

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

**AMENDED FINAL FINDING AND DECISION**  
MUNICIPAL ENTITLEMENT UNDER AS 29.65

KENAI PENINSULA BOROUGH - ADL 201305

This Amended Final Finding and Decision is based on a Final Finding and Decision (FFD) issued on February 24, 2015, to convey, transferring management authority, conditionally approve, and reject in part certain lands selected by the Kenai Peninsula Borough in partial fulfillment of their general grant entitlement under *AS 29.65.010 Determination of Entitlement of Boroughs and Unified Municipalities*. Public notice will be issued for this Amended Final Finding and Decision (AFFD).

**SUMMARY OF THE DECISION**

The February 24, 2015 FFD for ADL 201305 affirmed the January 6, 2015 Preliminary Decision (PD) which approved for conveyance 5,282 acres, conditionally approved/postponed 3,369 acres, and rejected 24,692 acres.

The State of Alaska, Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), Land Conveyance Section (LCS) noted an error in a legal description of land approved for conveyance. The parcel comprises approximately 80 acres in Section 36, Township 2 North, Range 1 West, Seward Meridian. The parcel is in Region 3 of the Kenai Area Plan, near Bear Lake. Table 2 of the FFD and Table 11 of the PD both show the legal description as W1/2SE1/4 (80 ac.). The correct legal description for this parcel is E1/2SE1/4. It was apparent that the mistake was made in the PD and carried on to the FFD. The amount of acreage approved for conveyance remains the same through this modification. The PD and FFD maps for Region 3 depict the correct area approved for conveyance.

**MODIFICATION TO DECISION**

A review of the FFD shows that the following modification is needed:

**TABLE 2**

Region	Map # Parcel Name	Seward Meridian Township Range	Section Legal Description **Affected by a Plan Amendment & Unit #	Acres
3	1 Bear Lake	T2N, R1W	Sec. 36: E1/2SE1/4 (80 ac)	80

Other than the changes noted herein, all of the terms and conditions of the Final Finding and Decision and Preliminary Decision (ADL 201305) remain as written and approved.



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

Date

9/21/2023



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

Date

9/21/2023

**APPEAL PROVISION**

A person affected by this decision may appeal it, in accordance with 11 AAC 02. Any appeal must be received in writing within 20 calendar days after the date of the issuance of this decision, as defined in 11 AAC 02.040(c) and (d), and may be mailed or delivered to the Commissioner, Department of Natural Resources, 550 West 7<sup>th</sup> Avenue, Suite 1400, Anchorage, Alaska 99501; faxed to 907-269-8918, or sent by electronic mail to [dnr.appeals@alaska.gov](mailto:dnr.appeals@alaska.gov). Under 11 AAC 02.030, appeals filed under 11 AAC 02 must be accompanied by the fee established in 11 AAC 05.160(d)(1)(F), which has been set at \$200 under the provisions of 11 AAC 05.160(a) and (b).

If no appeal is filed by the appeal deadline, this decision goes into effect as a final administrative order and decision of the department on the 31<sup>st</sup> day after issuance. An eligible person must first appeal this decision in accordance with 11 AAC 02 before appealing this decision to the Superior Court (11 AAC 02.020(a) and (b)). A copy of 11 AAC 02 may be obtained from any regional office of the Department of Natural Resources or at: <http://www.akleg.gov/basis/aac.asp>.