

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

SOUTHEAST REGIONAL OFFICE

AMENDMENT #2 TO THE
REGIONAL MANAGER'S DECISION FOR ADL 109338
STATE OF ALASKA, DIVISION OF MINING, LAND AND WATER

Purpose

The purpose of this Technical Amendment to the Regional Manager's Decision (RMD) for ADL 109338 is to extend the fee waiver to easement applications submitted 1) in response to the August 6, 2024, Mendenhall River flood event and 2) within the 30-day Emergency Disaster period declared by Governor Dunleavy, beginning August 6, 2024, and ending September 5, 2024.

Background

On September 8, 2023, the Department of Natural Resources (DNR) issued a RMD for a public easement authorization to the State of Alaska, Division of Mining, Land, and Water pursuant to the Alaska Land Act as amended, the Governor's Emergency Declaration (August 9, 2023), AS 26.23.020, and consistent with AS 38.05.850. The RMD states in the "Fees" section that:

No fees will be associated with this public easement as it is being issued to State of Alaska, DMLW on behalf of the public.

Future fees associated with construction within this easement will be waived, if DMLW determines the applicant was directly impacted by the "glacial dam outburst from the Mendenhall Glacier's Suicide Basin" that occurred on August 5, 2023, and that resulted in the Governor's August 9, 2023, Declaration of Disaster Emergency.

Discussion


On August 6, 2024, another outburst flood from the Mendenhall Glacier occurred, causing major flooding in the Mendenhall Glacier Basin. In response, Governor Dunleavy declared a state disaster emergency on August 6, 2024. This technical amendment adds the following language to the Fees section of the RMD for ADL 109338:

Future fees associated with construction within the easement will also be waived if DMLW determines the applicant was directly impacted by the "glacial dam outburst from the Mendenhall Glacier's Suicide Basin" that occurred on August 6, 2024, and that resulted in the Governor's August 6, 2024, Declaration of Disaster Emergency.

Other than the changes noted herein, all of the terms and conditions of the RMD (ADL 109338) remain as written and approved.

Amendment

It is the determination of the Division of Mining, Land & Water that the Regional Manager's Decision for ADL 109338 be amended according to the changes described above.



Kaitlyn Raffier
Southeast Regional Manager

9/5/2024

Date

Attachments:

- Attachment 1. August 6, 2024, Disaster Declaration Press Release
- Attachment 2: Mendenhall River Easement RMD FINAL