW Realty Response: Thank you for your comment.

X. DISCUSSION AND ALTERNATIVES

The UA has sought additional lands to complete its territorial land grant for several decades

¹ Statehood Land Entitlement is also commonly referred to as "Statehood Entitlement." Both terms are used interchangeably throughout this document.

but has been challenged by legal restrictions about the disposal of State lands in the Statehood Act and the State Constitution. Previous attempts to rectify the land grant deficit were ultimately overturned in legal challenges. This history resulted in federal Congressional action within the CAA 2023 with the intent of establishing a State and federal cooperative program to remedy the deficit and further endow the University with land. Congressional intent is for lands to be transferred to the UA to complete the entitlement originally intended for conveyance under the Statehood Act and to provide economic opportunities for the UA. This is consistent with the UA's public interest mission under Title 14 of the Alaska Statutes and Title VII of the Alaska Constitution.

DNR must consider and weigh its own and the public's interests in retaining or relinquishing land selections while supporting the UA's public interests in new land entitlement. Such interests include resource development, conservation, consideration of existing land uses, and public access consistent with the public interest — which the UA shares and has many similar tools and processes to advance. In general, there must be an overarching benefit to Alaskans in retaining selected land — and declining to participate in the program — to defeat the Congressional intent in the CAA 2023 and the public interests of UA in the program. Any decision DNR makes must balance and reflect these interests: providing valuable land to the UA without undue harm to the interests of Alaskans.

DNR notes that the CAA 2023 does not require the State to relinquish specific State selected land and is considering UA selections in light of the balanced interests of the State. The UA's proposed selection included lands described in Section VI.

The land described in Section VI represents a moderately sized, compact, and contiguous block of land. Conveyance of medium to large sized blocks of land generally simplifies land and resource management. Large blocks help enable landscape level considerations when land use authorizations are proposed. It helps the public understand land ownership boundaries and acquire any relevant permits prior to land use. Additionally, it may reduce the potential for user confusion and conflict across areas of mixed land ownership.

Lands surrounding the UA's West Fork Wulik River selection are a mixture of: federal public lands managed by the BLM, State lands, federal public lands with valid State selections currently managed by the BLM, private Native Allotments, and Native Corporation lands. The UA's proposed 78,007-acre Delong Mountains selection is located approximately nine miles to the north. The State selected the lands in 1978 as possible acquisitions for natural resources, mineral resources, and fish and game interests. The UA selections are currently ranked as a mix of medium and low priority for acquisition by DNR.

Land ownership patterns in the area show that the lands are situated on the periphery of a large block of State and federal lands. The area is remote and isolated with the nearest constructed overland access approximately 13 miles to the east. Any access to the coast would potentially have to cross federal, State, or Native Corporation lands or use the existing Delong Mountain Transportation System.

The lands are not crossed by any accepted and codified Revised Statute 2477 (RS 2477) Trails. There are no trails within the selection area that are permitted by the BLM or the State. Realty was unable to find any evidence that trails have been surveyed or dedicated to the public. A review of federal records indicate there are no current applications with BLM for a permit, easement, or

right-of-way by any individuals or groups on the lands. A review of satellite imagery failed to locate evidence of public trails crossing the West Fork Wulik selection.

The UA has excluded the beds of navigable waterbodies where title was conveyed to the State at Statehood under the Submerged Lands Act. Ownership of the lands below the ordinary high-water mark of navigable water bodies will remain with DNR. A review of the lands by PAAD showed there are no navigable waters within the proposed relinquishment per AS 38.04.062.

AS 38.05.127 requires that before a disposal of an interest in State land, DNR must determine if waterbodies within or adjacent to the proposed area for disposal are navigable or public water; and if they are to reserve access easements. However, statehood entitlement selections do not provide the State with management authority or title in land, but rather a valid prior existing right requiring BLM to convey to the State the selection when certain conditions are met. Given this, the State is unable to reserve access easements for relinquishments of entitlement selections.

Additionally, pursuant to 11 AAC 51.045(a)(2), DNR finds that reserving an access easement is not necessary to ensure free access to navigable or public water. A statehood entitlement selection does not provide the public with rights of access different from the general right of the public to access navigable or public water bordered by non-State land: that is, the right to use and have access to water below the ordinary high water mark for recreational or other public purposes for which the water is used or capable of being used consistent with the public trust. Because access to navigable or public water will remain the same after the relinquishment of the entitlement selection as before, it is not necessary to reserve an access easement.

Balancing development, access, subsistence use, public recreation, and wildlife habitat are challenges that must be addressed when managing the West Fork Wulik River lands, irrespective of ownership. This balance is achieved through the development of land management plans, clear land use guidelines and regulations, and a robust public notice process. Relinquishment of State selected lands would not allow unrestricted development by the UA. Many projects and developments require State and federal permits regardless of land ownership. Most development projects also require extensive studies, public consultation, as well as coordination and consultation with State and federal agencies before a project is approved. Any proposed development, sale, or disposal of the lands by the UA would have to be approved by the UA BOR and would be publicly noticed under existing UA policies.

Agency comments received from ADF&G opposed the transfer of the lands to the UA due to the loss of hunting, subsistence, and potential adverse impacts to habitat. RADS recommended relinquishment with deference to the input of ADF&G or mining (e.g., DGGs). ADF&G, as well as RADS, noted the lands value for fish and wildlife, habitat, hunting, and subsistence. The Wulik River area is occupied by some of the Western Arctic caribou herd during most months of the year and becomes an especially important corridor for the herd during the summer, fall, and winter. ADF&G commented that any activities that may impact the herd be minimized to the greatest extent possible. RADS recommended that authorizations of long-term or permanent uses in the area should consider impacts upon the herd and involve consultation with ADF&G. ADF&G expressed concern that displacement of WACH from the area could lead to a decrease in a culturally important food source, especially given that the herd has been approaching its lowest abundance since the 1970s and is therefore more vulnerable to adverse impacts; the herd in this area is heavily relied upon by local communities.

RADS noted that DMLW's management intent for the lands is to protect sensitive species and habitat within management unit K-02 (i.e., western portion of the proposed relinquishment) and manage lands for mineral value within K-03 (i.e., eastern portion of the proposed relinquishment). However, DMLW management plans are only applicable on DNR owned lands.

While the lands have value as fish and wildlife habitat, particularly for the WACH, as well as subsistence, it is not clear that these values are inherently limited by conveying the lands to the UA. Relinquishment of DNR's land selection does not authorize any specific future development. Should the land be conveyed to the UA, any future actions would be subject to applicable State and federal environmental laws, regulations, permits, and authorizations. In addition, ADF&G will continue to retain management of fish and wildlife resources on the lands should ownership be transferred to the UA. The lands are not currently available under ANILCA's federal subsistence priority, which would not change if DNR relinquished its selection in favor of the UA. If the selection is relinquished and the lands conveyed to the UA, personal use hunting and fishing activities will still be available under UALMO's hunting program. Personal recreational use of the lands is allowed under existing UA BOR policies and commercial hunting and guiding can be permitted under UALMO's land use permit system.

DGGS did not oppose the transfer of the land to the UA and indicated there are no documented metallic mineral resource prospects in the Alaska Resource Data File for the area, as well as no known energy resources in the area. However, agency review comments received from RADS indicated that a portion of these lands are considered to have mineral potential. UA acquisition of an area with mineral potential allows for the possibility of providing future benefits to the State by securing a potential source of long-term revenue to the UA and jobs for Alaskans. As one of the purposes of the land grant under CAA 2023 is to provide valuable land to UA, the potential mineral value of these lands alone does not constitute a reason to refuse relinquishment.

There are no "at-risk" State mining claims or federal mining claims on the UA selected lands. Teck American, Inc. (Teck), the operator of the nearby Red Dog Mine, has numerous State mining claims filed in the vicinity of the proposed relinquishment area to the north and east. Lands within the proposed relinquishment have been available for parties to file at-risk State mining claims at minimal cost (i.e., no initial rent payment fees). If the lands were mineralized it seems likely that Teck or another entity would have filed at-risk claims on these lands considering the existing mining infrastructure and operations in the region and the relatively low cost to file. The lack of claims on these lands further suggests mineral potential may be low. If the selection is relinquished and the lands conveyed to the UA, the UAMLO has a mineral leasing program should more information become available and parties become interested in mineral exploration or development in the future.

All public comments opposed the transfer of the land to the UA. The main topics of the comments were concerns regarding the loss of hunting and fishing, traditional use, subsistence, access, and recreational uses of the land. Commentors also raised concerns that the West Fork Wulik River parcel is part of a larger strategic selection by the State under the Statehood Act, and relinquishing the lands would deprive the State and public of access guarantees in the State Constitution and the resources that engendered the original State selections. Commentors recommended that the parcel remain public land unless public access protections can be

guaranteed prior to the conveyance.

The public voiced concerns about limited public access to and through the West Fork Wulik River selection. Current UA policies allow for greater public access than many non-public lands around the State. UA policies also allow unpermitted non-commercial access and provide a permitting framework for other activities, and UALMO has a permit system to provide dedicated public and private access easements to reach inholdings or specific areas. While moderately sized, the block of land is smaller than many contiguous blocks of ANCSA Native Corporation land, which often have more restrictive public use requirements than those developed by the UA BOR.

While BLM recognizes some RS 2477 trails as prior valid rights, Statehood Act land grant federal regulations do not provide a mechanism for BLM to reserve those interests from UA's land title. Consequently, Realty worked with UALMO to exclude areas with valid RS 2477 trails from their selections. Realty also worked with UALMO to exclude areas with known publicly used or developed trails from their selections. While public comments referenced trails in and near the West Fork Wulik River parcel, no commentor provided specific trail location or seasonal access and use information. Reviewing aerial and satellite imagery found no evidence of trails on the lands.

The scope of this decision is limited to whether DNR should relinquish its land selections within the UA's West Fork Wulik River land selection to facilitate conveyance of the lands to the UA under the CAA 2023. The alternative course of action is to retain State selection on all the lands.

Maintaining the DNR selection on these lands would allow the State an option to protect sensitive habitats important to the Western Arctic Caribou Herd and other wildlife species, as well as manage subsistence resources within the State – although the state may never ultimately receive title to the land if its entitlement is fulfilled with higher priority lands. If DNR relinquishes its selection, UALMO can work with ADF&G to protect sensitive habitat areas while the land remains undeveloped. Should the land be developed, UALMO will likely be required to address wildlife impacts and protections for sensitive habitats as part of a development plan or to obtain State and federal permits.

Public comments referred to the strategic selection by the State under the Statehood Act and circumventing the land selection process. While this land was selected by the State of Alaska under the Alaska Statehood Act for its natural resources, mineral potential, and fish and game interests, the selected lands are ranked 3 (medium) and 4 (low). This means, while the land is selected, other selected lands in the State of Alaska are a higher priority to acquire as a part of the Statehood Land Entitlement. Additionally, the State has selected more lands than remain available for conveyance under the Statehood Act, therefore DNR is required to relinquish over-selections and likely will never bring such low-priority lands into ownership while fulfilling its remaining Statehood Act land entitlement. Additionally, the land selection period granted in the CAA 2023 expires in Dec. 2026 and DNR is unlikely to have completed acquisition of the statehood land grant before the CAA 2023 grant sunsets. Therefore, DNR needs to pursue relinquishment of the University selections simultaneously with its efforts to continue land acquisition. If DNR declines to relinquish its selection on the UA's West Fork Wulik River selection area the lands would remain in federal ownership and selected by the State.

The State may benefit from potential mineral exploration of the West Fork Wulik River selection if conditional relinquishment was declined and the land ultimately received, but the resource potential has not been fully explored. The presence of potentially valuable resources is not inherently a sufficient reason for the State to maintain a selection. Nor would the potential value of those resources be harmed by UA ownership. While the State might lose potential income from development, that same revenue going to the UA would help fund the public interest in higher education in Alaska. Both options would provide benefits to the wider State economy. It is not clear that it is in the State's best interest to maintain a selection on these lands solely based on mineral potential, given the uncertainty of economic benefit to the State.

Mineral potential in the area may provide economic opportunities for the UA and may also contribute to furthering in-state educational opportunities to those enrolled at the University. UA acquisition of an area with mineral potential may also allow for the possibility of providing future benefits to the State by securing a potential source of long-term revenue to the UA and jobs for Alaskans with the potential of economies of scale benefiting the potential development of resources on adjacent State-owned lands. Sustainable land use opportunities such the continuation of existing uses through the UA's land use programs also support the congressional intent in the CAA 2023.

If the West Fork Wulik River selection area is transferred to the UA, it would create a single moderately sized block of UA-owned land surrounded by State and federal lands. There are concerns about impacts to subsistence and traditional use, impacts on wildlife, loss of public access, as well as hunting, fishing, and recreational opportunities on the land. However, current UA policies allow for greater public access and uses than many lands around the state. UA policies allow unpermitted non-commercial access and provide a permitting framework for other activities. UALMO has a permit system to provide dedicated public and private access easements to reach inholdings or specific areas. Additionally, public access and use would be provided on the surrounding State and federal lands. Relinquishment of State-selected lands would not allow unrestricted development by the UA, which would require separate environmental permitting and review.

Overall, the land appears suitable for relinquishment in favor of the UA and agency comments did not provide evidence of an overarching need for DNR ownership. Public comments were opposed to the land transfer to the UA, but the identified concerns are largely mitigated by the information detailed above. The State's interests in retaining these lands must be balanced with providing potentially valuable lands to the UA while protecting the State's interests in potentially valuable land, State owned or selected adjacent lands, access to public lands, and the overall management of an area. UA ownership provides options for access that, while less than what is available on DNR owned lands, does not constitute an overriding State interest to retain a selection on these lands. When considered fully, the State's interest in retaining a selection on these lands is not compelling and supports conditional relinquishment. In addition, relinquishment of the lands fulfills the purpose of the CAA 2023 in providing lands to the UA. The State considered the following alternatives in adjudicating the request for relinquishment:

Alternative 1: Conditionally relinquish the State's selection on lands described in Section VI.

Alternative 2: Decline to conditionally relinquish the State's selection on lands described in

Section VI.

XI. DECISION

This decision considers all public and agency comments received. After considering the facts and input described above, the Department finds it is in the best interest of the State to choose **Alternative 1**, and to conditionally relinquish the lands described in Section VI.

Recommended by:

Ashley Hovis

Ashley Hovis
Natural Resource Specialist III
Realty Services Section
Division of Mining, Land and Water
Department of Natural Resources

9/16/2026

Date of Signature

Approved by:

Lacy Hamner

Lacy Hamner
Natural Resource Manager 2
Realty Services Section
Division of Mining, Land and Water
Department of Natural Resources

9/16/2026

Date of Signature

Approved by:

John Crowther

Commissioner John Crowther
Department of Natural Resources

9 / 17 / 2026

Date of Signature

Reconsideration Provision

Reconsideration

An eligible person affected by this decision, and who provided timely written comment or public hearing testimony to the department, may request reconsideration to the DNR Commissioner per AS 44.37.011 and 11 AAC 02. Any request for reconsideration must be received by the Commissioner's Office within twenty (20) calendar days after issuance of the decision under 11 AAC 02.040. The Commissioner may order or deny a request for reconsideration within thirty (30) calendar days after issuance of the decision. If the Commissioner takes no action on a request for reconsideration within thirty (30) days after issuance of the decision, the request for reconsideration is considered denied. The Commissioner's decision on reconsideration, other than a remand decision, is a final

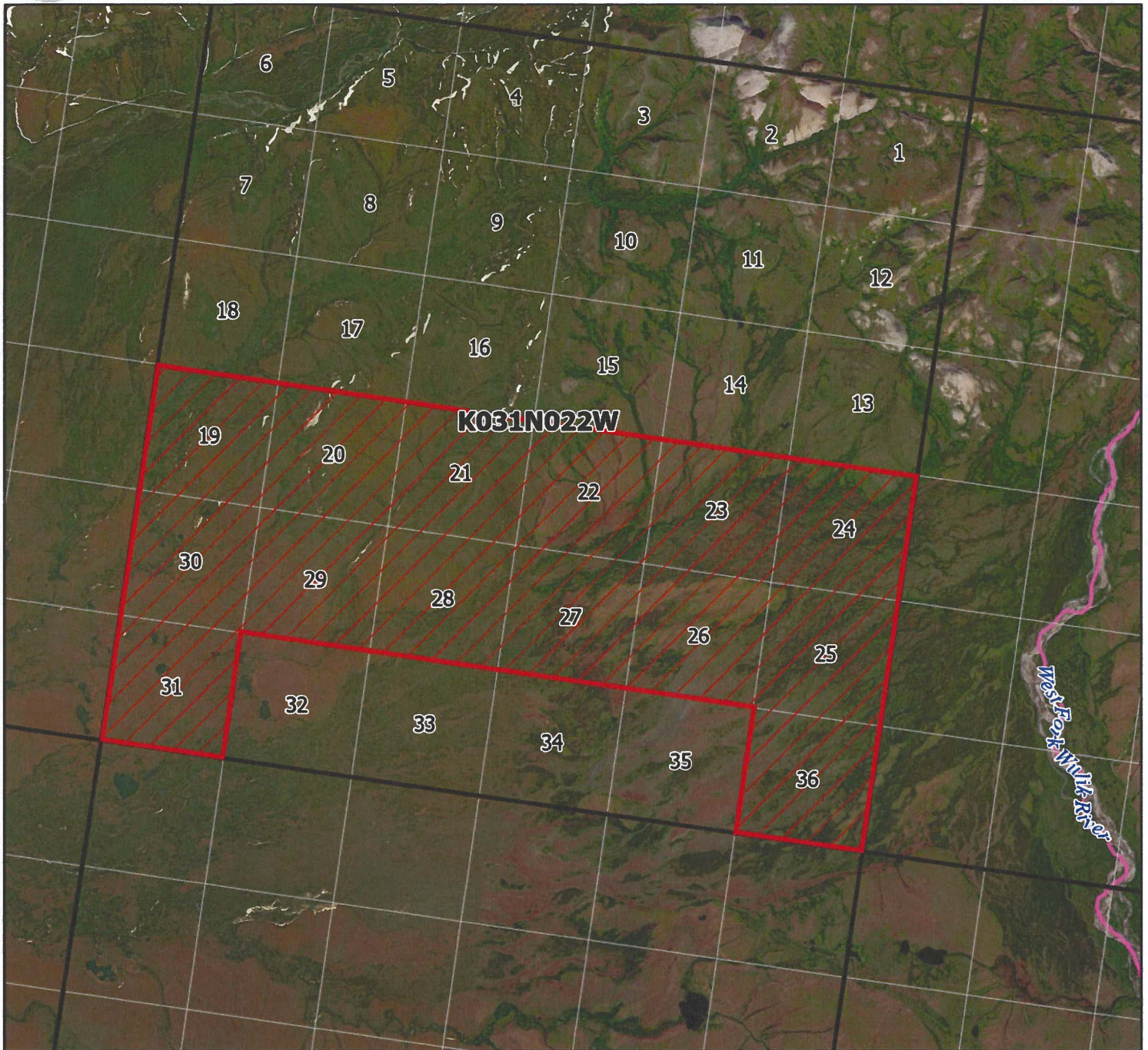
administrative order and decision of the department. An eligible person must first request reconsideration to the Commissioner before seeking relief in superior court. The Alaska Court System establishes its own rules for timely appealing final administrative orders and decisions of the department.

Reconsideration 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. Reconsideration must be accompanied by the fee established in 11 AAC 05.1G0(d)(1)(F), which has been set at \$200 under the provisions of 11 AAC 05.1G0(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>.



Kateel Meridian
Township 31 N., Range 22 W.
Sections 19-31, 36

Attachment A: Vicinity Map
University of Alaska, Land Selection Program
West Fork Wulik River Selection

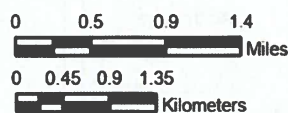


State of Alaska Department of Transportation and Public Facilities (DOTPF) in Fairbanks, Esri, Vantor, Earthstar Geographics, and the GIS User Community, Esri, USGS

Proposed University Selection

- Roads_AKDOT
- DOT Trails Inventory 1973
- RS2477 Historic Transportation Routes
- Navigable_Waters_(Title_Purposes)
- Unknown

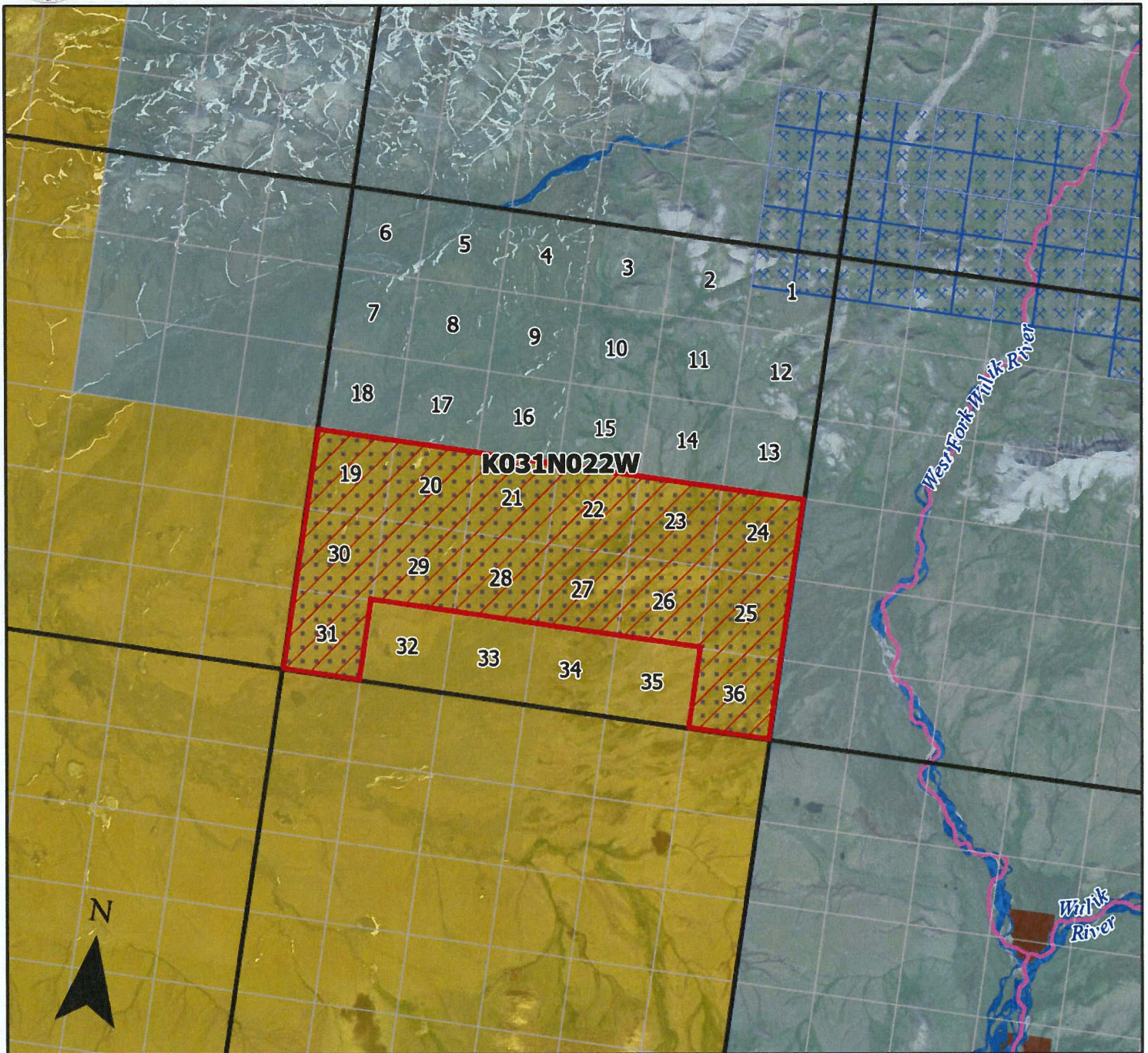
USGS QUAD 1:25,000
De Long Mountains A-3 SW, A-4 SE
For more information contact:
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Department of Natural Resources
Division of Mining, Land, and Water
Realty Services Section
Phone: 907-269-8585
Email: ashley.hovis@alaska.gov





Kateel Meridian
Township 31 N., Range 22 W.
Sections 19-31, 36

Attachment B: Land Ownership Map
University of Alaska, Land Selection Program
West Fork Wulik River Selection



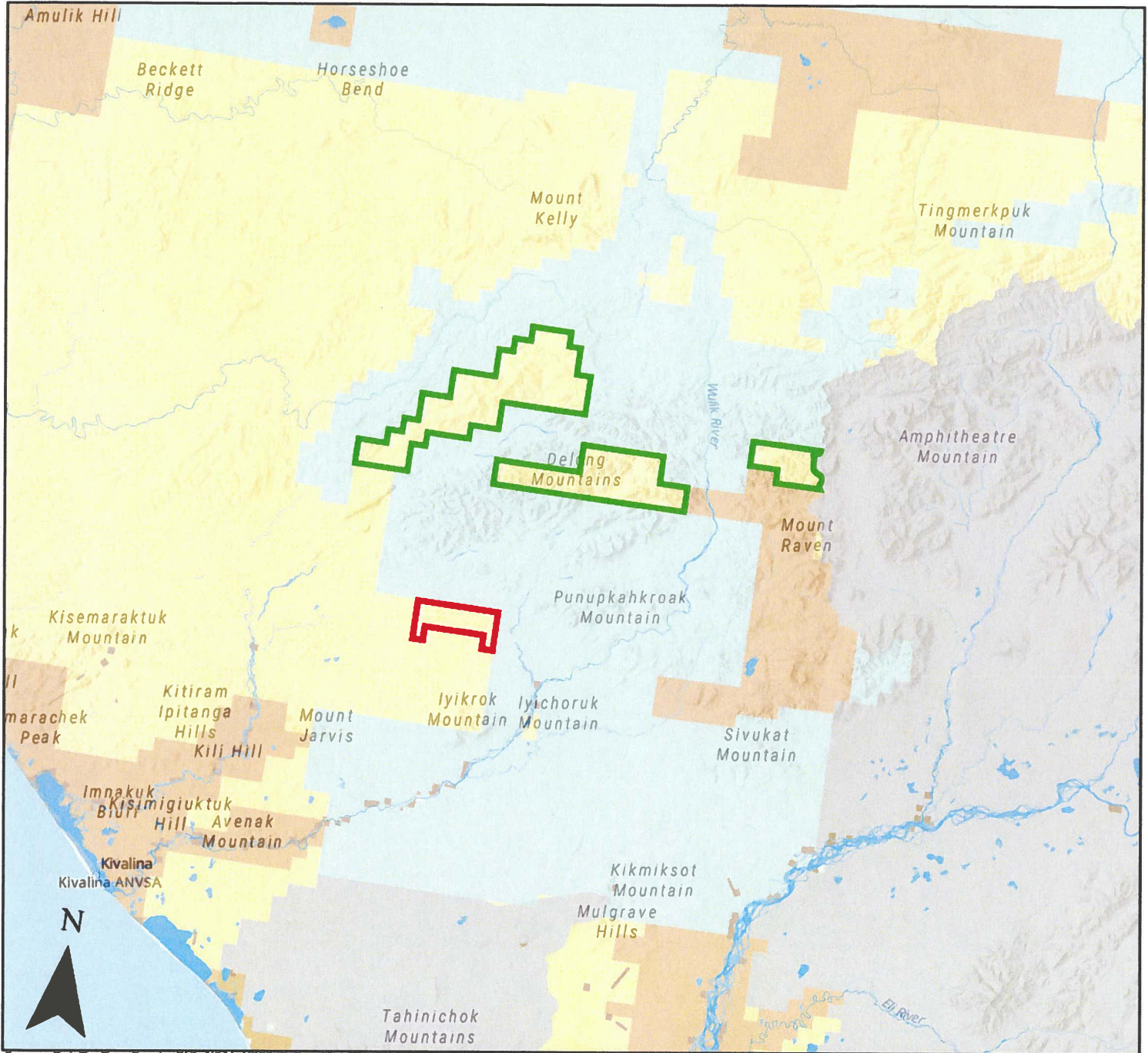
State of Alaska Department of Transportation and Public Facilities (DOTPF) in Fairbanks, Esri, Vantor, Earthstar Geographics, and the GIS User Community. Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community. Bureau of Land Management (BLM), Alaska State Office, Alaska Department of Natural Resources, Esri, USGS





Kateel Meridian

University of Alaska, Land Selection Program
Delong Mountains Selection
West Fork Wulik River Selection



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Bureau of Land Management (BLM), Alaska State Office, Esri, USGS

