

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

PRELIMINARY DECISION
PROPOSED CONVEYANCE OF STATE LAND UNDER AS 29.65.010

NORTH SLOPE BOROUGH MUNICIPAL LAND ENTITLEMENT SELECTION ADL 414828
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PUBLIC COMMENT PERIOD ENDS 4:30 PM, TUESDAY, NOVEMBER 24, 2026

Executive Summary: The State of Alaska (State), Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), Land Conveyance Section (LCS) proposes to convey approximately 583 acres of State-owned land in the North Slope Borough near the Ugnuravik River to the North Slope Borough (NSB) through a municipal entitlement conveyance under AS 29.65, and to reject approximately 185 acres to retain critical oil and gas infrastructure and associated rights-of-way. The proposed action partially fulfills NSB's municipal land entitlement and will be subject to existing authorizations, valid third-party interests, reservation of the mineral estate, and public access easements. With due consideration given to the cumulative impacts, DNR finds that partial disposal to NSB is in the public interest and in the best interests of the State, while retention of the rejected acreage is necessary to safeguard critical oil and gas infrastructure. The parcel is within Sections 8, 9, 16 and 17, Township 11 North, Range 10 East, Umiat Meridian.

I. PROPOSED ACTION

Preliminary Decision: North Slope Borough Municipal Land Entitlement Selection – ADL 414828

Attachment A: KIC, Minesite South

Attachment B: Public Notice

Primary Proposed Action: DNR, DMLW, LCS proposes to convey in part and reject in part, lands selected by the NSB in partial fulfillment of their general grant land entitlement under AS 29.65.010 Determination of entitlement of boroughs and unified municipalities. See *Attachment A: KIC, Minesite South* (Kuparuk Industrial Center) for a depiction of the project area.

NSB has selected a parcel contained in the Arctic Coast Region (West Planning Units) as identified in the North Slope Area Plan¹ (NSAP). In this decision, LCS will adjudicate approximately 768 acres.

LCS proposes to convey 583 acres, more or less, of state-owned vacant, unappropriated, unreserved² (VUU) general grant land. LCS has determined that no overriding state interests merit retaining this selection in state ownership.

LCS proposes to reject the conveyance of approximately 185 acres of NSB's selection because the land is ineligible for conveyance per the NSAP or LCS has otherwise determined it is not in the State's best interest to convey those lands out of state ownership.

¹ The North Slope Area Plan (NSAP) adopted March 2021 determines the management intent, land-use designations, and management guidelines that apply to all state lands in the applicable planning area. This plan forms the basis for the land use classifications that constitute vacant, unappropriated, unreserved land for purposes of determining the eligibility of state land for potential conveyance to a municipality under AS 29.65 General Grant Land.

² Vacant, unappropriated, unreserved (VUU) land is general grant land patented or tentatively approved to the State from the United States, excluding minerals as required by 6(i) of the Alaska Statehood Act, and is conveyable under the Municipal Entitlement Act (AS 29.65).

Public Notice of Proposal: In accordance with AS 38.05.945 Notice, during a period of at least 30 consecutive days, the public is invited to submit written comments on this Preliminary Decision (PD).

See **Section VII. Submittal of Public Comments** at the end of this document and *Attachment B: Public Notice* for details on how to submit a comment for consideration. If LCS moves forward with the proposal after considering timely, written comments, LCS will issue a Final Finding and Decision (FFD).

II. AUTHORITY

The proposed actions in this PD are authorized pursuant to Alaska Statute (AS) and Alaska Administrative Code (AAC), particularly AS 29.65 General Grant Land, AS 38.05.035(e) Power and duties of the director, AS 38.05.125 Reservations, AS 38.05.127 Access to navigable or public water, AS 19.10.010 Dedication of land for public highways, and 11 AAC 51 Public Easements.

III. ADMINISTRATIVE RECORD

The administrative record for this proposed action consists of case file Alaska Division of Lands (ADL) 414828. Also incorporated by reference are:

- North Slope Area Plan (NSAP, adopted March 2021) and associated land classification files;
- Alaska Department of Fish and Game (ADF&G) Alaska Anadromous Waters Catalog & Atlas to the Catalog (2026);
- Alaska Department of Environmental Conservation (DEC) Contaminated Sites Database; and
- DNR case files: GS 1317, ADL 25647, ADL 25648, ADL 25651, ADL 25652, ADL 402294, ADL 409027, ADL 411731, and TWUA A2022-18.

IV. SCOPE OF DECISION

The scope of this proposal, under the statutes described in the preceding **Section II. Authority** is limited and specific to determine whether it is appropriate to convey the subject parcel to NSB. This decision includes a review of third-party interests, stipulations necessary to effectuate this decision, and an evaluation of whether the public interest in retaining state ownership of the land outweighs NSB's interest in obtaining the selected land as provided in AS 29.65.050 Fulfillment of land entitlement. In this decision, LCS will also determine whether NSB's municipal entitlement land selection meets the requirements under AS 29.65.070(c) Selection and conveyance procedure and whether it is appropriate to allow NSB to exercise immediate management authority for conditional sales and leases on land approved for conveyance.

V. DESCRIPTION

A. Location and Geographical Features

NSB was incorporated as a Home Rule Borough in 1974. The area is characterized by treeless undulating hills north of the Brooks Range blending into vast tundra plains. Numerous ponds, lakes, and marsh areas dot the landscape. Vegetation consists of small scrubby alders and lichens.

The selected parcel borders the Ugnuravik River, approximately 12 miles south of Simpson Lagoon and approximately 28 miles west of Deadhorse. The land is relatively flat with some marshy areas and several small lakes in the area.

<i>Borough/Municipality:</i>	North Slope Borough
<i>Meridian:</i>	Umiat Meridian (U)
<i>Regional Corporation:</i>	Arctic Slope Regional Corporation
<i>Federally Recognized Tribe:</i>	None
<i>Village Corporation:</i>	None
<i>USGS Map Coverage:</i>	Beechy Point Quadrangle (1:250,000) Beechy Point B-5 (1:63,360)

B. Legal Description, Land Status, and Third-Party Interests

Table 1 below identifies the NSB land selection adjudicated in this decision by location name, Meridian (M), Township (T), Range (R), Section (S), and includes state case file, title status, date, and any third-party interest affecting those state-owned. Third party interests for the selections are listed in *Table 3* for easements and rights-of-way (ROW), *Table 5* for Oil and Gas leases, and *Table 6* for other leases and permits. The State holds fee title to the land and mineral estates through Patent (PA) received from the U.S. Department of Interior, Bureau of Land Management (BLM). The State will only convey the land estate on lands approved for conveyance to NSB. AS 38.05.125 Reservations requires the State to retain the mineral estate. Pursuant to AS 29.65.070(b) Selection and conveyance procedure, the State may not issue patent to a municipality until the land has been first patented to the State. Information from Title Report No. 23488 current as of December 5, 2025, indicates the State of Alaska received title to the land and mineral estate under Patent 50-74-0093 on March 27, 1974 (*Table 1*).

Table 1

Map Name	MTRS	State Case File	Title/Date	Third-Party Interests
KIC, Minesite South	U011N010E08	GS 1317	PA 50-74-0093 03-27-1974	ADL 25647 O&G lease issued, LST NS1084
	U011N010E09			Ugnu-Kuparuk Airport ADL 25648 O&G lease issued, LST NS1083 ADL 402294 Pipeline ROW, issued ADL 409027 Pipeline ROW, issued ADL 411731 Pipeline ROW, issued TWUA A2022-18 Temp water auth, issued
	U011N010E16			ADL 25651 O&G lease issued, LST NS1086
	U011N010E17			ADL 25652 O&G lease issued, LST NS1087

VI. PRELIMINARY DECISION

A. Background

In 1972, NSB was certified as an incorporated home rule borough and was granted 89,850 acres of municipal entitlement under AS 29.65.010 Determination of entitlement of boroughs and unified municipalities. To date, approximately 25,317 acres have been patented or approved for conveyance to NSB and approximately 64,533 acres remain in their entitlement, of which approximately 16,335 acres have been selected. Various companies have long-held leaseholds in the area supporting North Slope oil development and Trans-Alaska Pipeline activities.

The NSAP was adopted in March 2021, and NSB resumed submitting their selections under AS 29.65.050(d) Fulfillment of land entitlements. The NSAP supersedes any previous classifications and reclassifies all state lands within the planning area.

This decision covers 768 acres, more or less, near the Ugnu-Kuparuk Airport. The lands were originally included in NSB's 2008 municipal entitlement selection and addressed in a 2009 PD and 2010 FFD, which placed the parcel in postponed status. After a reassessment of the NSAP, NSB moved the postponed parcel into a priority status in August 2023. In October 2023, NSB relinquished the portion of the selection within NSAP Unit A-23 and amended its selection to include additional acreage in Section 17 to offset the relinquished acres. Unit A-23 is a material source and the NSAP states the unit shall remain in State ownership.

B. Planning, Classification, and Mineral Orders

1. Planning

The NSAP is the controlling land management planning authority. The land selection falls within the Arctic Coast Region within the NSAP. The NSAP describes the management intent and area plan designation for each unit. These plan designations convert to land use classifications, establishing what land the State may convey under the Municipal Entitlement Act (AS 29.65 General Grant Land). Accordingly, the NSAP governs the management intent and classifications for the land selection.

2. Land Use Classification

This land selection falls within Unit A-16 of the Arctic Coast Region of the NSAP. The assigned designations are Oil and Gas (Og) which converts to the classification of Oil and Gas Land and Habitat (Ha) which converts to the Wildlife Habitat Land classification. These are not conveyable classifications for AS 29.65 General Grant Land adjudication. However, the area plan does allow for changing the designation, and therefore, the classification, to a conveyable classification.

The Resource Allocation Table for the Arctic Coast Region of the NSAP (pg. 3-49) states the management intent for Unit A-16 is as follows:

The unit is to be managed for its habitat and oil and gas resource values. All development must also consider potential impacts on the habitat and harvest values and include general mitigation measures that will avoid, minimize, or mitigate negative impacts. Also maintain opportunities for material sale/extraction in the area.

Lands within this unit have been identified by the NSB as potential municipal entitlement selections. If a subsequent municipal entitlement decision determines that it is otherwise appropriate to convey state land to the borough, then the Ha/Og designations are extinguished and replaced by Rm designation that converts to a conveyable classification. This action affects only the area of the municipal entitlement selection.

Consult with the ADF&G prior to authorization issuance to ensure wildlife resources are protected and include stipulations to minimize impacts as needed.

Protect known heritage sites and maintain important harvest/subsistence opportunities.

Lands with infrastructure that is critical for oil and gas development, maintenance, or operations not approved for conveyance shall be retained in state ownership.

Lands are available for lease, permit, or other less-than-fee disposal

Subsequently, for those lands approved for conveyance by this decision, the designations of Habitat (Ha) and Oil and Gas (Og), and the corresponding classifications of Wildlife Habitat Land (WHB) and Oil and Gas Land (OG) are extinguished and replaced with the designation of Resource Management (Rm) and a classification of Resource Management Land (RMG). This replacement is only for the lands that become 'approved for conveyance.' The rest of the land remains as WHB and OG Land.

Table 2 below shows the land-use classifications derived from the NSAP for the land selection adjudicated in this decision.

Table 2

Map Name	MTR	Section(s)	Approx. Acres	Unit	Classification
KIC, Minesite South	U011N010E	8, 9, 16, 17	768	A-16	Wildlife Habitat Land, Oil and Gas Land

3. Mineral Orders

The mineral estate is reserved to the State pursuant to AS 38.05.125 Reservation. There are no mineral orders affecting this parcel.

4. Special Use Lands

The NSB land selection adjudicated in this decision is part of the North Slope Special Use Lands (ADL 50666) defined under 11 AAC 96.014. This Special Use Land encompasses all land within the Umiat Meridian.

C. Traditional Use Finding

In the Unorganized Borough, disposal of state land with traditional uses is to be reviewed under AS 38.05.830 Land disposal in the unorganized borough. NSB is an organized borough under AS 29.05.031 Incorporation of a borough or unified municipality and eligible for municipal entitlement. Therefore, a determination for traditional uses is not required. The entirety of NSB's municipal entitlement land selection in this decision is located within NSB's legal boundary.

D. Access

Public access will be reserved in accordance with AS 19.10.010 Dedication of land for public highways, AS 19.30.400 Identification and acceptance to rights-of-way, AS 38.05.125 Reservations, AS 38.05.127 Access to navigable or public water, and 11 AAC 51 Public easements.

The Dalton Highway terminating in Deadhorse is the only major public road in the North Slope area and lies approximately 29 miles southwest of the selection. The Spine Road runs westerly from Deadhorse and crosses the northern portion of the selection and ends where it intersects with Oliktok Road 2.4 miles northwest of the selection. The Ugnu-Kuparuk Airport, which has restricted use, lies just north of the selection (*Attachment A: KIC, Minesite South*). Small maintenance roads run southward along the west and east sides of the selection to various pads from Spine Road and will not provide public access.

1. Section Line Easements

As required under AS 19.10.010 Dedication of land for public highways, and in accordance with 11 AAC 51.025 Section line easements, a public access easement 100 feet wide will be reserved along each section line on lands approved for conveyance. If a section line forms a boundary of a selection being conveyed, then the easement will be 50 feet wide measured from the section line. If a section line runs through a selection being conveyed, then the easement will be 50 feet wide, measured on each side of the section line, for a total width of 100 feet.

Section lines border and run through the selected parcel (*Attachment A: KIC, Minesite South*).

2. Trails, Rights-of-way, RS 2477, and Easements

A review of state records verifies that there are pipeline rights-of-way (ROW) running through NSB's land selection within Section 9 and are list in *Table 3*. ADL 421549, a public

utility easement issued to Quintillion Networks, LLC has been suspended but not closed. It is possible it may become active in the future. Its location has not been verified.

There are no known RS 2477 ROWs running through the parcel.

Table 3

MTR	Section	Case Number and Company	Width (ft)
U011N010E	9	ADL 402294 -- Pipeline ROW Lease to Kuparuk Transportation Co.	150
		ADL 409027 -- Pipeline ROW Lease to Kuparuk Transportation Co.	150
		ADL 411731 -- Pipeline ROW Lease to Oliktok Pipeline Co.	150

3. Navigable and Public Water

Throughout most of the State, the State of Alaska retains ownership of the beds of navigable water bodies, including all gravel bars and islands, and conveys the beds of public waters through municipal entitlement when public waters are included in a municipal entitlement selection. If required, a survey determines the Ordinary High Water Mark (OHWM) of the navigable and public waters, the Mean High Water Mark (MHW) on marine meandering shorelines, identifies islands, and determines the specific areas to be retained by the State. At the time of survey, fieldwork may find that a body of water or a waterway is different than identified in the decision. If this occurs, the results of the survey work will be reviewed further within DNR. If the fieldwork is determined to be accurate, then the survey results will supersede the recommendation in the adjudication decision. However, navigable and public waters on the North Slope are different.

Per Public Land Order (PLO) 82 of 1943 and Original 84 (Original: United States V. Alaska, 521 U.S. 1 - Docket number 84, June 19, 1997), there are no inland navigable waters (including tidally influenced waterbodies) on the North Slope; other than the Colville River, which had been determined navigable by the courts to the community of Umiat³. The Equal Footing Doctrine and Submerged Lands Act do not apply to the North Slope because the waters were withdrawn at statehood. However, the State, through the Riparian Rights afforded by the Federal government, owns the beds of the meanderable waters where it holds title to the uplands next to those waters.

The North Slope is generally defined (per the PLO 82 and Original 84) as the watershed that drains north of the Brooks Range, including the marine lagoons and waters bounded by barrier islands less than 3 miles from shore within the National Petroleum Reserve-Alaska (NPR-A) and Arctic National Wildlife Reserve (ANWR). The boundaries for NPR-A and ANWR describe which offshore lands and waters were withdrawn at statehood, title to which did not vest with Alaska at statehood.

Meanderable Waters: Lakes greater than 50 acres and rivers averaging greater than three chains (198 feet) as measured OHWM to OHWM are considered meanderable. The waterbed belongs to the upland owner, also known as Riparian Rights, but they are not charged for the acreage. Riparian rights extend from the shoreland to the center of the river or the very middle of a lake.

³ The State used Statehood Entitlement acreage to secure ownership of the bed of the Colville River since title did not transfer to the State at statehood. A court-negotiated settlement with the Arctic Slope Regional Corporation provides public access easement along the river since it is considered navigable.

Navigable Waters: Pursuant to 11 AAC 51.035 Determination of navigable or public water, a water body is navigable if it is at least 50 acres in size or a waterway at least 50 feet wide from OHWM to OHWM. A water body will also be considered navigable if it is found navigable for a useful public purpose in accordance with AS 38.05.965 Definitions; otherwise, it will be considered public water in accordance with 11 AAC 51.035 Determination of navigable or public water. With state-owned navigable beds, ownership of land adjacent to navigable water does not create any right of title to land below the OHWM of the navigable water.

All tidal waters are considered navigable under the Submerged Lands Act (67 Stat 29, PL 31, 5/22/1953). The MHW is established at the time of survey. There are no tidal or tidal-influenced waters in this land selection. And per PLO 82, inland tidal-influenced waters are not considered navigable for title purposes.

Public Waters: Pursuant to 11 AAC 51.035 Determination of navigable or public water, a water body is considered public water if it is at least ten but less than 50 acres in size or at least ten feet but less than 50 feet wide from OHWM to OHWM. Ownership of the land under or adjacent to public water does not grant an exclusive right to use the water (AS 38.05.126 Navigable and public water).

4. Easements To and Along Navigable and Public Water

A public access easement on the bed and 50 feet in width upland of the OHWM will be reserved on all water bodies and waterways determined to be public, and 50 feet in width upland of the OHWM of meanderable, and navigable waters (based on size), in accordance with AS 38.05.127 Access to navigable or public water and 11 AAC 51 Public easements. This easement is referred to as the 'along' easement. The 'to' easement is to be established approximately once each mile and is often provided on section line easements of 50 feet in width adjacent to the section line on each side (AS 19.10.010 Dedication of land for public highways and 11 AAC 51.025 Section line easements). The 'along' easement applies to these water bodies and the 'to' easement is intended to provide access to the 'along' easements.

An alternative upland access route may be reserved if LCS finds that access along an easement reserved under 11 AAC 51.045(d)(1) Easements to and along navigable and public water is difficult because of topography or obstructions.

The Ugnuravik River is not navigable but is anadromous (AWC # 330-00-10620) and forms the west boundary of the selection and will require a public access easement (AS 38.05.127 Access to navigable or public water) 50' upland from the OHWM. The unnamed lakes within the selection are considered public waters and will require 50-foot public access easements along their shores per AS 38.05.127 Access to navigable or public water. The beds of the lakes will be conveyed to the borough.

Table 4

Map Name	MTR	Section(s)	Waterbody Name	Anadromous Water Catalog #	Public Access Easement (to & along)
KIC, Minesite South	U011N010E	8, 9, 17	Ugnuravik River	330-00-10620	On the bed and 50' upland
		16, 17	Unnamed lakes	None	On the bed and 50' upland

E. Reservation of Mineral Estate

A conveyance of VUU general grant land to a municipality under AS 29.65 General Grant Land conveys no interest in the mineral estate. All mineral-related permits, licenses, claims, and leases affecting the land for conveyance, if any, will remain under the authority of the State.

In accordance with Section 6(i) of the Alaska Statehood Act and AS 38.05.125 Reservation, 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 Damages and posting of bond and other applicable statutes and regulations.

There are four active oil and gas leases covering this area, listed below in *Table 5*. Currently all are issued to ConocoPhillips Alaska, Inc. The proposed conveyance will be subject to these leases.

Table 5

Map Name	MTR	Section	ADL and Company
KIC, Minesite South	U011N010E	8	ADL 25647 – ConocoPhillips Alaska, Inc
		9	ADL 25648 -- ConocoPhillips Alaska, Inc
		16	ADL 25651 -- ConocoPhillips Alaska, Inc
		17	ADL 25652 – ConocoPhillips Alaska, Inc

F. Hazardous Materials and Potential Contaminants

It is the responsibility of the State to protect the overall public interest if there is a reasonable expectation that hazardous contamination may exist on land being proposed for disposal. Based on a review of DEC's list of contaminated sites and comments received, there are potential hazard sites in the area but none within the selection boundary. Any DEC closure decisions will place conditions and long-term monitoring requirements on the sites. See DEC and SAIL's comments below in subsection **M. DMLW and Agency Review** for details.

NSB is expected to inspect this selection and familiarize itself with regards to the condition and quality of the land. The State of Alaska makes no representations and no warranties, expressed or implied, concerning the existence or absence of any hazardous substances, hazardous waste, contaminants, or pollutants on the land proposed here for conveyance. The State assumes no liability for removal of hazardous substances, hazardous waste, contaminants, or pollutants, nor any liability for the remediation of the site should such substances ever be identified. NSB, by selecting these lands and requesting their conveyance through this PD, recognizes the surrounding areas of identified contaminated sites and will take the land "as is."

G. Survey

A state-approved survey is required prior to the issuance of a conveyance document. If no approved survey exists, then one must be performed by an Alaska Registered Land Surveyor under the direction of the DNR DMLW Survey Section. NSB is responsible for the expense of any survey. NSB may request a survey determination at any time subsequent to the FFD. There is no requirement under AS 29.65.070 Selection and conveyance procedure to appraise the land prior to conveyance.

H. Conditional Leases and Sales

NSB will receive management authority and equitable title to all land approved for conveyance in this decision once the FFD is effective. This will allow NSB to approve conditional leases and

make conditional sales pursuant to AS 29.65.070(b) Selection and conveyance procedure, but not to dispose of land approved for conveyance until the land has been surveyed and ownership transferred to NSB.

I. Unauthorized Use

LCS has not physically inspected all areas of the selected lands for the presence of unauthorized use but has reviewed department records and is unaware of any existing unauthorized use within the land selection.

NSB is expected to inspect all of its land selections to familiarize itself with the condition and quality of the land.

J. Disposition of Leases, Permits, and Applications

Administration of any active leases, permits, and easements for the surface estate issued by the State on land to be conveyed will be transferred to NSB when the FFD becomes effective unless such authorizations are specifically excluded from the conveyance. Any pending applications that have not been adjudicated and issued will be closed.

Note: This section does not apply to Plan of Operation authorizations issued by the DNR Division of Oil and Gas (DOG). These specific authorizations will remain under the DOG's jurisdiction and will not be transferred to NSB.

Currently, there is a Water Right Permit (ADL 407812) and a Temporary Water Use Authorization (TWUA A2022-18) affecting the subject parcel, both issued to ConocoPhillips Alaska, Inc. The Water Right source is not within the selected parcel, however, it is connected to the Ugnuravik River which is the western boundary of the parcel.

The Water Right permit and TWUA will also not be transferred because they are part of the Oil and Gas Lease Sale Tracts.

Table 6

MTR	Section	Case Number and Company
U011N010E	09	ADL 407812 issued to ConocoPhillips Alaska, Inc TWUA A2022-18 issued to ConocoPhillips Alaska, Inc

K. Cultural Resources

The Alaska Office of History and Archaeology (OHA) maintains the Alaska Heritage Resources Survey (AHRs), an inventory of all reported historic, prehistoric, and archaeological sites in the State. No cultural resources have been noted in this selection.

However, only a very small portion of the State has been surveyed for cultural resources; therefore, the possibility remains that the selected lands may contain previously unidentified cultural resources. While the conveyance of these parcels will not directly affect cultural resources, future projects that NSB may propose on selected lands could affect unidentified cultural resources. Should any cultural resources be encountered, NSB will need to take those actions required by law to protect such resources in accordance with AS 41.35.070(d) Preservation of historic, prehistoric, and archeological resources threatened by public construction.

L. Form and Width Requirement

Each municipal entitlement land selection is required to be compact in form with its length not exceeding approximately four times its width pursuant to AS 29.65.070(c) Selection and

conveyance procedure. A review of the NSB's land selection proposed for conveyance in this decision indicates that the selection is consistent with this statute.

M. DMLW and Agency Review

Information and comments received from multiple sections within DMLW prior to and during agency review have been considered and included in the preparation of this PD. An agency review was conducted between September 2, 2022, through September 23, 2022, and another was conducted between November 14, 2025, through December 8, 2025. The intent of an agency review is to request comments from agencies that may be affected by a municipal entitlement land conveyance decision. Agencies are given the opportunity to evaluate and comment on the municipality's land selection to determine if the State should retain all or a portion of the selected lands, and, if so, provide supporting reasons for the requested action. Additionally, agencies are requested to identify any stipulations that may be appropriate if the land is to be conveyed out of state ownership.

DNR DMLW LCS received brief comments of non-objection from the following agencies: Department of Transportation & Public Facilities (DOT&PF), Alaska Department of Fish & Game (ADF&G), and DNR Division of Parks and Outdoor Recreation (DPOR).

DNR DMLW LCS Response: LCS appreciates your review.

Comments from the Alaska Department of Environmental Conservation (DEC):

First Agency Review

"Based on the information provided, the Alaska Department of Environmental Conservation (DEC), Contaminated Sites Program (CSP) has no comments related to this information request. If the scope of the project changes, update your research and contact CSP as needed.

CSP provides resources for researching contaminated sites and groundwater plumes at <http://dec.alaska.gov/spar/csp/> through the Search Map and Search Database buttons. Site locations depicted by triangle on the CSP map may not denote the exact location of contaminated soil and groundwater. Contamination may be present at any site, including those with an active, cleanup complete, or informational status. If you have questions about a specific site or contaminated groundwater plume, contact the staff person directly, or DEC-ICunit@alaska.gov when no staff person is listed. Additional documents can be requested.

Spills or releases to soil and water are also managed by the DEC Prevention Preparedness and Response Program (PPRP) and are not captured in the CSP database or map. Information about spills can be found in the PPRP SPILLS database at <https://dec.alaska.gov/Applications/SPAR/PublicMVC/PERP/SpillSearch>. For more information about spill responses contact the appropriate regional response team office <https://dec.alaska.gov/spar/ppr/spill-information/reporting/>.

In addition, actions, orders, and requirements of the Resource Conservation and Recovery Act (RCRA) or Toxic Substances and Control Act (TSCA) may also apply to a project area. Please consider applicable federal regulations and contact Region 10 of the Environmental Protection Agency if needed.

If during the project, a previously unknown area of contamination is discovered or a spill occurs, Alaska state law requires all oil and hazardous substance releases to be reported to the Department of Environmental Conservation. For reporting information, please visit: <https://dec.alaska.gov/spar/ppr/spill-information/reporting/>.

Second Agency Review

"I'm responding regarding the contaminated sites ConocoPhillips CPF-1 Oily Waste Injection Facility (File #: 300.38.088 / Hazard ID: 267) and ConocoPhillips (ARCO) Kuparuk CPF1 Divert Tank A (File #: 300.38.053 / Hazard ID: 1975). Both sites have DRO remaining soil contamination above our 18 AAC 75.341 Method One cleanup levels in Table A2. It's unlikely that these sites will impact the proposed area/project. If contamination is encountered, please contact Alaska Department of Environmental Conservation Contaminated Sites Program. I have no additional comments."

DNR DMLW LCS Response to DEC: LCS appreciates DEC's review. The information provided will be relayed to the applicant via this decision.

Comments from DNR DMLW Statewide Abatement of Impaired Lands (SAIL):

First Agency Review

"Thank you for the opportunity to review. According to the polygon for this selection there are no known contaminated sites or solid waste sites within the polygon only adjacent. Therefore, I will not have a disclosure memo to share."

There are a few wells based on Mapper and the Well Surface Location layer:
W SAK RIV ST CPF1-23 current status plugged and abandoned
KUPARUK RIV UNIT 1B-09 current status water alt gas injection
KUPARUK RIV UNIT 1B-10L1 current status oil well, single completion
KUPARUK RIV UNIT WSW-11 current status Disposal injection well, Class 2
KUPARUK RIV UNIT WSW-10 current status Disposal injection well, Class 2"

DNR DMLW LCS Response to SAIL: Thank you for your review. The information provided will be relayed to the applicant via this decision.

Comments from DNR DMLW Northern Regional Office (NRO):

First Agency Review

"NRO objects to transfer of lands within Sections 8,9, and the N1/2NE1/4 17. This area encompasses Mine Site C, which currently has two active contracts totaling 1.5 million cubic yards: to date, over 12 million cubic yards have been extracted from this pit. Retention of this pit is critical so the State can ensure continued availability of material for oilfield development."

We further note that the requested lands in the N1/2 Section 09, the selection encompasses part of the Kuparuk Ops Center a small portion of the KOC runway and is bisected by a roads that provide the only constructed access to production infrastructure to the west and southwest of this selection.

If this area is to be transferred to the NSB, please reserve ownership of a 100' corridor around all roads (50' off the approximate centerline), or reserve a public access easements for the same. We note the existing roads are not protected by easements and likely do not constitute legal access. We suggest you coordinate with DNR's Survey Section to determine if these roads, or protracted section lines, provide legal access necessary to satisfy platting requirements."

Second Agency Review

"Thank you for the opportunity to comment on the updated agency review for ADL 414828."

If this area is to be transferred to the NSB, please reserve ownership of a 100' corridor around all roads (50' off the approximate centerline), or reserve public access easements for the same."

DNR DMLW LCS Response to NRO: Thank you for your review. NSB originally selected land within NSAP Unit-23 and has relinquished its previous selection on the material source, aware that the unit must remain in State ownership. The roads and oil and gas infrastructure within Section 9 will remain with the State; the establishment of road easements will not be necessary. LCS proposes that conveyance of the remainder of NSB's selection would be beneficial to the Borough and would not interfere with existing uses and infrastructure. The land in Section 8 that is proposed for conveyance contains no infrastructure and would allow NSB to access the lands proposed for conveyance in Sections 16 and 17 without using the section line easement (SLE) running through the material site. Through this decision, NSB will be notified should they need to work with NRO and DOG to gain access.

Comments from DNR DMLW Water Resources Section (Water):

First Agency Review

"The DMLW Water Resources Section has reviewed the municipal land selection for the parcel around Mine Site C in the Kuparuk River Unit under ADL 414828. The selection boundaries encompass Kuparuk Mine Site C which is an active gravel mine site. Water from the mine site is withdrawn not only to dewatering the site for gravel extraction but is also used for beneficial use. There are several active temporary water use authorizations and one application for water rights currently on the mine site.

Current casefiles on this site include:

TWUA A2019-52 for 8.261 million gallons per year for "ice roads, ice pads, ice bridges, ramps, dust control, camp use, drilling, and supporting activities, roads and pads maintenance, AS 38.35 pipeline activities".

TWUA A2019-151 for the purpose of dewatering for gravel extraction.

TWUA A2023-142 for 46 million gallons water and ice aggregate per year for purposes of dewatering as well as "construction and maintenance of ice roads, ice pads as well as year-round camp use and other drilling related activity (drilling, construction, operations/maintenance, dust control, spill cleanup, hydrotest, etc)"

LAS 24821 is an application for water rights for over 15.6 million gallons per year for oil and gas exploration and development activities.

This mine site has been used as a water source for many years in the past for ice road construction and a variety of oil and gas activities and always has multiple users.

It may be beneficial for the state to retain the entirety of the Mine Site (and access to it) in light of ongoing oilfield operations and potential future use.

If this location is not retained, a right-of-way for full access to the water source must be retained for the appropriator of record, LAS 24821."

DNR DMLW LCS Response to Water: Thank you for your review. Title report # 23488, dated 12/5/2025, identified two water permits, ADL 407812 (Section 4; but is tied to the Ugnuravik River) and TWUA A2022-18. After Water's comments were received, NSB relinquished the portion of the selection that contained the material source (ADL 416073) and associated water rights, therefore there are no longer any water rights

within the areas proposed for conveyance. NSB will be made aware of the water-right that uses the Ugnuravik River through this decision.

Comments from DNR DMLW Resource and Development Section (RADS):

First Agency Review

"Thank you for the opportunity to review and comment on the proposed municipal entitlement land conveyance to the North Slope Borough. The Resource Assessment & Development Section (RADS) has reviewed the available data, satellite imagery, and the applicable regional land use plan – North Slope Area Plan (NSAP) and provides the following comments.

Background & Discussion:

This proposed state land conveyance, if approved, would partially fulfill North Slope Borough's municipal land entitlement as provided under AS 29.65.010(a)(12). The parcel under consideration for this conveyance is located within:

TOWNSHIP 11 NORTH, RANGE 10 EAST, UMIAT MERIDIAN Sections 8, 9, and 17

The NSB's selection covers approximately 805 acres within Units A-16 and A-23 of the NSAP (East Planning Unit). Unit A-16 is designated Habitat and Oil & Gas Resource which converts to the classifications Wildlife Habitat Land and Oil & Gas Lands. Unit A-23 is designated as Materials which converts for Material Land. Both units have classifications that are not conveyable. However, management intent language for unit A-16 states:

"Lands within this unit have been identified by the NSB as potential municipal entitlement selections. If a subsequent municipal entitlement decision determines that it is otherwise appropriate to convey state land to the borough, then the Ha/Og designations are extinguished and replaced by Rm designation that converts to a conveyable classification. This action affects only the area of the municipal entitlement selection". Within this selection some areas would be inappropriate to convey due to existing infrastructure.

Recommendation:

Unit A-23 is not conveyable and must be retained in state ownership. However, those portions of unit A-16 that do not have existing infrastructure are appropriate for conveyance. RADS recommends the following:

- Move forward with conveying the portion of the selection located within U011N010E section 17 (approximately 300 acres) not within the footprint area of Resource Sale site ADL 422174."

Second Agency Review

"Thank you for the opportunity to review and comment on the proposed municipal entitlement land conveyance to the North Slope Borough. The Resource Assessment & Development Section (RADS) has reviewed the available data, satellite imagery, and the applicable regional land use plan – North Slope Area Plan (NSAP) and provides the following comments.

Background & Discussion:

DNR DMLW LCS Municipal Entitlement unit intends to adjudicate NSB's application for land selection of approximately 871 acres of state-owned land to fulfill their general grant land municipal entitlement under AS 29.65.010. The parcels under consideration for this conveyance are located within:

TOWNSHIP 11 NORTH, RANGE 10 EAST, UMIAT MERIDIAN Sections 8, 9, 16, and 17

The NSB's selection covers approximately 871 acres within Unit A-16 NSAP (East Planning Unit). Unit A-16 is designated Habitat and Oil & Gas Resource which converts to the classifications Wildlife Habitat Land and Oil & Gas Lands

"Lands within this unit have been identified by the NSB as potential municipal entitlement selections. If a subsequent municipal entitlement decision determines that it is otherwise appropriate to convey state land to the borough, then the Ha/Og designations are extinguished and replaced by Rm designation that converts to a conveyable classification. This action affects only the area of the municipal entitlement selection". Within this selection some areas would be inappropriate to convey due to existing infrastructure.

Recommendation:

Portions of unit A-16 are available for conveyance however per management intent language states:

"Lands with infrastructure that is critical for oil and gas development, maintenance, or operations not approved for conveyance shall be retained in state ownership."

RADS recommends the following:

- Move forward with conveying the selection in T11N R10E Sections 16 and 17, and reject the portions in Sections 8 and 9."

DNR DMLW LCS Response to RADS: Thank you for your review. NSB originally selected NSAP Unit A-23 but relinquished it once they became aware of the area plan's management intent to retain the material site. Unit A-16 is within the NSAP West Planning Unit and is designated Habitat and Oil & Gas Resource (Ha/Og); consistent with the management intent, if otherwise appropriate to convey state land to the Borough, the Ha/Og designations within the municipal selection are extinguished and replaced by Rm, converting to a conveyable classification only within the adjudicated selection area. Accordingly, LCS denies conveyance of the selected land within Section 9 to preserve the use of oil and gas infrastructure, and approves, in part, conveyance of the portions of Sections 16 and 17 within Unit A-16 that do not contain existing infrastructure. LCS is proposes rejecting the selected land within Section 9 to preserve the use of the Oil and Gas infrastructure. LCS further approves conveyance of the non-infrastructure portion of Section 8, which does not interfere with existing uses and allows NSB to access the lands proposed for conveyance in Sections 16 and 17 without using the section line easement (SLE) running through the material site in Unit A-23.

Comments from DNR Division of Oil and Gas Leasing (DOG Leasing):

First Agency Review

"This parcel is situated within active oil and gas leases within the Kuparuk River Unit in the North Slope Lease Sale Area, which are listed in the attached table. DOG therefore requests that any conveyance, if found to be in the State's interest, be subject to these leases. However, DOG recommends retaining the subsurface mineral estate, in particular the oil and gas, reserved to the State of Alaska in Patent 50-74-0093.

Additionally, it is evident that these parcels are mostly situated on and around development and infrastructure. DOG Leasing Section will defer any comments regarding infrastructure and

permitted activities to DOG Permitting Section and other DNR sections concerning surface authorizations. I contacted these sections and they chose to comment separately.

We look forward to providing any other information you may seek regarding oil and gas leases coinciding with the proposed conveyances.”

Second Agency Review

“This parcel is situated within active oil and gas leases within the Kuparuk River Unit in the North Slope Lease Sale Area, which are listed in the attached table.

DOG therefore requests that any conveyance, if found to be in the State’s interest, be subject to these leases.

However, DOG recommends retaining the subsurface mineral estate, in particular the oil and gas, reserved to the State of Alaska in Patent 50-74-0093.”

DNR DMLW LCS Response to DOG: Thank you for your review. The proposed conveyance will be made subject to any issued Oil and Gas leases. The proposed conveyance should not affect the infrastructure used by DOG and its lessees.

Comments from DNR Division of Oil and Gas Permitting (DOG Permitting):

First Agency Review

“The Division of Oil and Gas Permitting Section objects to the land selection in its entirety due to the following:

The land selection is situated within three active oil and gas leases contained within the Kuparuk River Unit (KRU). ConocoPhillips Alaska, Inc. (CPAI) owns the leases and operates the unit. This selection includes Mine Site C, in addition to a portion of the Kuparuk Operations Center (KOC) and its associated runway, as well as a portion of the spine road. These components are essential in facilitating responsible development of the states oil and gas resources in the area. KOC is CPAI’s main operation center, playing a critical role in supporting the exploration of oil and gas resources in the area. It acts as the starting points for all CPAI’s operations in the KRU. The adjacent Mine Site C is often used as a staging area and water source, in addition to a gravel source, which all support nearby oil and gas operations. The segment of the spine road contained within the selection is the only route of travel for all operations west of KOC. Any action that impedes the ability of DNR to manage and facilitate the use of the pad, road, runway, material site, and associated infrastructure on the parcel in question could jeopardize both existing and future oil and gas exploration, development, production, and transportation in the area. We believe it is in the best interest of the state to retain the entirety of the selection, considering ongoing and future lease operations in the area.”

DNR DMLW LCS Response to DOG: Thank you for your review. LCS acknowledges DOG Permitting’s objection to the selection due to Mine Site C, the Kuparuk Operations Center (KOC) (also referred to at KIC), and runway, and the spine road. NSB originally selected NSAP Unit A-23 but has relinquished the portion containing the material source; Mine Site C and access will remain in State ownership. To preserve KIC, the runway, and the spine road, the land within Section 9 will remain with the State. LCS proposes moving forward only with A-16 parcels in Sections 16 and 17 and the non-infrastructure portion of Section 8, which contain no State infrastructure and would allow NSB to access conveyed lands without using the SLE through the material site. Based on this adjudication, the proposed conveyance is not expected to affect infrastructure used by DOG or its lessees. The proposed conveyance will be made subject to any issued Oil and Gas leases

Comments from DNR DMLW Public Access Assertion and Defense (PAAD):

First Agency Review

"PAAD has reviewed the notice and map of proposed conveyance area. There are no identified RS 2477 ROW's within the application parcel. There are four lakes that would be considered either navigable or public water per AS 38.05.127 as defined in AS 38.05.965 (14) and (21); three lakes within Section 17, and another lake within section 9 and 16. I have identified these lakes in the map you provided with blue highlighter. If conveyance goes forward, PAAD recommends to and along easements for these waters."

DNR DMLW LCS Response to PAAD: Thank you for your review. Public access easements will be imposed around all lakes within the subject parcel, which have been determined to be public, and along the eastern OHWM of Ugnuravik River, per AS 38.05.127.

Comments from the DNR State Pipeline Coordinator Section (SPCS):

First Agency Review

"The State Pipeline Coordinator's Section (SPCS) reviewed the Municipal Land Entitlement Selection – ADL 414828, for the North Slope Borough – Mine Site C. There are AS 38.35 pipeline rights-of-way which will be affected by this process. These AS 38.35 pipeline rights-of-way are ADL 409027 Kuparuk Pipeline Extension, ADL 402294 Kuparuk Pipeline, and ADL 411731 Oliktok Pipeline lease lands.

The SPCS requests that these rights-of-way should be excluded from Municipal Land Entitlement – ADL 414828, for the purposes of retaining the rental revenue to the State of Alaska and for DNR/SPCS oversight authority of these lands to safely operate and maintain these pipelines and their related facilities for the interest of the people of the State.

The SPCS also requests that the North Slope Borough work with the SPCS and the Department of Natural Resources, Survey Unit when they begin the survey of convenience. Please contact our office, at spco.records@alaska.gov, attention SPCS Right-of-Way Manager and SPCS Operations Manager."

DNR DMLW LCS Response to SPCS: Thank you for your review. The pipeline ROW (ADL 409027) crosses through only Section 9. All the selected land that falls within Section 9, including the DOG infrastructure is proposed to remain within State ownership per this decision. NSB will be required to work with the DMLW Survey Section to complete the required survey.

Comments from the DNR Division of Geological & Geophysical Section (DGGS):

First Agency Review

"Hydrology and Surficial Geology; Geologic Hazards; Energy Resources

Physiography

The parcel under consideration is within the Arctic Coastal Plain Physiographic Province, a smooth plain rising imperceptibly from the Arctic Ocean to a maximum altitude of 600 ft. (Wahrhaftig, 1965). The Arctic Coastal Plain is poorly drained and marshy in the summer, with networks of ice-wedge polygons and numerous oval or rectangular thaw lakes and thaw lake basins. Locally, there are pingos.

Geology

The surficial geology in the area was mapped by Rawlinson (1993), and polygons were later digitized (Giesche and others, 2024). The Alaska Division of Geological & Geophysical Surveys

(DGGs) also mapped the area, updating Rawlinson's work using new imagery (DGGs, unpublished data). The area generally consists of alluvial plain deposits, with pebbly eolian sand overlying fine to medium sand and gravel, and sandy gravel. In places, the alluvial plain deposits are overlain by a thin (<30 ft.) cover of thaw lake deposits consisting of a mix of peat, organic silt, silt, and sand, including thermokarst. Based on mapping and imagery interpretation, thaw lake deposits may exceed 30 ft in thickness, especially in the southern part of the selection area. Given the low gradient and extensive continuous permafrost, flooding is a significant concern.

Materials

Based on geologic mapping and imagery interpretation, the selected area is considered to have a high potential for sand and gravel. However, southern areas may have more significant silt cover, especially where thaw lake deposits are mapped. These areas are likely to be ice-rich, which can impact the cost of material extraction.

Permafrost

The area's permafrost is continuous, underlying 90-100 percent of the ground surface (Jorgenson and others, 2008). Where soils are granular, permafrost may have low ice content but may be high in areas of high silt content. Permafrost degradation can be problematic. Numerous ice-wedge polygons are indicative of ice-rich permafrost.

Hazards

Flooding, icing, and permafrost thaw may be significant concerns for this area.

The parcel is not located near recently active faults (Koehler, 2013). The region's overall seismic hazard potential is lower moderate (Powers and others, 2023). Standard best building practices should be used to accommodate the regional seismic hazard.

Radon, a naturally occurring cancer-causing radioactive gas, has been modeled to be low 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.

This area has been subject to ash fall from erupting volcanoes. Past ash events include multiple older tephras (Mulliken and others, 2018; Worden and others, 2018).

Energy Resources

Parcel ADL 414828 is located within the greater Kuparuk River oil field, one of the largest in North America. The land includes major surface development infrastructure, production facilities, roads, pipelines, airfield, etc. It would seem wise for the state to retain this land due to its strategic and economic importance as a major oil development. It is in the state's interest to ensure uninterrupted operation and access for resource development in this area.

In addition to the critical infrastructure, the land is correctly designated as "Og", recognizing its high value as a source for hydrocarbon resources. Recent discoveries nearby demonstrate that new exploration may still uncover new resources, even in areas that have already seen significant drilling.

References

Giesche, A.M., Rawlinson, S.E., Labay, K.A., Shew, N.B., Pongratz, A.L., and Wilson, F.H., 2024, Digitized legacy maps of surficial geology and morphology of the central Arctic Coastal Plain, Alaska: U.S. Geological Survey Data Release.

Jorgenson, Torre, Yoshikawa, Kenji, Kanevskiy, Mikhail, Shur, Yuri, Romanovsky, Vladimir, Marchenko, Sergei, Grosse, Guido, Brown, Jerry, and Jones, Ben, 2008, Permafrost characteristics of Alaska, in Kane, D.L., and Hinkel, K.M., eds., Proceedings of the Ninth

- International Conference on Permafrost: Fairbanks, Alaska, Institute of Northern Engineering, University of Alaska Fairbanks, p. 121-122.
- Koehler, R.D., 2013, Quaternary Faults and Folds (QFF): Alaska Division of Geological & Geophysical Surveys Digital Data Series 3, <http://doi.org/10.14509/qff> (interactive map); <http://doi.org/10.14509/24956>
- Mulliken, K.M., Schaefer, J.R., and Cameron, C.E., 2018, Geospatial distribution of tephra fall in Alaska: a geodatabase compilation of published tephra fall occurrences from the Pleistocene to the present: Alaska Division of Geological & Geophysical Surveys Miscellaneous Publication 164, 46 p. <http://doi.org/10.14509/29847>
- Powers, P.M., Altekruuse, J.M., Llenos, A.L., and others, 2024, The 2023 Alaska National Seismic Hazard Model, Earthquake Spectra: SAGE Publications, v. 40, no. 4, p. 2545–2597. <https://doi.org/10.1177/87552930241266741>
- Rawlinson, S.E., 1993, Surficial geology and morphology of the Alaskan central Arctic Coastal Plain: Alaska Division of Geological & Geophysical Surveys Report of Investigation 93-1, 172 p., 6 sheets, scale 1:63,360. <https://doi.org/10.14509/2484>
- Wahrhaftig, Clyde, 1965, Physiographic divisions of Alaska: U.S. Geological Survey Professional Paper 482, 52 p., 6 sheets, scale 1:2,500,000.
- Worden, A.K., Schaefer, J.R., and Mulliken, K.M., 2018, Tephra occurrence in Alaska: a map-based compilation of stratigraphic tephra data: Alaska Division of Geological & Geophysical Surveys Miscellaneous Publication 165, 19 p. <http://doi.org/10.14509/30059>

DNR DMLW LCS Response to DGGS: Thank you for your review. The land under the DOG infrastructure contained in Section 9 is proposed to be retained by the State. This includes the material source in the center of the selection area (Unit A-23). None of the land proposed for conveyance contains infrastructure. The geological information provided will be conveyed to the applicant via this decision.

The following agencies or groups were included in the agency review, but no comment was received:

- Department of Commerce, Community & Economic Development
- Department of Natural Resources
 - Alaska Mental Health Trust Land Office
 - Division of Forestry & Fire Protection
 - DPOR, Office of History and Archaeology

VII. SUBMITTAL OF PUBLIC COMMENTS

See Attachment B: Public Notice for specific date and conditions

Pursuant to AS 38.05.945 Notice, LCS is issuing public notice inviting comment on this Preliminary Decision.

In accordance with AS 38.05.946(a) Hearings, a municipality or corporation entitled to receive notice under AS 38.05.945(c) Notice may hold a hearing within 30 days after receipt of the notice. If a hearing is held, the Commissioner (or representative) shall attend the hearing. The Commissioner has discretion whether or not to hold a public hearing.

LCS will consider all timely, written comments received. If analysis of such comments indicates the need for significant changes to the PD, additional public notice for the affected lands will be given. Reducing the amount of land offered and making minor changes to any of the proposals will not be considered significant changes requiring additional public notice.

If the proposal is approved and no significant change is required, the Preliminary Decision, including any deletions, minor changes, and summary of comments and LCS responses will be issued as a subsequent Final Finding and Decision without further notice.

Only people from whom LCS receives timely, written comments during the identified comment period will be eligible to file an appeal of the Final Finding and Decision. Upon approval and issuance of a Final Finding and Decision, a copy of the decision will be made available online at <https://dnr.alaska.gov/mlw/landsales/public-notice/> and <http://dnr.alaska.gov/mlw/muni/> and sent with an explanation of the appeal process to any party who provides timely written comment.

DNR is prepared to accommodate individuals with disabilities by providing auxiliary aids, services, or special modifications in order to participate in this review. Individuals who may need such assistance should contact DNR's Public Information Center. For more information refer to the attached Public Notice.

**DEADLINE TO SUBMIT WRITTEN COMMENT IS
4:30 PM, TUESDAY, NOVEMBER 24, 2026**

VIII. DISCUSSION AND ALTERNATIVES

A. Discussion

This PD for NSB's municipal entitlement land selection covers approximately 768 acres of state land. LCS proposes to approve for conveyance and transfer equitable title and management authority on approximately 583 acres of state land, identified in *Table 7* below.

This decision determines that the municipal selection adjudicated in this decision for which the State currently has title is appropriate for conveyance to NSB.

This decision further determines that certain conditions and restrictions are appropriate and necessary to ensure the protection of critical resources and public access for those lands to be conveyed to NSB. Therefore, this decision imposes restrictions and reservations to be part of the conveyance document, to ensure adherence to state statutes and administrative code. Restrictions and reservations are listed in **Section IX. Recommendation and Preliminary Decision**.

The portion of the selected parcel proposed for rejection (*Table 8*) is classified appropriately for conveyance; however, the associated management intent of Unit A-16 states that the "[...] *Lands with infrastructure that is critical for oil and gas development, maintenance, or operations not approved for conveyance shall be retained in state ownership.* [...]". DOG and SPCS have expressed concern about the potential conveyance of the parcel out-of-state ownership. DOG Permitting stated in their agency review comment that "these lands contain critical infrastructure for oil and gas development, maintenance and operations. DOG maintains oversight authority of the surface infrastructure and activities on the selected lands, which fulfills the mission and serves the interest of the State of Alaska." SPCS requested "that DNR reject, in part, the lands the North Slope Municipality proposes for Entitlement in which AS 38.35 pipeline ROW Leases exist for the purposes of retaining the rental revenue to the State of Alaska and for DNR/SPCS oversight authority of these lands to safely operate and maintain these pipelines and their related facilities for the interest of the people of the State." RADS stated that "Lands with infrastructure that is critical for oil and gas development, maintenance, or operations not approved for conveyance shall be retained in state ownership."

Based on input received during agency review, continued state ownership of the surface estate best facilitates the orderly management and development of oil and gas facilities and mineral leases, consistent with the classification and management intent of the NSAP.

B. Alternatives

The following alternatives exist:

1. Take no action to approve or reject NSB's land selection. This alternative would, in effect, preclude NSB's ownership of lands considered to be important to their land base. This action would be inconsistent with the purpose of the Municipal Entitlement Act and inconsistent with the basis for the disapproval of a municipal entitlement selection. Such selections can only be rejected when the State's interests outweigh the interest of the borough, and there is no basis for such a determination.
2. Reject NSB's selection in its entirety. This alternative would have the same effect as Alternative #1 and would, similarly, be inconsistent with the statutory basis for rejection of a municipal selection.
3. Approve in part with management authority transferred and reject in part retaining in state ownership, for the reason described in this PD. This alternative is effective in meeting the intent of the Municipal Entitlement Act to convey appropriately classified state general grant land to NSB and to protect the state interests.

IX. RECOMMENDATION AND PRELIMINARY DECISION

A. Recommended Alternative

This decision determines that Alternative 3 is the preferred action and best fits the intent of the Municipal Entitlement Act. NSB's land selection, in part, is approved for conveyance, subject to the conditions, restrictions, and reservations listed below.

B. Recommended Conditions, Restrictions, and Reservations

Conditions

1. As required under AS 38.05.127 Access to navigable or public water and 11 AAC 51 Public easements, the location of the OHWM of public waters will be determined at the time of survey, if one is required.
2. Management authority will transfer to NSB on those lands approved for conveyance once the FFD becomes effective.
3. Management authority for public access easements is transferred to NSB once the FFD becomes effective. No such easements may be vacated, abandoned, or otherwise extinguished or rendered incapable of reasonable use by the public without the approval of the State of Alaska unless an alternative means for reasonable public access is provided and approved by the State.
4. Administration of state leases and permits pertinent to the surface estate will be transferred to NSB once the FFD becomes effective. Administration of issued state leases and permits on the mineral estate will remain with the State.
5. Once the FFD is effective, NSB may execute conditional leases and make conditional sales on lands approved for conveyance, prior to issuance of a state patent in accordance with AS 29.65.070(b) Selection and conveyance procedure.
6. The net chargeable acreage approved for conveyance shall be credited towards partial fulfillment of NSB's municipal land entitlement pursuant to AS 29.65.010 Determination of entitlement of boroughs and unified municipalities.
7. Notification to the Alaska State Historic Preservation Office in accordance with AS 41.35.070(d) Preservation of historic, prehistoric, and archeological resources threatened by

public construction is required upon discovery of historic, prehistoric, or archaeological sites, locations, remains, or objects.

Restrictions and Reservations

Conveyance document will be issued subject to the following restrictions and reservations:

1. 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.
2. Reservation of a 50-foot wide easement on each side of all surveyed and unsurveyed section lines in accordance with AS 19.10.010 Dedication of land for public highways and 11 AAC 51.025 Section line easements.
3. Reservation of a continuous public access easement, 50 feet wide, upland of and adjacent to the OHWM of all public waters from on the bed and 50 feet upland pursuant to AS 38.05.127 Access to navigable or public water and 11 AAC 51 Public easements.
4. Reservation of the mineral estate pursuant to Section 6(i) of the Alaska Statehood Act and AS 38.05.125 Reservation; and reservation of reasonably necessary access to the mineral estate in accordance with AS 38.05.130 Damages and posting of bond.
5. Subject to Oil and Gas Leases ADL 25647, ADL 25651, and ADL 25652.

C. Recommended Action on Municipal Selections

This decision recommends approval for conveyance of certain state-owned vacant, unappropriated, unreserved general grant land to North Slope Borough and proposes the rejection of certain state-owned lands located in the Umiat Meridian of northern Alaska.

LANDS PROPOSED FOR CONVEYANCE

Table 7 lists those lands proposed to be approved for conveyance in this decision. The estimated acreages for conveyance do not account for any exclusions, and exact acreages will be determined by survey. The final acreage amount will be credited towards partial fulfillment of North Slope Borough's municipal land entitlement.

Table 7

Map Name	MTR	Section and Legal Description	Acres
KIC, Minesite South	U011N010E	Sec. 8: E ½, east of the OHWM of the right bank of Ugnuravik River (35 ac.), <i>excluding Material source in SW ¼, (15 ac.) within NSAP Unit A-23</i>	35
		Sec. 16: W1/2, those lands within the W1/2NE1/4 and the W1/2SE1/4 lying west of the access road to Kuparuk River Unit Drill Site 1E and west of an arc along an extension of said road curve through the W1/2SE1/4 concave to the west and terminating at the south boundary of Section 16 (253 ac.), <i>excluding Material source in N1/2NW ¼, (59 ac.) within NSAP Unit A-23</i>	253
		Sec. 17: East of the OHWM of the right bank of Ugnuravik River (295 ac.), <i>excluding Material source in NE ¼, (30 ac) within NSAP Unit A-23</i>	295
PROPOSED CONVEYANCE: TOTAL APPROXIMATE ACRES			583

LANDS PROPOSED FOR REJECTION

Table 8 lists those lands proposed to be rejected for conveyance in this decision. These include lands to be retained by the State because the interest of the State outweighs that of the North Slope Borough and the NSAP states the land will be retained by the State.

Table 8

Map Name	MTR	Section and Legal Description	Acres
KIC, Minesite South	U011N010E	Sec. 09: NW1/4 SW1/4, NW1/4, and W1/2NE1/4 (185 ac.)	185
PROPOSED REJECTION: TOTAL APPROXIMATE ACRES			185

D. Preliminary Decision

The following are the findings for this Preliminary Decision:

1. It is appropriate to propose conveyance of approximately 583 acres of state-owned land to the North Slope Borough. This decision determines that the interest of the State to retain this land does not outweigh the interests of the borough to obtain it.
2. It is appropriate to propose rejection of 185 acres because the State's interests outweigh the NSB's interest in obtaining them and the NSAP states the land will be retained by the State. The rejected portions of the selection are critical to Oil and Gas operations.

This Preliminary Decision, described above, represents the preferred alternative that has been reviewed and considered. After review and consideration of materials in this PD, LCS finds that the recommended action may be in the best interest of the State and that it is hereby approved to proceed to Public Notice in accordance with AS 38.05.945 Notice.

After public notice, the subsequent review process may result in changes to the preferred alternative(s) or disapproval of the proposed action altogether. A Final Finding and Decision will address any significant issues or concerns raised during the public review process.



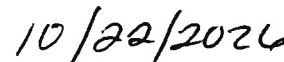
Prepared by: Mary Hermon
Natural Resource Specialist 2
Land Conveyance Section
Division of Mining, Land and Water
Department of Natural Resources
State of Alaska

Date



Approved by: Hannah Uher-Koch
Section Chief
Land Conveyance Section
Division of Mining, Land and Water
Department of Natural Resources
State of Alaska

Date



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

Attachment B: PUBLIC NOTICE

Requesting Input for a Proposed Conveyance Under AS 29.65
North Slope Borough Municipal Land Entitlement Selection – ADL 414828

COMMENT PERIOD ENDS: 4:30 PM, TUESDAY, NOV 24, 2026

The Department of Natural Resource (DNR), Division of Mining, Land and Water (DMLW), Land Conveyance Section (LCS) has prepared a Preliminary Decision (PD) for a proposal to convey approximately 538 acres of state owned vacant, unappropriated, unreserved (VUU) general grant land to North Slope Borough (NSB) in order to partially fulfill their municipal land entitlement under AS 29.65.010. Located within DNR's Northern Region, this land selection falls within the Arctic Coast Region (the West Planning area) as identified in the North Slope Area Plan. It is located in Sections 8, 9, 16 and 17, Township 11 North, Range 10 East, Umiat Meridian.

Pursuant to AS 38.05.945 *Notice*, the public is invited to comment on this PD which proposes to transfer ownership of state land to North Slope Borough. **The deadline for submitting public comment is 4:30 PM, Tuesday, November 24, 2026.** Only persons from whom LCS receives timely written comments during the identified comment period will be eligible to file an appeal of the Final Finding and Decision (FFD). Comments must be received in writing to the Division of Mining, Land and Water, Attention: Mary Hermon, at 550 West 7th Avenue, Suite 640, Anchorage, Alaska 99501, by fax at (907) 269-8916, or by email at mary.hermon@alaska.gov. If you have questions, call Mary Hermon at (907) 269-6546.

The public notice is available on the Alaska Online Public Notice System at: <http://dnr.alaska.gov/commis/pic/pubnotfrm.htm>. The Preliminary Decision is available on the DMLW Municipal Entitlement web site at: <http://dnr.alaska.gov/mlw/muni/> and on the DMLW Land Sales website at: <https://dnr.alaska.gov/mlw/landsales/public-notice/>.

DNR is prepared to accommodate individuals with disabilities by providing auxiliary aids or services when requested. Individuals with audio impairments who wish to respond to this decision by telephone may call the DNR, Public Information Center in Anchorage between the hours of operation: 10:00 AM to 5:00 PM, Monday through Friday at TTY: 711 for Alaska relay or 800-770-8973 or go to <http://dnr.alaska.gov/commis/pic/>. Individuals who require special assistance must request assistance from the Public Information Center in Anchorage no later than 4:00 PM, Friday, November 17, 2026.

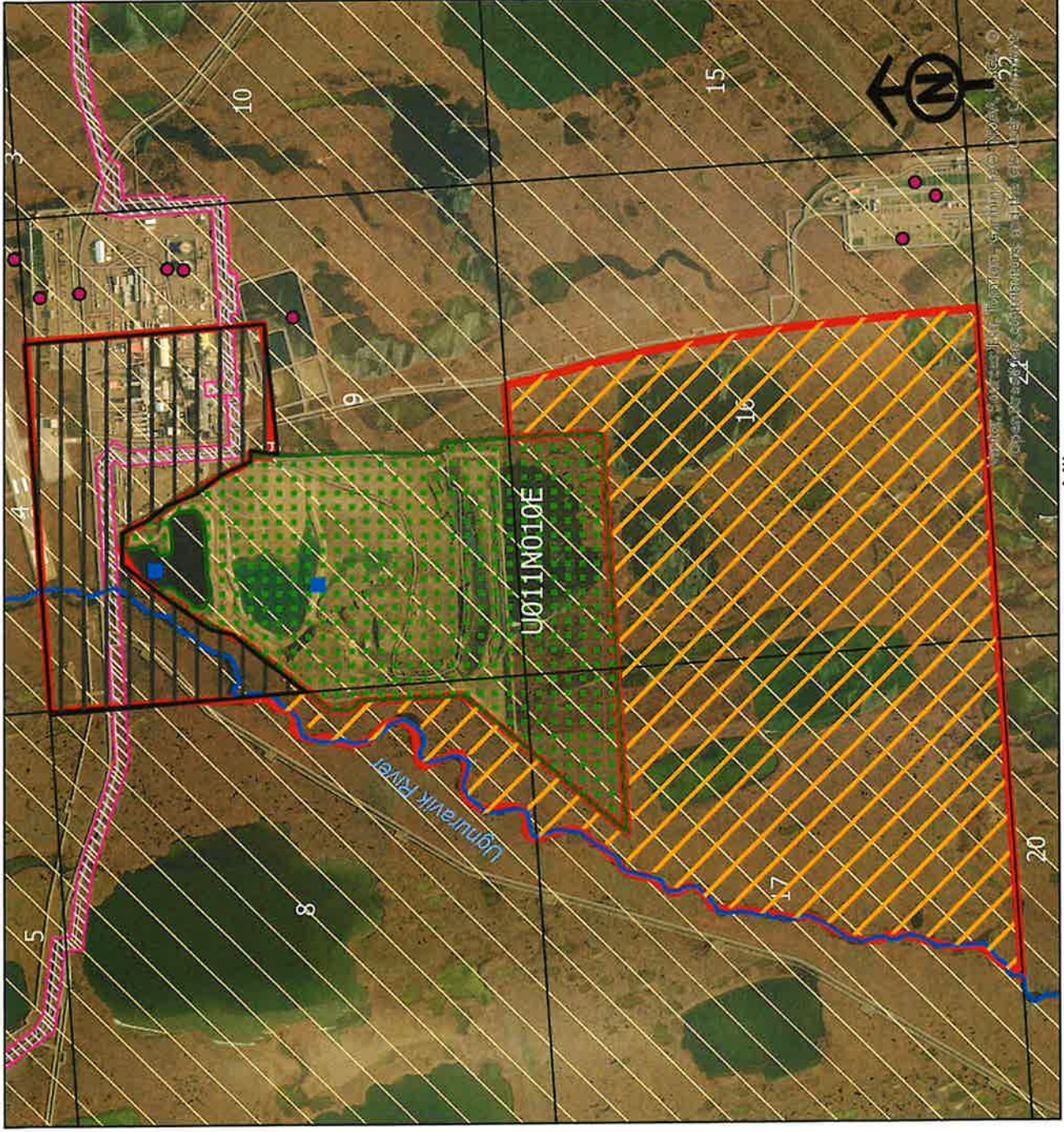
If no significant change is required, the PD, including any minor changes and a summary of comments and responses, will be issued as the FFD, without further notice. A copy of the FFD will be sent to any persons who commented timely on the PD.

DNR reserves the right to waive technical defects in this notice.

North Slope Borough Municipal Entitlement

Preliminary Decision

ADL 414828
KIC, Minesite South



LEGEND

	Anadromous River
	Water Right
	Potential Hazard Site
	Borough Selection
	Proposed Conveyance
	Proposed Rejection
	Material Site, NSAP Unit A-23
	Oil & Gas Leases
	ROW Permit
	NSAP Unit A-16



This map is for representation only. It is intended to be used as a guide only and may not show exact location or existing surveyed parcels or show all easements and reservations. Source documents remain the official record.



Created by DNR-DMLW-LCS-ME

October 2026

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