

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

AMENDMENT No. 2 to the FINAL FINDING AND DECISION
CONVEYANCE OF STATE LAND UNDER AS 38.05.825

CITY of ST PAUL
Tide and Submerged Land
ADL 227190

Amendment

This Amendment No. 2 is based on the Preliminary Decision (PD) dated April 22, 1998, the Final Finding and Decision (FFD) issued on June 17, 1998, and Amended Final Finding (AFFD) No. 1 issued on July 11, 2013, regarding tide and submerged lands selected by the City of St Paul (City) under AS 38.05.825 Conveyance of tide and submerged land to municipalities. Public notice is not required for this Amendment since the modification to the original FFD is considered minor by the Department of Natural Resources.

SUMMARY OF THE DECISION

The PD issued on April 22, 1998, for ADL 227190, proposed the conveyance of ATS 1375, ATS 1399, ATS 1472, and areas A-1, A-2, B-3, B-4, and C-1 based on Exhibit A (attached), a map dated April 21, 1998, and submitted as part of the City's application. The FFD dated June 17, 1998, confirmed the PD for approval of the conveyance. An appeal was received and resolved, addressing a 1995 meander line and the placement of public access easements. ATS 1399 and ATS 1472 were subsequently withdrawn from conveyance and retained by the State as the result of a Commissioner's Reconsideration Decision dated September 6, 2000.

During agency review, the Alaska Department of Fish & Game (ADF&G) objected to the conveyance of the main portion of the entrance channel of the Salt Lagoon (labeled B-2a). The State decided to retain area B-2a but would allow for a permit to dredge the channel (B-2a) and the Salt Lagoon (B-2b) at a future time. ADF&G also requested that a reservation be included with the conveyance, which would allow the State to return the outlet of the Salt Lagoon to its original course through conveyed tidelands if ADF&G determined it was necessary to maintain the biological productivity, ecological integrity, or water quality of the Salt Lagoon.

As a result of agency feedback, the City withdrew its application for the main channel entrance (B-2a) and maintained its application for the historic entrance to the Salt Lagoon (see Exhibit A, area B-4). Per page 6 of the PD, "It was agreed that the area identified as B-4 may be necessary to have the Salt Lagoon outlet channel returned to its original course in the event the proposed channel dredging fails to protect the state retained channel and lagoon area. A reservation to the State specific to area B-4 could be invoked if needed."

The PD dated April 22, 1998, under **Restrictions, Reservations and Exceptions** (page 8) states: "The State of Alaska reserves the right to have the Salt Lagoon outlet channel returned to a course through the conveyed lands. This right shall be invoked only in the event that water circulation patterns to and from the Salt Lagoon require said action to maintain the biological productivity, ecological integrity, or water quality to the lagoon."

On March 13, 2025, ADF&G confirmed that the tidelands approved for conveyance and subsequently surveyed do not overlap with the historical entrance of the Salt Lagoon (area B-4) and that a reservation related to the historical entrance to the Salt Lagoon is no longer required.

LCS and ADF&G are in agreement that the tidelands to be conveyed within Tract B of ATS 1667 do not overlap with or impact the historic entrance of the Salt Lagoon and that the reservation described in the PD and affirmed in the FFD will not be included in the patent to the City.

MODIFICATION TO THE DECISION

The PD stated "The State of Alaska reserves the right to have the Salt Lagoon outlet channel returned to a course through the conveyed lands. This right shall be invoked only in the event that water circulation patterns to and from the Salt Lagoon require said action to maintain the biological productivity, ecological integrity, or water quality to the lagoon." This reservation shall be considered deleted and no reservation will be imposed or required in the patent.

All other terms and conditions of the FFD dated June 6, 1998, and AFFD dated July 11, 2013, remain as written and approved.

Approval follows.



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

4/3/2025
Date

Approval:



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

4/3/2025
Date