

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

Memorandum of Decision

John Lang dba The Alaskan Wet Dog Race

LAS 28297

May 18, 2012

Proposed Action

John Lang has applied to hold a personal watercraft event titled “The Alaskan Wet Dog Race,” that will begin in Whittier, AK and end in Iliamna, AK. The race course will include the following communities as checkpoints: Valdez, Cordova, Seward, Anchor Point, Kenai, Port William, Kodiak, Old Harbor, Akhiok, Chignik, Perryville, Sandpoint, Cold Bay, False Pass, Port Moller, Port Heiden, Egegik, Naknek, and Igiugig.

Authority

This land use permit is being adjudicated pursuant to AS 38.05.850 (Permits), 11 AAC 96 (Miscellaneous Land Use), and applicable regulations.

Administrative Record

The administrative record for this action consists of LAS 28297.

Location

Geographic: The race course will go through Prince William Sound, Cook Inlet, and Bristol Bay and go around the Kenai Peninsula, Kodiak Island, and the Alaska Peninsula.

USGS Map Coverage: Kenai, Alaska (250k), Seward, Alaska (250K), Valdez, Alaska (250K), Cordova, Alaska (250K), Blying Sound, Alaska (250K), Seldovia, Alaska (250K), Iliamna, Alaska (250K), Afognak, Alaska (250K), Kodiak, Alaska (250K), Kaguyak, Alaska (250K), Trinity Islands, Alaska (250K), Sutwik Islands, Alaska (250K), Chignik, Alaska (250K), Stepovak Bay, Alaska (250K), Port Moller, Alaska (250K), False Pass, Alaska (250K), Cold Bay, Alaska (250K), Bristol Bay, Alaska (250K), Ugashik, Alaska (250K), Naknek, Alaska (250K), Dillingham, Alaska (250K).

Legal Description: State owned water.

Coordinates: NA

Borough/Municipality: This project falls within the Kenai Peninsula Borough, Kodiak Island Borough, Lake and Peninsula Borough, Aleutians East Borough, and Bristol Bay Borough.

Classification: NA

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Regional/Village Corporation: Cook Inlet Region Inc., Chugach Alaska Corp., Koniag Inc., The Aleut Corp., and Bristol Bay Native Corp.

Title

The acquisition authority for tide and submerged lands is found under the Submerged Lands Act of 1953 and the Equal Footing Doctrine.

Background

NA

Agency Review

An agency and public review notice was sent on November 28, 2011 to DEC, DNR/OHMP, DNR/OHMP, DOT/PF, DNR/SHPO, ADFG, EPA, Cook Inlet Region, Koniag Inc., Kenai Peninsula Borough, City of Whittier, City of Valdez, City of Cordova, Chenega Corporation, Native Village of Chenega, Village Council, City of Seward, Anchor Point Chamber of Commerce, City of Kenai, City of Kodiak, City of Old Harbor, Old Harbor Native Corporation, Village of Old Harbor, Village Council, City of Akhiok, Akhiok-Kaguyak, Inc, Village Corporation, Native Village of Perryville, Village Council, City of Sand Point, City of Cold Bay, City of False Pass, Isanotski Corporation, Village Corporation, Native Village of False Pass, Village Council, City of Port Heiden, Native Village of Port Heiden, Village Council, City of Egegik, Becharof Corporation, Egegik Village Council, Village of Igiugig, The Aleut Corporation, Chugach Alaska Corp., Bristol Bay Native Corp., Bristol Bay Borough, Kodiak Island Borough, Chignik Bay Tribal Council, Oceanside Native Corp., Native Village of Nelson Lagoon, and Iliamna Village Council. In addition, notices were posted at the Post Offices in Valdez, Whittier, Cordova, Seward, Anchor Point, Kenai, Kodiak, Old Harbor, Akhiok, Chignik, Perryville, Sand Point, Cold Bay, False Pass, Port Heiden, Egegik, Naknek, Igiugig, and Iliamna as well as posted to the DNR website for public review. A total of 97 comments were received during the public notice period. Attachment A is an Issue Response Summary outlining comments received during the public comment period and the Department of Natural Resources response.

Environmental Risk

The environmental risks associated with the proposed Land Use Permit are minimal. Risks may be minimized by the requirements described in General and Special Stipulations in the permit.

Permit Term

Effective use date: April 1, 2013 through May 30, 2018

Seasonal use date: April-May

Permit Fee

Annual Use Fee: \$250.00 [11 AAC 05.010(e)(9)]

Visitor Day Fee: NA

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Performance Guaranty and Insurance

Bond: \$1,000.00 [11 AAC 96.060]

Insurance: Amount the insurance company requires. [11 AAC 96.065]

Decision

DNR, pursuant to its mission, seeks to facilitate development and use of natural resources on state lands for present and future Alaskans.

Based on the information provided by the applicant, inter-agency and public review and review of relevant planning documents, statutes and regulations and an examination of documents and casefile record, it is the decision of the Southcentral Region Land Office to issue the land use permit to John Lang dba The Alaskan Wet Dog Race.

During the term of the LUP, periodic inspections may be conducted at the discretion of DNR to ensure permit compliance. The State of Alaska reserves the right to issue other compatible uses within this same area.

Candice Snow
Candice Snow, Natural Resource Specialist

05/18/2012
Date

I concur
 I do not concur
 I concur with modifications

Chris Larson
Chris Larson
Natural Resource Manager

5/18/12
Date

A person affected by this decision may appeal it, in accordance with 11 AAC 02. Any appeal must be received within 20 calendar days after the date of "issuance" of this decision, as defined in 11 AAC 02.040(c) and (d), and may be mailed or delivered to Dan Sullivan, Commissioner, Department of Natural Resources, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska 99501; faxed to 1-907-269-8918, or sent by electronic mail to dnr_appeals@alaska.gov. If no appeal is filed by that date, this decision goes into effect as a final order and decision on the 31st day after issuance. An eligible person must first appeal this decision in accordance with 11 AAC 02 before appealing this decision to Superior Court. A copy of 11 AAC 02 may be obtained from any regional information office of the Department of Natural Resources