

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIRECTOR'S FINDING
Grants of Payment Extension
AS 38.05.020(b)(5)

The Department of Natural Resources ("DNR") is dedicated to finding ways to assist Alaskans and industry during this difficult time of economic instability caused by the impacts of the spread of the novel coronavirus known as COVID-19 pandemic affecting Alaska and the world. Many people may be unable to comply with payment requirements of their land sale contracts or leases as a result of the public health emergency related to the COVID-19 pandemic. Accordingly, pursuant to AS 38.05.020(b)(5), which authority was delegated to me as the Director of the Division of Mining, Land and Water ("DMLW"), I find that payments due to DNR under a land sale contract or lease, as described below, that are or will be prevented because of the COVID-19 pandemic are prevented by an act of God and may be extended as provided below.

BACKGROUND OF PAYMENT EXTENSIONS

On March 31, 2020 Governor Dunleavy issued the COVID-19 Disaster Order of Suspension No. 2, including Appendix A, which was subsequently amended on April 1. This Order suspended various statutes and regulations requiring payments and fees to DMLW from April 1 to May 11. The Disaster Order of Suspension No. 2 was amended on May 11, July 30, and September 30 to extend the suspension of statutes and regulations requiring certain payments and fees due to DMLW through November 15.

In response to the COVID-19 Disaster Order of Suspension No. 2, I issued a Directors finding on April 6 extending the time for all payments and fees due for land sale contracts and lease payments and fees due between April 1 and May 11. I extended the due dates of these payments through Directors Findings "Grants of Payment Extension" extensions two, three and four in response to the prolonged nature of COVID-19 effects on our state and in conjunction with the Governor's amendments, with the last extension expiring November 15, 2020.

On November 15, The Governor issued COVID-19 Outbreak Health Order 1: Suspension of Laws effective November 16 for the duration of the Public Health Disaster Emergency Declaration. Appendix A of Order 1 identifies the statutes and regulations effecting DMLW that are suspended; these are the same statutes and regulations affecting DMLW previously suspended by COVID-19 Order of Suspension No. 2. Consistent with the Governor's COVID-19 Outbreak Health Order 1: Suspension of Laws, I continued the deferment of land sale contract and lease payments and fees from November 16 through December 15, 2020 under an additional "Grant of Payment Extension". On December 15, 2020, Governor Dunleavy further extended the disaster declaration through January 15, 2021. In alignment with the Governor's declaration, I further extended the deferment of land sale contract and lease payments and fees from December 16, 2020 through January 15, 2021.

CURRENT GRANT OF PAYMENT EXTENSION

On January 15, 2021 Governor Dunleavy issued a Public Health Disaster Emergency Declaration through February 15, 2021 and a COVID-19 Outbreak Health Order 1: Suspension of Laws effective as of 12:00 a.m. January 16 further suspending regulations and statutes requirement payments of


certain fees to DMLW as identified in Appendix A of the Order. Consistent with COVID-19 Health Order 1, I find it is in the public interest to continue the deferment of land sale contract and lease payments and fees from 12:00 a.m. on January 16, 2021 through 11:59 p.m. February 14, 2021. This deferment is for land sale contract and lease payments that are or will be prevented because of the COVID-19 pandemic, under the conditions outlined below. All payments and fees due, that are extended from April 1, 2020 through 11:59 p.m., February 15, 2021 under previous extension findings as well as this Director's Finding, must be paid by 5:00 p.m. on March 15, 2021.

Conditions for Extension

To be granted an extension of time to make a land sale contract or lease payment **as described above**, an affected person must submit a written request for an extension to dnr.dmlw.financialassistance@alaska.gov, explaining how the COVID-19 pandemic prevented them, or will prevent them, from making the required payment under the authorizations listed below:

- 1) Installment payments under land sale contracts issued under AS 38.05.065;
- 2) Land lease or tidelands lease rental payments under contracts issued under AS 38.05.070;
- 3) Land lease rental and deposit payments under a remote recreational cabin site lease issued under AS 38.05.600;
- 4) Shore Fishery Lease payments under a lease contract issued under AS 38.05.082;
- 5) Aquatic Farmsite and Hatchery Site Lease payments under a lease contract issued under AS 38.05.083;
- 6) Upland Mining or Mill Site Lease payments under a lease contract issued under AS 38.05.205 or AS 38.05.255;
- 7) Public and Charitable Lease payments under a lease contract issued under AS 38.05.810; or
- 8) Offshore Mining Lease payments under a lease contract issued under AS 38.05.250.

To be granted, a request for an extension must be submitted as directed above and must explain how the person is or will be prevented from making a payment because of the COVID-19 pandemic.

Signed  Date 1/15/2021
Martin W. Parsons
Director, Division of Mining, Land and Water
Department of Natural Resources