

**STATE OF ALASKA  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINING, LAND AND WATER  
SOUTHCENTRAL REGIONAL LAND OFFICE**

**Regional Manager's Decision**

ADL 229817, ADL 234296, ADL 234297 & ADL 234323  
Copper Valley Telecom Cooperative  
Public Access & Utility Easement, Amendment Request & Development Requests  
Tolsona Lake Fiber Optic Installation

**REQUESTED ACTION**

On February 9, 2024, the Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), Southcentral Regional Land Office (SCRO), received an application from Copper Valley Telecom Cooperative (CVTC; the applicant) requesting authorization to install trenched fiber optic cable (FOC) extending from the Glenn Highway to a series of private parcels along the eastern and western shore of Tolsona Lake. As DMLW only owns portions of lands within the requested project area and manages a variety of additional interests, the request was serialized as three distinct casefiles to simplify management and clarify the scope of each authorization.

On April 1, 2024, CVTC submitted a follow-up application related to the proposed utility installation, requesting approval to develop within another public utility easement in the vicinity of the project. As this request is directly related to the prior application it will be addressed concurrently with the previous application.

**RECOMMENDED ACTION**

In response to CVTC's multifaceted request, SCRO proposes the following actions:

ADL 229817: Amendment Request

SCRO proposes to amend an existing public access easement to allow for utility placement with the following parameters.

- Type of easement: Change from Public Access to Public Access & Utility
- Length: Approximately 1,785 feet
- Width: 60 feet
- Acreage: Approximately 2.46 acres
- Term: Indefinite
- Grantee: DMLW

#### ADL 234296: Development Request

SCRO proposes to authorize, and non-object as appropriate, development of existing easements for placement of utilities in the vicinity of the project. Included in this request are existing express grant easements ADL 229817, ADL 231386, an RS 2477 right-of-way (RST 434), and three public easements dedicated per plat (Plat 2005-4, Plat 2014-10, and Plat 2021-8, Chitina Recording District). Additional discussion of each individual easement to follow.

#### ADL 234297: Easement Request

SCRO proposes issuance of a new easement with the following parameters. To simplify management, SCRO has amended the applicant's request for a 40-foot access easement and 20-foot utility easement to a 60-foot public access and utility easement.

- Type of easement: Public Access & Utility
- Length: Approximately 720 feet
- Width: 60 feet
- Acreage: Approximately 1 acre
- Term: Indefinite
- Grantee: DMLW

#### ADL 234323: Development request

SCRO proposes to authorize placement of utilities on an existing public utility easement (ADL 229765) held by Copper Valley Electric Association, who have provided non-objection to the request.

### **SCOPE OF DECISION**

The scope of this decision is to determine if it is in the State's interest to create an easement for the proposed use. The scope of administrative review for this authorization is limited to (1) reasonably foreseeable, significant effects of the uses to be authorized; (2) applicable statutes and regulations; (3) facts pertaining to the land or resources; and (4) issues that are material to the determination that issuing the authorization is in the interest of the State of Alaska. All other aspects of the applicant's project are outside the scope of this decision.

### **STATUTORY AUTHORITY**

This easement application is being adjudicated pursuant to AS 38.05.850 and the Alaska Land Act as amended.

### **ADMINISTRATIVE RECORD**

The administrative record for the proposed action consists of the Constitution of the State of Alaska, the Alaska Land Act as amended, applicable statutes and regulations referenced herein, the 1986 Copper River Basin Area Plan and other classification references described herein, and the casefiles for the applications serialized by DNR as ADL 229817, ADL 234296, ADL 234297 & ADL 234323.

## **LOCATION INFORMATION**

### **Geographic Location**

The applicant has requested that DMLW authorize issuance of a new easement, amendment of an existing easement, and development within existing easements in the vicinity of Tolsona Lake.

### **Meridian Township Range Section**

The applicant has applied to use State-owned, DMLW-managed uplands within Sections 24 & 25, Township 4 North, Range 5 West, Copper River Meridian, and Section 19 & 30, Township 4 North, Range 4 West, Copper River Meridian.

### **TITLE**

The State of Alaska holds title to applicable portions of lands within Sections 24 & 25 of Township 4 North, Range 5 West, Copper River Meridian, Alaska, per Patent Number 50-87-0134, recorded as Document Number 1987-000191-0, Chitina Recording District. The associated DNR land acquisition casefile is GS 1640.

The State of Alaska holds title to applicable portions of lands within Sections 19 & 30 of Township 4 North, Range 4 West, Copper River Meridian, Alaska, per Patent Number 50-2011-0190, recorded as Document Number 2011-000605-0, Chitina Recording District. The associated DNR acquisition case is GS 639.

Any State-owned, DMLW-managed lands, or State-selected lands that may be managed by DMLW in the future that are crossed by the authorization considered herein at the time of this decision, which are omitted from this list, and are subsequently identified, are included in this decision. Navigable and public water determinations are subject to change pursuant to future findings.

## **EASEMENT ESTABLISHMENT**

### *Platted Easements*

- Per Plat 2005-4, Chitina Recording District, a dedicated access easement exists for Tolsona Lake Road.
- Per Plat 2014-10, Chitina Recording District, a dedicated access easement exists for Willow Way
- Per Plat 2021-8, Chitina Recording District, a dedicated access and utility easement exists for Willow Way

### *Express Grant Easements*

- ADL 229765; On April 10, 2012, DMLW granted a perpetual public utility easement, Document Number 2012-000246-0, Chitina Recording District.
- ADL 229817: On February 15, 2015, DMLW granted a perpetual public access easement, Document Number 2015-000042-0, Chitina Recording District
- ADL 231386: On November 3, 2014, DMLW granted a perpetual public access easement, Document Number 2014-000631-0, Chitina Recording District

### RS 2477 Rights-of-Way

- RST 434: Tolsona Lake Trail was accepted as a valid RS 2477 right-of-way and was codified in AS 19.30.400(d)

### **LAND OWNERSHIP**

The proposed development serialized as ADL 234296 impacts non-state lands owned by;

- Christopher & Sonja Mishmash: USS 6162, Warranty Deed dated February 16, 2009, Document Number 2009-000083-0, Chitina Recording District
- Vickie Willis: Lots 1-4, West Tolsona Lake Airpark, Plat 2021-8, Document Number 2021-000962-0, Chitina Recording District
- Brit & Thomas Peek: Lot 5, West Tolsona Lake Airpark, Warranty Deed dated December 23, 2022, Document Number 2023-000051-0
- Eric & Holly Goozen: Lot 1, Homestead Subdivision, Quitclaim Deed dated February 24, 2020, Document Number 2020-000172-0, Chitina Recording District; Lot 12, Homestead Subdivision, Quitclaim Deed dated February 24, 2020, Document Number 2020-000173-0, Chitina Recording District
- Michael & Anita Franciosi: Lot 8, Bunsek Estates, Quitclaim Deed dated August 6, 2021, Document Number 2021-000631-0, Chitina Recording District
- Kirk & Julie Wilson: Lots 1-7 9-10, 13-25, Bunsek Estates, Plat 2005-4, Document Number 2005-000371-0, Chitina Recording District
- Bruce & Claire Heaton: Lot 11, Bunsek Estates, Warranty Deed dated May 18, 2021, Document Number 2021-000410-0, Chitina Recording District; Lot 12, Bunsek Estates, Warranty Deed dated January 31, 2020, Document Number 2020-000070-0, Chitina Recording District
- Mariah Lenard & Benjamin Feicht: Lot 26, Bunsek Estates, Warranty Deed dated June 12, 2023, Document Number 2023-000327-0, Chitina Recording District

### **THIRD PARTY INTERESTS**

The applicant has requested an easement that may impact the following interests. Public notice has been sent to all interest holders noted below.

- ADL 201940, Management Right, Alaska Department of Fish & Game (ADF&G)
- ADL 225337, Public Utility Easement, Copper Valley Electric Association (CVEA)
- ADL 229765, Public Utility Easement, CVEA
- RST 434, RS 2477 Access Easement, DMLW

### **PLANNING & CLASSIFICATION**

The proposed easement, amendment request, and development request fall within the boundaries of DNR's 1986 Copper River Basin Area Plan (the Plan), Management Unit 3, Subunit 3D. Subunit 3D is designated as Settlement which converts to a classification of Settlement Land.

While the management intent for Unit 3 notes that while most land in this unit will be retained in public ownership and managed for multiple use, the Plan notes that "*land along the highway (subunit 3D) may be offered for settlement*". Additionally, the management intent for Subunit 3D notes that there are 250 acres of net land offerings in the area, a portion of which have since been conveyed since the Plan was published in 1986. Of note, the Plan also predates ADL 229817 and ADL 231386 which both exist to serve private parcels and future state disposals.

As issuance of a new public access and utility easement, and conversion of an existing public access easement to public access and utility use promotes settlement patterns in the area and does not conflict with any provisions of the Plan, the activities requested by CVTC are consistent with the provisions and management intent of the Copper River Basin Area Plan.

## **ACCESS**

Functional legal access to the state land discussed herein exists via the Glenn Highway at approximately Milepost 170.

The authorization proposed herein will not impair public access; therefore, an easement pursuant to AS 38.05.127 is not necessary to ensure free access to and along any public or navigable waters.

## **PUBLIC NOTICE & AGENCY REVIEW**

### **Public Notice Summary**

Public notice of the application was conducted from February 12, 2024, to March 14, 2024. A second public notice for ADL 234323 was conducted from April 19, 2024, to May 20, 2024. The notice was posted to the State of Alaska Online Public Notice System and was sent to the Glennallen Post Office, Copper Valley Community Library, Glennallen Department of Motor Vehicles, and Tolsona Community Corporation for display on their notice boards. The notice was also sent to the following recipients:

- Ahtna, Inc.
- CVEA
- Christopher & Sonja Mishmash
- Vickie Willis
- Brit & Thomas Peek
- Eric & Holly Goozen
- Michael & Anita Franciosi
- Kirk & Julie Wilson
- Bruce & Claire Heaton
- Mariah Lenard & Benjamin Feicht

### **Public Notice Comment & Response**

A total of two comments were received during the public review period and are summarized below:

*Comment:* On March 8, 2024, a landowner affected by the proposed development request within the West Tolsona Lake Airpark Subdivision commented to state their opposition to the project, noting that installation of the FOC would be disruptive to the tranquility of the area during construction, would serve a minimal customer base, and would create an additional encumbrance on the area in the form of the new easement (ADL 234297). The commenter further noted that their household currently utilizes satellite internet and would not use the new service provided by the FOC.

*Response:* SCRO appreciates the response. Regarding issuance of the new public access and utility easement serialized by ADL 234297, SCRO understands that the intent is to formally authorize an existing constructed route extending from the north of the West

Tolsona Airpark Subdivision, across a corner of state land, to USS 6162. While issuance of a public easement would encumber a small portion of state land, it would not change the current use patterns of the land, would formally recognize an existing route that is being utilized greater than Generally Allowed Use (11 AAC 96.020) provides, and would create legal public access to serve a private parcel.

SCRO's only legal interest in the platted easements proposed for development is as the platting authority for the Unorganized Borough and can therefore only non-object to their development. Choice of service or providers or the profitability of utility installation is outside the scope of SCRO's authority to comment on.

Comment: On March 13, 2024, a second affected landowner within the West Tolsona Airpark Subdivision provided comments related to the proposal noting that there are seasonal issues with the access road, including ice in the winter and sloughing in the summer, and is therefore concerned about additional disruptions. To that end the commenter suggests that the existing nearby Copper Valley Electric Association utility easement be used as an alternative.

The commenter provided an additional letter noting concern at the characterization of the road extending from the Glenn Highway north along the west side of Tolsona lake as public access, noting that this was not the intent of the landowners.

Response: SCRO appreciates the comment. While it is outside the scope of SCRO's authority to determine an alternate SCRO recommends working with CVTC to identify the best solution for all parties.

While DMLW is the platting authority which accepted Plat 2021-8, the nature of the plat dedications which were accepted by the DMLW Survey Section is outside of SCRO's jurisdiction. Dedication of a public roadway via a subdivision plat conveys a legal right to the public at large, which is outside the scope of CVTC's development request. SCRO suggests that any concerned parties should contact the DMLW Surveys Section for more information.

No other comments were received.

### **Agency Review Summary**

Agency review of the application was conducted from February 12, 2024, to March 14, 2024. A second agency review for ADL 234323 was conducted from April 19, 2024, to May 20, 2024. The notice was sent to the following recipients:

#### **Federal**

- U.S. Army Corps of Engineers
- Bureau of Land Management

#### **State**

- DNR Division of Parks and Outdoor Recreation; Permitting, Office of History & Archeology

- DNR Division of Mining, Land & Water; Surveys, Lands Sales and Contract Administration, Mining, Water
- DNR Division of Forestry & Fire Protection; Mat-Su/Southwest Office
- Department of Transportation & Public Facilities; Statewide Right-of-Way -
- Department of Environmental Conservation (DEC); Division of Water; Wastewater, Alaska Pollutant Discharge Eliminations System Program
- DEC Division of Environmental Health; Drinking Water Program, Solid Waste Program
- DEC Division of Spill Prevention; Contaminated Sites
- ADF&G; Habitat, Wildlife Conservation, Access Defense
- Department of Commerce, Community, and Economic Development; Division of Community & Regional Affairs

### **Agency Review Comment & Response**

A total of eight comments were received during the agency review and are summarized below:

Comment: On February 13, 2024, the DML Land Conveyances Section commented to note their non-objection to the project.

Response: SCRO appreciates the comment.

Comment: On February 13, 2024, DNR Division of Forestry & Fire Prevention commented to note their lack of comments or concerns regarding the application.

Response: SCRO appreciates the comment.

Comment: On February 13, 2024, the U.S. Army Corps of Engineers (USACE) commented to note that CVTC may need an authorization from USACE to conduct work in within jurisdictional wetlands in the project area.

Response: SCRO appreciates the comment. Further discussions between CVTC and USACE on May 8, 2024, confirmed that a Section 404 permit would not be required as the applicant intends to directionally drill under affected wetlands, and would therefore not be dredging or placing fill.

Comment: On April 4, 2024, the DEC Contaminated Sites Program commented to note that they had no comments related to the project.

Response: SCRO appreciates the response.

Comment: On April 5, 2024, DOT&PF Statewide Right-of-Way commented to note that CVTC will need to obtain a land closure permit for work within the Glenn Highway right-of-way and should work with the Northern Region DOT&PF Right-of-Way section.

Response: SCRO appreciates the response

Comment: On April 13, 2024, the ADF&G Access Defense Program commented to note their non-objection to the proposed developments, but highlighted the following points:

1. Project activities may affect ESA-listed species and other sensitive resources, such as migratory birds, managed by the U.S. Fish and Wildlife Service (USFWS). We recommend utilizing the Information for Planning and Consultation (IPaC) tool (<https://ipac.ecosphere.fws.gov/>) to determine what USFWS trust resources may be present in the project boundary, including determining the probability of presence during project activities. For further details, contact the Southern Alaska Fish & Wildlife Field Office at 907-271-2888 (phone) or 907-271-2786 (fax).
2. Birds are highly vulnerable during their breeding and nesting phases. To safeguard nesting birds, we recommend avoiding vegetation disturbance during the breeding season. See the following website for details: <https://www.fws.gov/alaska-bird-nesting-season>.
3. The operation should not hinder or restrict public access to Tolsona Lake for fishing or recreational activities.

A second response from ADF&G was received on May 16, 2024, in regard to ADL 234323 which contained the same information, given the related development proposed by the application.

Response: SCRO appreciates the response.

Comment: On May 8, 2024, DOT&PF Statewide Right-of-Way noted that they had no comments regarding the development requested under ADL 234323.

Response: SCRO appreciates the comment.

No other comments were received.

## **ENVIRONMENTAL CONSIDERATIONS**

It is recommended that fuel, lubricants, and other hazardous materials be restricted to those necessary and be contained within tools and vehicles when equipment is necessary for construction and maintenance activities. Additionally, no fuel or other hazardous materials should be authorized to be stored on site.

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## **ECONOMIC BENEFIT & DEVELOPMENT OF STATE RESOURCES**

DMLW assesses the economic benefits of the proposed authorization and whether it encourages the development of the State's resources. This authorization will provide a direct economic benefit to the State in the form of land use fees. Additionally, the proposed easement, amendment, and development request facilitates the expansion of the public utility system, thus providing an indirect benefit to the state. There are no known competing projects for use of these lands, therefore issuance of this easement provides for the greatest economic benefit to the State and is consistent with the legislative intent expressed in AS 38.05.850.

## **DISCUSSION**

### ADL 229817:

The existing public access easement serialized as ADL 229817 will be amended to include utility placement within its scope of use. No change is proposed to the physical dimensions of the current easement as depicted in Document Number 2015-000042-0, Chitina Recording District. A new easement document will be recorded, which will supersede the original recording. No new survey is required to depict the easement, however CVTC should locate the boundaries of the easement with a licensed surveyor and locate the proposed utility infrastructure within the outer 30 feet of the road to reduce conflicts with public access.

### ADL 234296:

CVTC has requested development of a series of existing easements with various legal authorities and patterns of land ownership. For those existing easements when DMLW is the underlying landowner, an authorization will be provided to CVTC allowing trenching of the proposed fiber optic cable. These easements include ADL 229817 held by DMLW, ADL 231386 held by DMLW, and the portion of RST 434 which falls on state land.

Authorization will carry a term of three years from the effective date of this decision to facilitate development within the indefinite termed easements. All development should be located to the outer 30 feet of the elements to reduce conflicts with public access.

For existing easements which are not located on state lands, SCRO will provide a letter of non-objection to CVTC, as the State's legal interest in those access routes is limited to its role as the platting authority in the Unorganized Borough. These routes include the portion of RST 434 which is depicted as the 60-foot wide Tolsona Lake Road on Plat 2005-4 (Chitina Recording District), the 60-foot public access easement depicted as Willow Way on Plat 2014-10 (Chitina Recording District), and the 60-foot public access and utility easements depicted as Willow Way on Plat 201-8 (Chitina Recording District). SCRO recommends that developments be located within the outer 30 feet of the easements to reduce conflicts with public access.

### ADL 234297:

CVTC has requested a new easement over DMLW owned uplands to allow for public access and placement of utilities to benefit the owner of USS 6162. While CVTC originally applied for a 20-foot public utility easement abutting a 40-foot public access easement, to simplify management SCRO will instead issue a combined public access and utility easement to match the scope and width of Willow Way, which will connect the state easement to the private parcel to the north. The

dimensions of the proposed easement are approximately 720 feet in length and 60 feet in width, for an approximate total area of one acre.

The easement will be held by DMLW in the public trust for an indefinite term as long as the need for access and utility connectivity exists in this location.

ADL 234323:

CVTC has requested development of ADL 229765 held by Copper Valley Electric Association (who have provided non-objection to the development) to authorize placement of utilities. SCRO concurs that the proposed development is within the intended scope of the existing easement and will provide an authorization to CVTC.

Authorization will carry a term of three years from the effective date of this decision to facilitate development within the indefinite termed easements. All development should be located to the outer 30 feet of the elements to reduce conflicts with public access.

**PERFORMANCE GUARANTY**

A performance guaranty is intended to incentivize compliance with the terms and conditions of the entry authorization and easement. It also provides a mechanism for the State to ensure that the applicant shares in the financial burden in the event of noncompliance (including fee payment, survey, appraisal, etc.), restoration (interim and final), and any associated costs after termination or expiration of the easement. The applicant would be required to submit a performance guaranty in the amount of \$7,700.00 to ensure completion of entry authorization requirements of ADL 234297. These funds would also serve as a survey deposit (per AS 38.05.860) and may be reduced one time during the term of the entry authorization by an amount up to the contracted amount to a licensed surveyor for completion of an as-built survey. This performance guaranty would remain in place during the term of the entry authorization and would be subject to release upon the acceptance of a DMLW-approved as-built survey and the fulfillment of all terms, conditions and stipulations of this decision and the entry authorization. The performance guaranty may also be adjusted to reflect updates and changes in the associated project, and the applicant may be required to provide an additional performance guaranty if DMLW determines there is additional risk to the State. The performance guaranty may be utilized by DMLW to cover actual costs incurred by the State to pay for necessary corrective actions in the event the applicant does not comply with site utilization and restoration requirements and other stipulations contained in the entry authorization. An additional performance guaranty may be required for an extension of the entry authorization beyond the initial term proposed under this decision.

**INSURANCE**

The applicant will be required to submit proof of insurance in an amount the insurance company determines necessary to protect both the State and the applicant from risks associated with the planned activities under the easement for ADL 234297. The applicant will be responsible for maintaining the necessary insurance during the term of the easement. The insurance may be adjusted to reflect updates and changes in the associated project and the applicant may be required to furnish additional insurance if DMLW determines there is additional risk to the State. A certificate of insurance listing the State of Alaska, Department of Natural Resources as an

additional insured on the policy, or other insurance acceptable to the State, must be submitted to DMLW prior to entry on state land and must be maintained throughout the term of the easement.

### **SURVEY**

A DMLW-approved as-built survey is required to determine the proper location and acreage of installed improvements and the associated easement (ADL 234297) on State-owned, DMLW-managed lands.

The applicant is required to request survey instructions prior to issuance of the entry authorization. The survey must be produced in accordance with survey instructions provided by the DMLW Survey Section and stamped by a Professional Land Surveyor registered in the State of Alaska. A final easement will not be issued until the as-built survey has been approved by DMLW.

There are no survey requirements associated with either the amendment request (ADL 229817) or development requests (ADL 234296 & ADL 234323).

### **FEES**

- For ADL 234297, the applicant shall pay an annual interim land use fee of \$120.00 per acre rounded up to the nearest acre, with a \$240.00 minimum, totaling \$240.00, per 11 AAC 05.070(d)(2)(I) and Director's Fee Order No. 3 for the term of this EA.
- For ADL 234297, the applicant shall pay a one-time fee of \$120.00 per acre rounded up to the nearest whole acre for a public access easement per 11 AAC 05.070(d)(2)(B) and Director's Fee Order No. 3. The total charge for this fee will be determined following DMLW's approval of an as-built survey document.

These fees may be adjusted if regulation(s) or department fee schedule pertaining to the fee(s) change during the term of the entry authorization and/or easement. All fees shall accrue from the effective date of the decision.

Additionally, the applicant shall pay applicable document recording fees prior to DMLW's execution and recordation of the easement document.

There are no interim or issuance fees associated with ADL 229817, ADL 234296, or ADL 234323.

## ENTRY AUTHORIZATION

An entry authorization shall be issued for a term ending 5 years from the effective date of this decision for the purpose of constructing, surveying, operating, and maintaining the infrastructure considered herein prior to DMLW's issuance of a public access and utility easement, ADL 234297. The entry authorization may be revoked if the applicant has not submitted DMLW with a draft as-built survey one year prior to the expiration of the entry authorization. An extension of the entry authorization may be granted at the written request of the applicant if granting the extension is deemed appropriate by DMLW, and may be subject to applicable fees. If an extension is required, the applicant should contact DMLW at least 30 days prior to the expiration of the entry authorization and certify there have been no changes to the approved development plan.

No authorization shall be granted until the following deliverables have been provided to DMLW:

- Land use fees.
- Evidence of having made request for survey instructions to the DMLW Survey Section.
- Insurance.
- A performance guaranty.

Entry authorizations are not required for either the amendment request (ADL 229817) or development requests (ADL 234296 and ADL 234323).

## RECOMMENDATION

Based upon the information provided by the applicant, as well as review of relevant planning documents, statutes, and regulations related to this application, it is my recommendation that an easement is issued as described above, on the condition that all stipulations are followed as described in the attached authorization.

*Evan Dodd*

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Evan Dodd, Natural Resource Specialist 3  
DMLW Southcentral Regional Land Office

7/1/2024

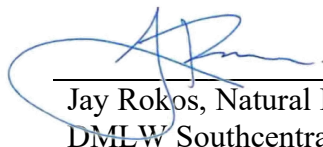
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Date

## REGIONAL MANAGER'S DECISION

When adjudicating an easement authorization pursuant to AS 38.05.850, DMLW seeks to responsibly develop Alaska's resources by making them available for maximum use and benefit consistent with public interest. In consideration of all events and criteria listed above, I hereby determine that the authorizations to be granted by this decision are consistent with DMLW's mission, that this project is consistent with the overall classification and management intent for this land, and that issuance of an authorization as described above is in the interest of the State of Alaska. The Department assumes no responsibility for maintenance or liability for injury or damages attributable to this authorization.

This decision may be rescinded by written notification if, after 60 days from the effective date of this decision, the applicant has not completed all requirements outlined in this decision for issuance of the authorization. Additional time may be allotted to complete these requirements; however, this will not extend the total term of the authorizations issued under this decision. This decision goes into effect and becomes a final administrative order and decision of the department on the 31<sup>st</sup> calendar day after issuance.



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Jay Rokos, Natural Resource Manager 1  
DMLW Southcentral Regional Land Office

7/1/2024

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Date

## ATTACHMENTS

- Entry authorization, unsigned
- Sample easement document
- Amended easement
- Easement development authorization
- Easement development non-objection

## APPEAL

An eligible person affected by this decision may appeal to the DNR Commissioner per AS 44.37.011 and 11 AAC 02. Any appeal must be received within twenty (20) calendar days after issuance of this decision under 11 AAC 02.040. An eligible person must first appeal a decision to the Commissioner before seeking relief in superior court. The Alaska Court System establishes its own rules for timely appealing final administrative orders and decisions of the department.

Appeals may be mailed or hand-delivered to the DNR Commissioner's Office, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska, 99501; or faxed to (907)-269-8918; or sent by electronic mail to [dnr.appeals@alaska.gov](mailto:dnr.appeals@alaska.gov). Appeals must be accompanied by the fee established in 11 AAC 05.160(d)(6), which has been set at \$200.00 under the provisions of 11 AAC 05.160 (a)-(b). A .pdf or print copy of 11 AAC 02 may be obtained by contacting DNR's Appeals Program via phone at (907) 269-3565, via email at [dnr.appeals@alaska.gov](mailto:dnr.appeals@alaska.gov), and is also available on the department's website at <https://dnr.alaska.gov/mlw/pdf/DNR-11-AAC-02.pdf>.