



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Natural Resources

DIVISION OF MINING, LAND & WATER
Southcentral Regional Land Office

550 West 7th Avenue, Suite 900C
Anchorage, Alaska 99501-3577
Main: 907.269.8503
TDD: 907.269.8411
Fax: 907.269.8913

May 14, 2025

ASRC Consulting & Environmental, LLC
3900 C Street, Suite 601
Anchorage, AK 99503
Email: Adial@ASRCenergy.com
RE: Letter of Authorization to Develop Improvements Within RST 564

Ms. Dial,

On October 24, 2024, the Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), Southcentral Regional Office (SCRO) received your request to develop within an existing DMLW-managed R.S. 2477 right-of-way easement (RST 564) along East Chickaloon Road, near Drill Lake, in Chickaloon, Alaska. RST 564 is subject to a width of 100 feet, 50 feet either side of centerline, for transportation purposes. The purpose of this development is to improve access along the existing roadway. This improvement is necessary to safely mobilize equipment to plug and abandon the Chickaloon #1 orphan oil & gas well that is located on private property.

Property Description

Section 26 of Township 20 North, Range 5 East, Seward Meridian, Alaska.
Section 27 of Township 20 North, Range 5 East, Seward Meridian, Alaska.

DNR-DMLW has reviewed your proposal and finds it is consistent with the scope of the R.S. 2477 right-of-way easement and therefore authorizes the incidental construction of access-related improvements across RST 564 as described by your request.

Before you proceed, you must adhere to the stipulations listed below in Attachment B:

Attachment A: Figure 1

Attachment B: Stipulations


Attachment C: Comments and Responses Received

This authorization is valid for a period of 3 years from the date of signature below. The administrative record for this authorization is the case file/management file for ADL 234596. Questions concerning this letter may be directed to Savannah Lilyhorn via email to Savannah.Lilyhorn@alaska.gov, or via phone at (907) 269-8562.

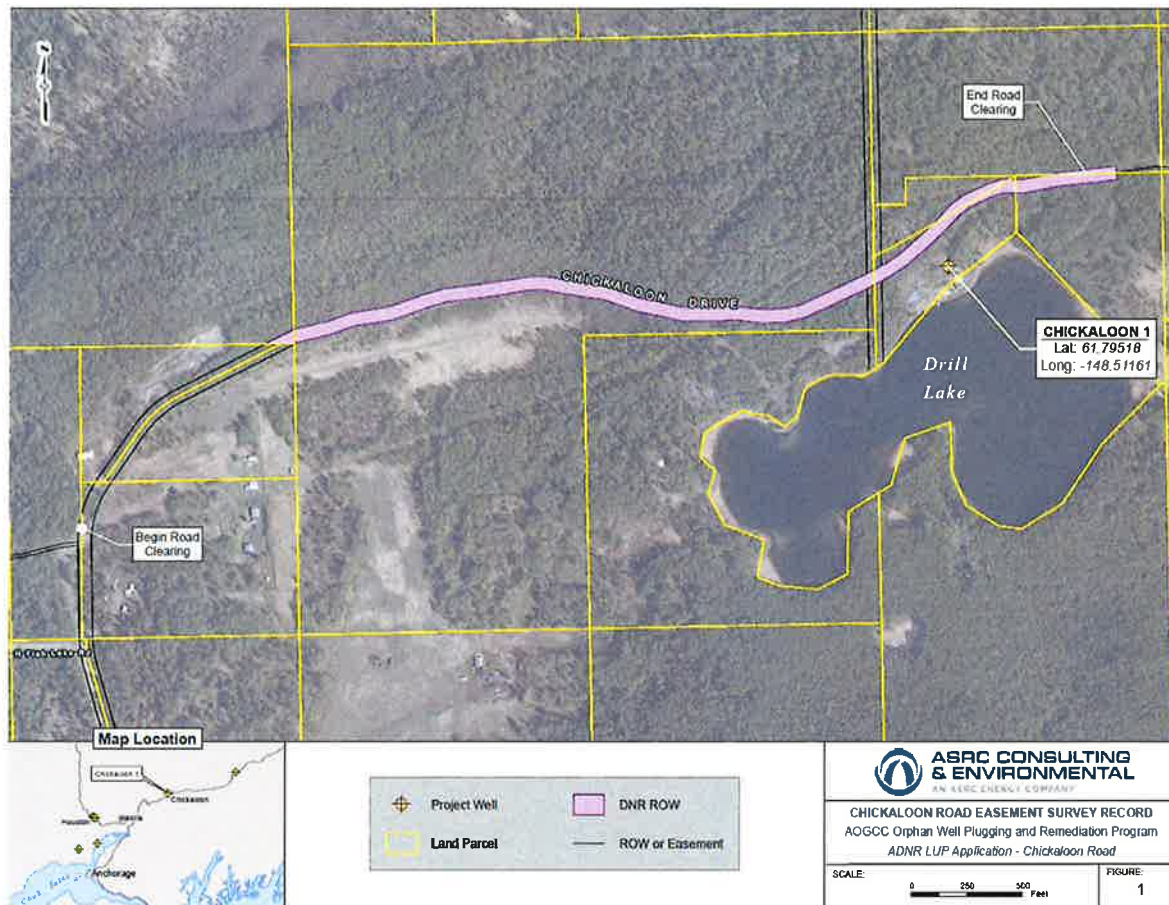
Appeal Process

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 the 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. Under 11 AAC 02.030, appeals and requests for reconsideration filed under 11 AAC 02 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) and (b).

This decision takes effect immediately. If no appeal is filed by the appeal deadline, this decision goes into effect and becomes a final administrative order and decision of the department on the first business day after the twentieth calendar day after signature. 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.

| | | | |
|---|---------------|---------------------------------------|-----------|
| Digitally signed by Cismoski, Doug Date: 2025.05.15 09:52:02 -08'00' | | VP of Drilling, Projects, Engineering | |
| Signature of Grantee or Authorized Representative | | Title | Date |
| 3900 C Street, Suite 701 | | Anchorage | AK 99503 |
| Grantee's Address | | City | State Zip |
| Amanda Dial | | 907-382-0124 | |
| Contact Person | Primary Phone | Alternate Phone | |
| Signature of Authorized State Representative | | Title | Date |
|  | | DNR DMLW SCRO Regional Manager | 5-16-25 |

Attachment A: Figure 1 – Portion of R.S. 2477 (RST 564) that ASRC will utilize to plug and abandon the Chickaloon #1 orphan oil & gas well.



Attachment B: Stipulations

1. **Authorized Officer:** The Authorized Officer (AO) for the State of Alaska (State), Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), is the Regional Manager or designee.
2. **Change of Contact Information:** The Grantee shall maintain current contact information with the AO. Any change of contact information must be submitted in writing to the AO.
3. **Development Plan:** Development shall be limited to the authorized area and improvements specified in the approved development plan or subsequent modifications approved by the AO. The Grantee is responsible for accurately siting development and operations within the authorized area. Any proposed revisions to the development plan must be approved in writing by the AO before the change in use or development occurs.
4. **Proper Location:** The Grantee is required to accurately locate the boundaries of the easement [with a surveyor] prior to beginning construction. This authorization is for activities on state lands or interests managed by DMLW. It does not authorize any activities on private, federal, native, and municipal lands, or lands which are owned or solely managed by other offices and agencies of the State. The Grantee is responsible for proper location within the authorized area.
5. **Valid Existing Rights:** This authorization is subject to all valid existing rights and reservations in and to the authorized area. The State makes no representations or warranties, whatsoever, either expressed or implied, as to the existence, number, or nature of such valid existing rights.
6. **Site Maintenance:** The authorized area shall be maintained in a neat, clean, and safe condition, free of any solid waste, debris, or litter, except as specifically authorized herein. Nothing may be stored that would be an attractive nuisance to wildlife or create a potentially hazardous situation.
7. **Preference Right:** No preference right for subsequent authorizations are granted or implied by this authorization.
8. **Inspections:** The AO shall have reasonable access to the authorized area for inspection, which may be conducted without prior notice. If the Grantee is found to be in noncompliance the authorized area may be subject to reinspection. The Grantee may be charged for actual expenses of any inspection.
9. **Waste Disposal:** On-site refuse disposal is prohibited, unless specifically authorized. All waste generated during operation, maintenance, and termination activities under this authorization shall be removed and disposed of at an off-site DEC approved disposal facility. Waste, in this paragraph, means all discarded matter, including but not limited to human waste, trash, garbage, refuse, oil drums, petroleum products, ashes and discarded equipment.
10. **Public Access:** The construction, operation, use, and maintenance of the authorized area shall not interfere with public use of roads, trails, waters, landing areas, and public access easements. The ability to use or access state land or public waters may not be restricted in any manner. However, if a specific activity poses a safety concern, the AO may allow the

restriction of public access for a specific period of time. The Grantee is required to contact the AO in advance for approval. No restriction is allowed unless specifically authorized in writing by the AO.

- 11. Public Trust Doctrine:** The Public Trust Doctrine guarantees public access to, and the public right to use, navigable and public waters and the land beneath them for navigation, commerce, fishing, and other purposes. This authorization is subject to the principles of the Public Trust Doctrine regarding navigable or public waters. The AO reserves the right to grant other interests consistent with the Public Trust Doctrine.
- 12. Alaska Historic Preservation Act:** The Alaska Historic Preservation Act, AS 41.35.200, prohibits the appropriation, excavation, removal, injury, or destruction of any state owned historic, prehistoric, archaeological or paleontological site without written approval from the DNR Commissioner. Should any sites be discovered, the Grantee shall cease any activities that may cause damage and immediately contact the AO and the Office of History and Archaeology in the Division of Parks and Recreation.
- 13. Compliance with Government Requirements:** The Grantee shall, at its expense, comply with all federal, state, and local laws, regulations, and ordinances directly or indirectly related to this authorization. The Grantee shall ensure compliance by its employees, agents, contractors, subcontractors, licensees, or invitees.
- 14. Incurred Expenses:** The Grantor shall in no way be held liable for expenses incurred by the Grantee connected with the activities directly or indirectly related to this authorization.
- 15. Waiver of Forbearance:** Any failure on the part of the AO to enforce the terms of this authorization, or the waiver of any right under this authorization by the Grantee, unless in writing, shall not discharge or invalidate the authorization of such terms. No forbearance or written waiver affects the right of the AO to enforce any terms in the event of any subsequent violations of terms of this authorization.
- 16. Severability Clause:** If any clause or provision of this authorization is, in a final judicial proceeding, determined illegal, invalid, or unenforceable under present or future laws, then the Grantor and the Grantee agree that the remainder of this authorization will not be affected, and in lieu of each clause or provision of this authorization that is illegal, invalid, or unenforceable, there will be added as a part of this authorization a clause or provision as similar in terms to the illegal, invalid, or unenforceable clause or provision as may be possible, legal, valid, and enforceable.
- 17. Assignment:** This authorization may not be transferred or assigned.
- 18. Violations:** A violation of this authorization is subject to any action available to the State for enforcement and remedies, including revocation of the authorization, civil action for forcible entry and detainer, ejectment, trespass, damages, and associated costs, or arrest and prosecution for criminal trespass in the second degree. The State may seek damages available under a civil action, including restoration damages, compensatory damages, and treble damages under AS 09.45.730 or AS 09.45.735 for violations involving injuring or removing trees or shrubs, gathering geotechnical data, or taking mineral resources.
- 19. Directives:** Directives may be issued for corrective actions that are required to correct a deviation from design criteria, project specifications, stipulations, State statutes or

regulations. Work at the area subject to the Directive may continue while implementing the corrective action. Corrective action may include halting or avoiding specific conduct, implementing alternative measures, repairing any damage to state resources that may have resulted from the conduct, or other action as determined by DNR.

- 20. Stop Work Orders:** Stop Work Orders may be issued if there is a deviation from design criteria, project specifications, stipulations, State statutes or regulations and that deviation is causing or is likely to cause significant damage to state resources. Under a Stop Work Order, work at the area subject to the Stop Work Order may not resume until the deviation is cured and corrective action is taken. Corrective action may include halting or avoiding specific conduct, implementing alternative measures, repairing any damage to state resources that may have resulted from the conduct, or other action as determined by DNR.

- 21. Notification of Discharge:** The Grantee shall immediately notify the Department of Environmental Conservation (DEC) and AO of any unauthorized discharge of oil to water, any discharge of hazardous substances (other than oil), and any discharge of oil greater than 55 gallons on land. All fires and explosions must also be reported immediately.

If a discharge, including a cumulative discharge, of oil is greater than 10 gallons but less than 55 gallons, or a discharge of oil greater than 55 gallons is made to an impermeable secondary containment area, the Grantee shall report the discharge within 48 hours. Any discharge of oil greater than one gallon up to 10 gallons, including a cumulative discharge, solely to land, must be reported in writing on a monthly basis.

Notification of discharge during normal business hours must be made to the nearest DEC Area Response Team: Anchorage (907) 269-7500, fax (907) 269-7687; Fairbanks (907) 451-2121, fax (907) 451-2362; Juneau (907) 465-5340, fax (907) 465-5245. For discharges in state off shore waters call (907) 269-0667. The DEC oil spill report number outside normal business hours is (800) 478-9300.

Notification of discharge must be made to the appropriate DNR Office, preferably by e-mail: Anchorage email dnr.scro.spill@alaska.gov, (907) 269-8503; Fairbanks email dnr.nro.spill@alaska.gov, (907) 451-2739; Juneau email dnr.sero@alaska.gov, (907) 465-3400. The Grantee shall supply the AO with all incident reports submitted to DEC.

- 22. Surface Drainage:** Adequate culverts shall be installed to maintain surface drainage and to prevent ponding and/or erosion.
- 23. Request for Information:** The AO, at any time, may require the Grantee to provide any information directly or indirectly related to this authorization, in a manner prescribed by the AO.
- 24. Completion Report:** A completion report shall be submitted within 60 days after construction is complete or within 30 days of expiration of this development authorization. Grantee may be assessed an inspection fee, consistent with 11 AAC 05.160(d)(3) if the report is not submitted. The report shall state:
- a. Whether the development was completed or not, and if it varied from that originally approved.

- b. The extent of any known incidents of damage or pollution and any follow-up corrective actions that may have taken place while operating under this authorization.

25. Site Disturbance:

- a. Any ground disturbances which may have occurred shall be contoured to blend with the natural topography to protect human and wildlife health and safety. Site disturbance shall be kept to a minimum to protect local habitats. All activities at the site shall be conducted in a manner that will minimize the disturbance of soil and vegetation and changes in the character of natural drainage systems.
- b. Timber and obstructions within the easement may be removed, at a minimum but to the extent necessary for reconstructing and maintaining improvements. Timber so cut shall, unless otherwise agreed to, be decked alongside the improvement for disposal by the owner of such timber.
- c. Brush clearing is allowed, but shall be kept to the minimum necessary to conduct or complete the authorized activity. Removal or destruction of the vegetative mat outside of the authorized area is not allowed.
- d. The Grantee shall conduct all operations in a manner which will prevent unwarranted pollution, erosion, and siltation.

26. Indemnification: Grantee assumes all responsibility, risk and liability for its activities and those of its employees, agents, contractors, subcontractors, licensees, or invitees, directly or indirectly related to this authorization, including environmental and hazardous substance risk and liability, whether accruing during or after the term of this authorization. Grantee shall defend, indemnify, and hold harmless the State, its agents and employees, from and against any and all suits, claims, actions, losses, costs, penalties, and damages of whatever kind or nature, including all attorney's fees and litigation costs, arising out of, in connection with, or incident to any act or omission by the Grantee, its employees, agents, contractors, subcontractors, licensees, or invitees, unless the proximate cause of the injury or damage is the sole negligence or willful misconduct of the State or a person acting on the State's behalf. Within 15 days, the Grantee shall accept any such cause, action or proceeding upon tender by the State. This indemnification shall survive the termination of the authorization.

27. Insurance: Pursuant to 11 AAC 96.065 the Grantee shall secure or purchase at its own expense, and maintain in force at all times during the term of this authorization, liability coverage and limits consistent with what is professionally recommended as adequate to protect the Grantee (the insured) and Grantor (the State, its officers, agents and employees) from the liability exposures of ALL the insured's operations on state land. Certificates of Insurance must be furnished to the AO prior to the issuance of this authorization and must provide for a notice of cancellation, non-renewal, or material change of conditions in accordance with policy provisions. The Grantee must provide for a 60-day prior notice to the State before they cancel, not renew or make material changes to conditions to the policy. Failure to furnish satisfactory evidence of insurance, or lapse of the policy, are material breaches of this authorization and shall be grounds, at the option of the State, for termination of the authorization. All insurance policies shall comply with, and be issued by, insurers licensed to transact the business of insurance

under Alaska Statute, Title 21. The policy shall be written on an "occurrence" form and shall not be written as a "claims-made" form unless specifically reviewed and agreed to by the Division of Risk Management, Department of Administration. The State must be named as an additional named insured on the policy with respect to the operations of the Grantee on or in conjunction with the authorized premises, referred to as ADL 234596.

- 28. Performance Guaranty:** The AO, at this time, is not requiring the Grantee to provide a performance guaranty. The right to require such performance guaranty is being reserved in the event the Grantee's compliance is less than satisfactory. If required, such performance guaranty shall remain in effect for the remainder of this authorization and shall secure performance of Grantee's obligations hereunder. The amount of the performance guaranty may be adjusted by the AO in the event of approved amendments to this authorization, changes in the development plan, or any change in the activities or operations conducted on the premises.
- 29. Fuel and Hazardous Substances:** No fuel or hazardous substances may be stored on state land.
- 30. Insurance:** Pursuant to 11 AAC 96.065 the Grantee shall secure or purchase at its own expense, and maintain in force at all times during the term of this authorization, liability coverage and limits consistent with what is professionally recommended as adequate to protect the Grantee (the insured) and Grantor (the State, its officers, agents and employees) from the liability exposures of ALL the insured's operations on state land. Certificates of Insurance must be furnished to the AO prior to the issuance of this authorization and must provide for a notice of cancellation, non-renewal, or material change of conditions in accordance with policy provisions. The Grantee must provide for a 60-day prior notice to the State before they cancel, not renew or make material changes to conditions to the policy. Failure to furnish satisfactory evidence of insurance, or lapse of the policy, are material breaches of this authorization and shall be grounds, at the option of the State, for termination of the authorization. All insurance policies shall comply with, and be issued by, insurers licensed to transact the business of insurance under Alaska Statute, Title 21. The policy shall be written on an "occurrence" form and shall not be written as a "claims-made" form unless specifically reviewed and agreed to by the Division of Risk Management, Department of Administration. The State must be named as an additional named insured on the policy with respect to the operations of the Grantee on or in conjunction with the authorized premises, referred to as ADL 234596.
- 31. Destruction of Markers:** The Grantee shall protect all survey monuments, witness corners, reference monuments, mining claim posts, bearing trees, and unsurveyed corner posts against damage, destruction, or obliteration. The Grantee shall notify the AO of any damaged, destroyed, or obliterated markers and shall reestablish the markers at the Grantee's expense in accordance with accepted survey practices of the DMLW.
- 32. Maintenance of Improvements:** The Grantor is not responsible for maintenance of authorized improvements or liable for injuries or damages related to those improvements. No action or inaction of the Grantor is to be construed as assumption of responsibility.
- 33. Amendment or Modification:** The Grantee may request an amendment or modification of this authorization; the Grantee's request must be in writing. Any amendment or

modification must be approved by the AO in advance and may require additional fees and changes to the terms of this authorization.

- 34. Storage of Equipment:** Storing any vehicles, materials, or supplies after the annual dates of authorized use without written authorization from the AO is specifically prohibited.
- 35. Fire Prevention, Protection and Liability:** The Grantee shall take all reasonable precautions to prevent and suppress forest, structure, brush and grass fires, and shall assume full liability for any damage to state land and structures resulting from the negligent use of fire. The State is not liable for damage to the Grantee's personal property and is not responsible for forest fire protection of the Grantee's activity. To report a wildfire, call 911 or 1-800-237-3633.
- 36. Termination:** The authorization remains in effect for the term issued, unless revoked sooner. The department will give 30 days' notice before revoking an authorization at will. A revocation for cause is effective immediately.
- 37. Violations:** This authorization is revocable immediately upon violation of any of its terms, conditions, stipulations, nonpayment of fees, or upon failure to comply with any other applicable laws, statutes and regulations (federal and state). Should any unlawful discharge, leakage, spillage, emission, or pollution of any type occur due to Grantee's, or its employees', agents', contractors', subcontractors', licensees', or invitees' act or omission, Grantee, at its expense shall be obligated to clean the area to the reasonable satisfaction of the State of Alaska.
- 38. Debris and Cleanliness:** Work areas must be kept clean. Trash, survey lath, roadway markers, and other debris that has accumulated shall be picked up and properly disposed.
- 39. Other Authorizations:** The issuance of this authorization does not alleviate the necessity of the Grantee to obtain authorizations required by other agencies for this activity.
- 40. Material within Easement:** Timber and other materials within the easement are the property of the underlying landowner. You must consult with the landowner regarding the disposition of any materials.

Attachment C: Comments and Response Public Notice

Summary: The application for ADL 234596 was originally sent for public and agency review on November 25, 2024. An updated public and agency notice was subsequently distributed from December 19, 2024, to January 2, 2025. The Department of Natural Resources (DNR), Southcentral Regional Land Office (SCRO) received 4 agency comments and 12 comments from the public during the public notice period. Within these comments, 9 topics were raised that are addressed by SCRO below.

Agency Comments

Comment 1:

On November 25, 2024, Mat-Su Borough stated they have issued a permit for the portion of the project in Mat-Su Borough right-of-way.

SCRO Response:

SCRO acknowledges the comment.

Comment 2:

On December 13, 2024, DMLW's Public Access Assertion and Defense (PAAD) stated that "all evidence reviewed indicates that the R.S. 2477 (RST 564 – Chickaloon-Knik-Nelchina) right-of-way is 100 feet wide, 50 feet either side of centerline, and is closely aligned to the Chickaloon Trail Road". They state that the portion of RST 564 was originally granted by the federal government pursuant to Section 8 of the Mining Act of July 26, 1866, ch. 262, § 8, 14 Stat. 251, 253; codified as section 2477 of the 1875 Revised Statutes. This confidence is based on a review of historical aerial images, modern day satellite imagery, the Chickaloon Trail Road survey of 10/26/2004 and adjacent litigation that affirms the validity and location of RST 564 (State of Alaska V. Lonewolf Case No. 3PA-12-1978).

SCRO Response:

SCRO acknowledges the comment.

Comment 3:

On December 17, 2024, the Alaska Department of Transportation & Public Facilities (DOT&PF) advised that there are existing utilities (Matanuska Electric Association and Matanuska Telephone Association) in the Chickaloon area and if utility relocation is needed for this project which affects DOT&PF's right-of-way, the utility companies will need to apply for new permits.

SCRO Response:

SCRO acknowledges the comment and on January 30, 2025, informed ASRC of existing public utilities, and if need arises to relocate, to reach out for required permits.

Comment 4:

On December 19, 2024, Alaska Department of Fish and Game (ADF&G) submitted a non-objection but did provide the following additional information:

1. The Palmer Habitat Section has issued Fish Habitat Permit FH24-IV-0269 for water withdrawal for ASRC Consulting & Environmental, LLCs abandoned well work.

2. Birds are highly vulnerable during their breeding and nesting phases, and activities like those proposed can harm active nests, eggs, and nestlings. To safeguard nesting birds, when possible, it's best to schedule any vegetation clearing before or after these periods. See <https://www.fws.gov/alaska-bird-nesting-season> for details.
3. Project activities may affect Endangered Species Act (ESA)-listed species and other sensitive resources, such as migratory birds, which are 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 identify USFWS trust resources that may be present within the project boundary, including determining the probability of presence during project activities

SCRO Response:

SCRO acknowledges the response and has forwarded the additional information to the applicant.

Public Comments

Topic 1:

Commenters state concerns regarding the assertion/validity of RST 564 being a R.S. 2477 right-of-way; and state there is no evidence, survey, or records identifying the road as an R.S. 2477.

SCRO Response:

Courts have ruled that where an R.S. 2477 right-of-way exists, the new landowner's title is subject to the right-of-way, which must still be honored, but every effort should be made to minimize the effect on the private property owners. SCRO consulted with PAAD. On December 13, 2024, PAAD responded to SCRO stating "all evidence reviewed indicates that the R.S. 2477 (RST 564 – Chickaloon-Knik-Nelchina) right-of-way is 100 feet wide, 50 feet either side of centerline, and is closely aligned to the Chickaloon Trail Road". They state that the portion of RST 564 was originally granted by the federal government pursuant to Section 8 of the Mining Act of July 26, 1866, ch. 262, § 8, 14 Stat. 251, 253; codified as section 2477 of the 1875 Revised Statutes. This confidence is based on a review of historical aerial images, modern day satellite imagery, the Chickaloon Trail Road survey of October 26, 2004, and adjacent litigation that affirms the validity and location of RST 564 (State of Alaska V. Lonewolf Case No. 3PA-12-1978).

Topic 2:

Commenters request that ASRC acquires permission from the private landowners whose land will be impacted by the development.

SCRO Response:

SCRO acknowledges the comment. The applicant's development plan states that "initial construction will require various private landowner and state approvals". On February 10, 2025, SCRO emailed the applicant reiterating that while the state has an interest in RST 564, the landowners whose property underlies the utilized portion of the RST must be consulted regarding the disposition of timber and other materials for the proposed route. Site preparation and development work, such as clearing, must be performed in a reasonable manner that is commensurate with the scope of the project. Any materials, such as trees, that are disturbed in

the course of development are the property of the underlying landowner and should be handled according to the landowner's instructions.

Topic 3:

Commenters note concern with the lack of archaeological monitoring on site during the time of the project.

SCRO Response:

SCRO acknowledges the comment. On December 20, 2024, the applicant received a letter from the State of Alaska Office of History and Archaeology stating that surveys of the area have been conducted. In October 2024, a cultural resource survey was done of the anticipated road access impact area along East Chickaloon Road. Additionally in the fall of 2024, an archaeological survey was conducted and no new cultural resources identified. The letter states that the Alaska Oil and Gas Conservation Commission recognize the possibility of cultural or paleontological resource detection during the project and the outlines of steps to be taken are as follows:

1. Stopping all work that may potentially harm these resources.
2. Listing of personnel and agencies to be notified; and
3. Other company- or project-specific procedures. Work or activities that may be harmful to cultural resources include any ground-disturbing activity, any removal of vegetation, or other activities that can otherwise irreversibly damage cultural resources.

Topic 4:

Commenters question if the excess material will be hauled to a pit.

SCRO Response:

The applicant's development plan states "all excavated soils, and vegetation will be hauled off site for the disposal at an approved facility."

Topic 5:

Commenters note concern with widening the road when other large vehicles/equipment have been able to pass through without impact.

SCRO Response:

The existing constructed route of East Chickaloon Road may be expanded as necessary within the 100-foot R.S. 2477 right-of-way to facilitate the movement of the heavy equipment proposed by the applicant. Evaluation of previous traffic along the route is not within the scope of the decision to approve the applicant's current development request.

Topic 6:

Commenters note concern for maintenance of the road.

SCRO Response:

SCRO acknowledges the concern. The applicant states that disturbed areas within the expanded easement will be stabilized through seeding/mulching to mitigate sediment runoff. Additionally, the applicant states they will monitor the cutbacks during and post construction to ensure that the work conducted is a long-term solution. However, the applicant does note that the site will not be reclaimed to pre-existing conditions.

Topic 7:

Commenters stated there are other access points, specifically via Ida Lake Road.

SCRO Response:

SCRO acknowledges the comment, however, the scope of SCRO's review is to address the application requesting development of East Chickaloon Road.

Topic 8:

Commenters stated concerns that construction by applicant would disrupt the current natural and visual character of the area.

SCRO Response:

SCRO acknowledges the concern. DNR holds an interest in the R.S. 2477 right-of-way specifically, not the surrounding area, and the proposed work is within the scope of the R.S. 2477. The applicant states that they plan to only widen the existing roadway in specific areas and only as necessary.

Topic 9:

Commenters note concern for increased dust, dirt, and noise.

SCRO Response:

SCRO acknowledges the concern. The applicant states that approximately 5 individuals will utilize the easement during the construction, in addition to residents/landowners that use East Chickaloon Road to travel. Additionally, water will be on site for dust control.