

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

**Regional Manager's Decision**

ADL 234426

Friends of West Susitna

Special Land Use Permit

**REQUESTED ACTION**

In May of 2024, the Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), Southcentral Regional Land Office (SCRO), received an Application for Easement from the Friends of West Susitna (FoWS), which is a non-profit organization that maintains trails to benefit the community and residents of Skwentna and other vicinity settlements. The application requested use of DMLW managed lands to “Widen [a] winter trail for safe bulk freight haul, wide loads, and snowcat travel between [the] Susitna and Skwentna Rivers.” FoWS explained further that a wider trail is needed to accommodate hauling of “building materials, cabin kit components, bulk dry goods, small equipment and other freight that could be brought in by snowmachine or other tracked vehicles, including snowmachines towing wider freight sleds with materials that extend out well beyond the width of the sleds.”

Specifically, FoWS requested approval to expand an existing 5-foot-wide winter trail by an additional 6.5 feet on each side for a total width of 18 feet along an overall length of approximately 222,816 feet to occupy a total area of 92.7 acres of DMLW managed lands. FoWS proposed to groom and maintain the requested winter trail route and make it available for use by snowmachine groups, mushers, and others; but the surface will not be improved to a level suitable for use by wheeled vehicles, street vehicles, or heavy equipment other than snowcats. Applicants FoWS requested that the subject trail be approved for a term of 30 years.

**PROJECT BACKGROUND**

Easement vs Special Land Use Permit

FoWS has requested to improve and groom a 5-foot-wide winter trail route that they established during the 2024 winter season for use during a snowmachine race. DMLW has determined that applicants' proposal will be best addressed with a Special Land Use Permit (SLUP) instead of a Public Access Easement. Both SLUP and easement authorizations are issued pursuant to AS 38.05.850. According to DMLW's September 29, 2020 “Delegation and use of SLUPS as a license to use land”:

Easements are typically used to authorize long-term uses of land which may have a higher level of infrastructure investment associated with them, such as roads, pipelines, or utilities for activities that the servient landowner does not intend to be

revokable at will, and the easement holder needs to maintain an interest in land. Easements may be termed or authorized in perpetuity and are not revocable at will, but only revocable for cause.

SLUPs are a method by which DMLW issues a license. SLUPs do not have statutory or regulation on limitation of length of term. A license sits somewhere between a permit and an easement in character and level of property interest granted, if any, and is better defined by case law than by statutes or regulations. A license is similar to a permit in that it is revocable at will.

According to the summary, the types of projects appropriate for authorization with a SLUP include recreational trails, remote private property access trails, ice bridge construction and cross-country travel. Therefore, the activities proposed in application ADL 234426 are consistent with DMLW's intention for SLUP authorizations.

#### Relationship to Current Regional Access Development Proposals

- A. The application for ADL 234426 includes a segment of trail proposed to cross DMLW managed lands in the vicinity of Alexander Creek within Section 18 of Township 17 North, Range 7 West, Seward Meridian and Sections 23 and 24 of Township 17 North, Range 8 West, Seward Meridian. This segment appears to coincide with the route of a road project that is currently under consideration by the Alaska Department of Transportation and Public Facilities (ADOT&PF) and which is commonly referred to as the West Susitna Access Road. A map of the potential West Susitna Road alignment project can be found on the ADOT&F web site at <https://westsuaccess.com>. Consideration of potential co-location or relocation measures for the trail described in ADL 234426 relative to development of the ADOT&PF project will be undertaken when an application and confirmed legal description for the West Susitna Road alignment has been received at DMLW.
- B. The Alaska Industrial Development and Export Authority (AIDEA) is currently sponsoring a proposal to create an "access corridor to reach mining, energy, agricultural and other economic interests" in the West Susitna Region. A project description is posted on AIDEA's web site: <https://www.aidea.org/Programs/Infrastructure-Development/West-Susitna-Access>. The seasonal trail route proposed in ADL 234426 will likely coincide with segments of the route under consideration by AIDEA. However, no finalized map or application has yet been submitted to DMLW for this project. Consideration of potential co-location or relocation of the trail described in ADL 234426 will be undertaken when an application and confirmed legal description for the access corridor project has been received at DMLW.

Additional access road proposals for the West Susitna region by various parties may be in the conceptual or planning stages but have not yet been submitted to DMLW for evaluation, so are currently beyond the scope of ADL 234426.

## **RECOMMENDED ACTION**

DMLW recommends that ADL 234426 be approved under a Special Land Use Permit (SLUP) instead of an Easement. A SLUP-approved trail conveys no ownership or proprietary interest in the underlying lands and can be revoked or relocated by DMLW at DMLW's discretion to promote the State's interest, if circumstances require. Any future applications for approval of a public access easement, along the SLUP-authorized trail will be considered under separate case files, if any such applications are received.

In addition, the original application for ADL 234426 included a segment of proposed trail beginning at the Susitna River and running east across lands that are owned or managed by the Matanuska-Susitna Borough in Sections 17, 20, 21 and 22 of Township 17 North, Range 7 West, Seward Meridian. DMLW cannot approve a request for use of Borough lands. Therefore, this segment of trail has been deleted from the proposed DMLW permit for ADL 234426. Instead, applicants will travel within the existing public access easement for the Iditarod Trail that was issued to ADOT&PF in 1986 under DNR file number ADL 222930. This change will reduce the overall length and acreage of the requested trail authorization, resulting in a revised proposal for approval of a SLUP authorization with the following parameters:

- Trail Width: 18 feet
- Trail Length: approximately 207,610 ft.
- Total Acreage: approximately 86 acres
- Term: 30 years
- Grantee: Friends of West Susitna
- Type of Authorization: Special Land Use Permit (SLUP)

No additional permission is needed from DMLW for applicants to make use of the easement authorized under ADL 222930. Both ADOT&PF and the Matanuska-Susitna Borough advised DMLW that they will not require applicants to obtain permits or other approvals for use of the Iditarod Trail public access easement at this location. Trail users will exit the Iditarod Trail public easement alignment in Section 18, Township 17 North, Range 7 West, Seward Meridian and proceed to the Skwentna River across state lands managed by DMLW. The FoWS trail proposed in ADL 234426 does not further rejoin or intersect with the Iditarod Trail easement alignment authorized under ADL 222930. See Attachment A.

## **STATUTORY AUTHORITY**

This 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 reference herein, the Susitna Matanuska Area Plan for State Lands, the Susitna Basin Recreation Rivers Plan for

Management of State Lands, other classification references described herein, and the case file for the application serialized by DNR as ADL 234426.

## LOCATION INFORMATION

### Geographic Location

DMLW proposes to issue a SLUP for a winter use trail on DMLW lands between the Susitna and Skwentna Rivers as listed below.

### Meridian, Township, Range and Section

- Township 17 North, Range 7 West, Section 18
- Township 17 North, Range 8 West, Seward Meridian, Sections 6, 7, 8, 9, 13, 15, 16, 22, 23 and 24
- Township 17 North, Range 9 West, Seward Meridian, Section 1
- Township 18 North, Range 9 West, Seward Meridian, Sections 6, 7, 8, 16, 17, 21, 22, 26, 27, 35 and 36
- Township 18 North, Range 10 West, Seward Meridian, Section 1
- Township 19 North, Range 10 West, Seward Meridian, Sections 6, 7, 8, 9, 15, 16, 22, 26, 27, 35 and 36
- Township 19 North, Range 11 West, Seward Meridian, Section 1
- Township 20 North, Range 11 West, Seward Meridian, Sections 4, 5, 9, 15, 16, 22, 26, 27, 35 and 36
- Township 21 North, Range 11 West, Seward Meridian, Sections 29, 32 and 33

### Other Land Information

Municipal, Borough: Matanuska-Susitna Borough

Municipal, City: City of Houston, no others listed for the project area<sup>1</sup>

ANCSA Regional Corporation: Cook Inlet Region, Incorporated

ANCSA Local Corporation: None listed for the project vicinity<sup>2</sup>

Federally Recognized Tribe: None listed for the project vicinity<sup>3</sup>

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<sup>1</sup> State of Alaska, Division of Commerce, Community and Economic Development, Department of Community and Regional Affairs, Community Database Online for Houston, Skwentna, Susitna and Willow:

<https://dced.maps.arcgis.com/apps/MapSeries/index.html?appid=49500cfe79704d4b976aa02601901ea8> on 9/18/25

<sup>2</sup> State of Alaska, Division of Commerce, Community and Economic Development, Department of Community and Regional Affairs, Community Database Online for Houston, Skwentna, Susitna and Willow:

<https://dced.maps.arcgis.com/apps/MapSeries/index.html?appid=49500cfe79704d4b976aa02601901ea8> on 9/18/25

<sup>3</sup> State of Alaska, Division of Commerce, Community and Economic Development, Department of Community and Regional Affairs, Community Database Online for Houston, Skwentna, Susitna and Willow:

<https://dced.maps.arcgis.com/apps/MapSeries/index.html?appid=49500cfe79704d4b976aa02601901ea8> on 9/18/25

## TITLE

- The State of Alaska acquired lands within Section 18, Township 17 North, Range 7 West, Seward Meridian per US Bureau of Land Management Tentative Approval 051115 dated 5-16-1963. The associated DNR case file is GS 103.
- The State of Alaska holds the title to land within Sections 6, 7, 8, 9, 13, 15, 16, 22, 23 and 24 of Township 17 North, Range 8 West, Seward Meridian per US Bureau of Land Management Patent Number 50-66-0092 issued 9-17-1965. The associated DNR case file is GS 187.
- The State of Alaska holds the title to land within Section 1, Township 17 North, Range 9 West, Seward Meridian per US Bureau of Land Management Patent Number 50-66-0120 issued 9-27-1965. The associated DNR case file is GS 220.
- The State of Alaska holds the title to land within Sections 6, 7, 8, 16, 17, 21, 22, 26, 27, 35, and 36 of Township 18 North, Range 9 West, Seward Meridian per Patent Number 50-66-0121 issued 9-27-1965. The associated DNR case file is GS 221.
- The State of Alaska holds the title to land within Section 1, Township 18 North, Range 10 West, Seward Meridian per US Bureau of Land Management Patent Number 50-66-128 issued 9-27-1965. The associated DNR case file is GS 312.
- The State of Alaska holds the title to land within Sections 6, 7, 8, 9, 15, 16, 26, 27, 35 and 36 of Township 19 North, Range 10 West, Seward Meridian per US Bureau of Land Management Number 50-66-0129 issued 9-27-1965. The associated DNR case file is GS 314.
- The State of Alaska holds the title to land within Section 1, Township 19 North, Range 11 West, Seward Meridian per US Bureau of Land Management Patent Number 50-66-0131 issued 9-27-1965. The associated DNR case file is GS 292.
- The State of Alaska holds the title to land within Sections 4, 5, 9, 15, 16, 22, 26, 27, 35, and 36, Township 20 North, Range 11 West, Seward Meridian per US Bureau of Land Management Patent Number 50-66-0141 issued 9-28-1965. The associated DNR case file is GS 294.
- The State of Alaska holds the title to land within Sections 29, 32, and 33, Township 21 North, Range 11 West, Seward Meridian per US Bureau of Land Management Patent Number 50-66-0132. The associated DNR case file is GS 296.

### **THIRD PARTY INTERESTS**

Copies of the combined public and agency notice document for ADL 234426 were sent to the following third-party interest holders of existing authorizations from DNR on lands which were potentially affected by the proposed trail alignment:

- Alaska Department of Fish and Game re: ADL 40914 (easement)
- Alaska Department of Transportation and Public Facilities re: ADL 222930 (easement)
- Alaska Gasline Development Corporation re: ADL 421297 (right of way lease)
- Donlin Gold, LLC re: ADL 231908 (right of way lease), and ADL 232368 (easement)

The Alaska Department of Fish and Game (ADF&G) provided a statement of non-objection to applicants' crossing of the 10-foot-wide pedestrian easement affecting the banks of Alexander Creek (among others) that was issued in 1969 under DNR file number ADL 40914. See the Agency Comments section of this decision document and Attachment B2.

The Alaska Department of Transportation and Public Facilities (ADOT&PF) advised DMLW that they would not impose additional permitting requirements for applicants to relocate their proposed trail usages into the current public access easement approved in DNR file number ADL 222930.

The Alaska Gasline Development Corporation (AGDC) provided an agency comment to DMLW concerning an intersection of the original trail route proposed for ADL 234426 with the existing DNR-issued AGDC pipeline right of way lease described in ADL 421297. The intersection occurred at a location that has since been determined to fall on Matanuska-Susitna Borough lands instead of State lands. Although this location is now removed from the proposed DMLW authorization for ADL 234426, applicants contacted AGDC as requested by DMLW to provide requested GIS information. See the Agency Comments section of this decision document in Appendix B2.

Donlin Gold, LLC (Donlin) provided a public comment to DMLW concerning the proposed position of ADL 234426 relative to the existing, co-located, DNR-issued pipeline right-of-way lease ADL 231908 and fiber optic cable easement ADL 232368. Applicants contacted Donlin as requested by DMLW to provide requested GIS information. See the Public Comments section of this decision document and Attachment B1.

In addition, DMLW requested applicants to contact the Iditarod Historic Trail Association (IHTA) regarding use of the public access easement issued to ADOT&PF for the Iditarod Trail under ADL 222930, even though IHTA does not hold ownership or management interest in that authorization. IHTA verified with DMLW that applicant's contact was requested by DMLW but did not respond directly to applicant.

## PLANNING & CLASSIFICATIONS

The proposed project affects land management units described in both the Susitna Matanuska Area Plan for State Lands and the Susitna Basin Recreation Rivers Management Plan.

### Susitna Matanuska Area Plan for State Lands

The DNR Susitna Matanuska Area Plan for State Lands (SMAP) includes the following area-wide management guidelines pertinent to ADL 234426:

- **Notice for Decisions Requiring Public Notice (Under AS 38.05.945).** As required by statute, public notice will be given for decisions involving the sale, lease, or disposal of (or interests in) land, property, or resources. Actions not involving a disposal of interest will require public notice in accordance with Division of Mining, Land and Water (DMLW) procedures and with the requirements of AS 38.05.945. Notice will be given to parties known or likely to be affected by an action proposed by the state or an applicant to the state.<sup>4</sup>

The trail authorization proposed in ADL 234426 is compliant with the requirements of AS 38.05.945(e) which provides that “Notice is not required under this section for a permit or other authorization revocable by the department.”

- **Coordination with Local Plans and Zoning Ordinance.** The comprehensive plan and zoning map/ordinance as well as the Coastal Management Plan of the Matanuska-Susitna Borough are to be reviewed by DNR prior to issuing permits, leases, timber sales or other forms of use authorizations.<sup>5</sup>

Review of the MSB Planning and Land Use Viewer Map does not indicate that there are any areas of potential conflict with ADL 234426. Provisions of the MSB Coastal Management Plan which may have affected state lands expired with the Alaska Coastal Management Program in July of 2011.

- **Coordination with Borough Recreational Trails Plan.** DNR, in its review of authorizations, material sales, timber sales, or land disposals shall review the MSB Recreational Trails Plan to assist in determining if local or regional routes exist within or near the area of the proposed authorization or disposal. Provision should be made for either the continued use of existing trails or their realignment to a site that is equally effective in providing access.<sup>6</sup>

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<sup>4</sup> P. 2-8 Susitna Matanuska Area Plan for State Lands

<sup>5</sup> P. 2-8 Susitna Matanuska Area Plan for State Lands

<sup>6</sup> P. 2-52 Susitna Matanuska Area Plan for State Lands

Review of the online copy of the online 2016 amendment of the MSB Recreational Trails Plan does not indicate that the trail proposed in ADL 234426 replicates or conflicts with any of the existing trails identified in ADL 234426.<sup>7</sup>

- **Width of Trail Corridors.** The width of the access corridor shall be determined according to its function and location: 1) Within developed or developing areas, access corridors shall not be less than 25 feet in width for pedestrian movement and not less than 40 feet if motorized movement (other than car or truck) can be expected in addition to pedestrian travel. In areas where topographic conditions restrict development, widths less than 40 feet may be considered. 2) In all other areas, the width shall vary with terrain, function, and the need for separation from other uses, but shall not be less than 50 feet.”<sup>8</sup>

Based on the function of the trail as explained by the applicants, DMLW has decided not to expand the width of the trail described in ADL 234426 beyond the 18 feet requested by FoWS. This exception to the SMAP guidelines<sup>9</sup> is undertaken both to differentiate the winter trail described in ADL 234426 from other access projects presently under consideration for development in the West Susitna region, and to require that any future proposals for expansion of the trail route described in ADL 234426 will receive additional review and approval by DMLW. This minor exception to the guidelines presented in SMAP does not constitute an amendment to the Plan.

The individual SMAP land management units underlying the ADL 234426 trail alignment are listed below.

- **Mount Susitna Region Unit M-01.** The Resource Allocation Table for Unit M01 indicates that these lands are designated for Habitat and Water Resources uses.<sup>10</sup> According to Chapter 4 of the SMAP, the Habitat designation converts to the classification Wildlife Habitat Land as defined in 11 AAC 55.230 and the Water Resources designation converts to the classification Water Resources Land as defined in 11 AAC 55.222. The management intent for Unit M-01 is to protect its habitat and hydrologic values, protect its trails, easements and RS2477 routes, including the Iditarod National Historic Trail System (INHTS) and Iditarod Race Trail, and retain lands in state ownership.

The proposed winter trail does not conflict with habitat and water resource values. ADF&G and the US Army Corps of Engineers (USACE) were included on DMLW agency review notice for ADL 234426. See the Agency Notice section of this decision document for their comments. In addition, an ADF&G Habitat Permit was issued to applicants for work associated with ADL

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<sup>7</sup>[https://matsugov.us/28-documents/plans/14086-recreational-trails-plan?highlight=WyJ0cmFpbHMlLCJ0cmFpbHMnLCIsInRyYWlscyciXQ==&template=msb\\_bolide](https://matsugov.us/28-documents/plans/14086-recreational-trails-plan?highlight=WyJ0cmFpbHMlLCJ0cmFpbHMnLCIsInRyYWlscyciXQ==&template=msb_bolide)

<sup>8</sup> P. 2-54 Susitna Matanuska Area Plan for State Lands

<sup>9</sup>P. 433, Appendix A, Special Exceptions – ADNR Procedures concerning exceptions to the plan without modification of the plan.

<sup>10</sup> P. 3-81, Susitna Matanuska Area Plan for State Lands



234426 under permit number FH24-IV-0267. The route described in ADL 234426 will not conflict with the use of other documented trails, RS2477 routes or segments of the Iditarod Trail System within the unit boundaries. No ownership interest to underlying lands will be granted to the applicant.

- **Mount Susitna Region Unit M-07.** The Resource Allocation Table for Unit M01 indicates that these lands are designated for Forestry uses.<sup>11</sup> According to Chapter 4 of the SMAP, the Forestry designation converts to the classification “Forest Land” as defined in 11 AAC 55.070. Unit M-07 is to be managed for its forestry values and the maintenance of wildlife and fisheries in conformance with SMAP Management Guideline B of the Fish and Wildlife Habitat Section.<sup>12</sup> Trails, including RS2477 trails such as the INHTS are to be protected and the land is to be retained in State ownership.

The proposed trail does not conflict with forestry values. An improved trail will increase accessibility to forest resources, which will potentially improve their value and expand the use of state resources. ADF&G and USACE were included on the DMLW agency review notice for ADL 234426. See the Agency Notice section of this decision document. In addition, an ADF&G Habitat Permit was issued to applicants for work associated with ADL 234426 under permit number FH24-IV-0267. The trail route described in ADL 234426 will not conflict with the use of other documented trails, RS2477 routes or segments of the Iditarod Trail System within the unit boundaries. No ownership interest to underlying lands will be granted to the applicant.

- **Susitna Region Unit M-12.** The Resource Allocation Table for Unit M-12 indicates that these lands are designated for Public Recreation-Disbursed Use.<sup>13</sup> Land classified public recreation converts to the classification Public Recreation Land as defined in 11 AAC 55.160. Unit M10 is to be managed for recreation uses and habitat values. Lands are to be retained in State ownership.

The trail proposed in ADL 234426 will not conflict with recreation usages. An improved trail will increase access to the area, thus allowing an increased ease of use of state land by outdoor recreationists. ADF&G and USACE were included on the DMLW agency review notice for ADL 234426. See the Agency Notice section of this decision document. An ADF&G Habitat Permit was issued to applicants for work associated with ADL 234426 under permit number FH24-IV-0267. No ownership interest to underlying lands will be granted to the applicant.

- **Mount Susitna Region Unit M-19.** The Resource Allocation Table for Unit M-19<sup>14</sup> indicates that land has been designated for settlement. According to Chapter 4 of the SMAP,

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<sup>11</sup> P. 3-83, Susitna Matanuska Area Plan for State Lands

<sup>12</sup> P. 2-13, Susitna Matanuska Area Plan for State Lands

<sup>13</sup> P. 3-83, Susitna Matanuska Area Plan for State Lands

<sup>14</sup> P. 3-86, Susitna Matanuska Area Plan for State Lands

the settlement designation converts to the classification Settlement Land as defined in 11 AAC 55.202. The management intent for Unit M19 is to retain remaining state lands in state ownership because further subdivision is considered inappropriate, but any land that reverts to the state from private ownership can be reoffered. See Alaska State Land Survey 79-209. The Unit has an additional goal of protecting anadromous streams with riparian buffers.

The trail proposed in ADL 234426 does not cross any private properties or DNR-owned subdivision lots depicted on Alaska State Land Survey 79-209. ADF&G and USACE were included on the DMLW agency review notice for ADL 234426 (see the agency notice section of this decision document). An ADF&G Habitat Permit was issued to applicants for work associated with ADL 234426 under permit number FH24-IV-026. No ownership interest to underlying lands will be granted to the applicant.

- **Mount Susitna Region Unit M-23.** The Resource Allocation Table for Unit M-23<sup>15</sup> indicates that the unit is designated for agricultural uses. According to Chapter 4 of the SMAP, the Agricultural designation converts to the classification Agricultural Land as defined in 11 AAC 55.050. The management intent for Unit M23 is disposal (sale) for agricultural use, in conformance with SMAP Management Guideline B of the Fish and Wildlife Habitat Section.<sup>16</sup> The Unit has an additional goal of protecting the INHTS.

The trail described in ADL 233426 does not grant an ownership interest in underlying State lands that would prevent future disposal of agricultural lands in the prescribed manner. The route described in ADL 234426 does not conflict with the INHTS within the unit boundaries.

- **Mount Susitna Region Unit M-26.** The Resource Allocation Table for Unit M-26<sup>17</sup> indicates that the unit is designated for agricultural uses. According to Chapter 4 of the SMAP, the agricultural designation converts to the classification Agricultural Land as defined in 11 AAC 55.050. The management intent for Unit M23 is disposal (sale) for agricultural uses that is in conformance with SMAP Management Guideline B of the Fish and Game Habitat Section<sup>18</sup>.

The trail described in ADL 233426 does not grant an ownership interest to underlying lands or prevent future disposal of agricultural lands in the prescribed manner.

- **Susitna Lowlands Region Unit U-07.** The Resource Allocation Table for Unit U-07<sup>19</sup> indicates that these lands are designated for forestry purposes. According to Chapter 4 of

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<sup>15</sup> P. 3-87, Susitna Matanuska Area Plan for State Lands

<sup>16</sup> P. 2-13, Susitna Matanuska Area Plan for State Lands

<sup>17</sup> P. 3-88, Susitna Matanuska Area Plan for State Lands

<sup>18</sup> P. 2-13, Susitna Matanuska Area Plan for State Lands

<sup>19</sup> P. 30-70 Susitna Matanuska Area Plan for State Lands

the SMAP, the Forest Land use designation converts to the classification Forest Land as defined in 11 AAC 55.070. Unit U-07 is to be managed for its forestry values and the maintenance of wildlife and fisheries in conformance with SMAP Management Guideline B of the Fish and Wildlife Habitat Section.<sup>20</sup> Trails, including RS2477 trails such as the INHTS are to be protected and the land is to be retained in State ownership.

The proposed trail does not conflict with forestry values. An improved trail will increase accessibility to forest resources, which will potentially improve their value and expand the use of state resources. ADF&G and USACE were included on the DMLW agency review notice for ADL 234426 (see the agency notice section of this decision document). An ADF&G Habitat Permit was issued to applicants for work associated with ADL 234426 under permit number FH24-IV-0267. The route described in ADL 234426 will not conflict with the use of other documented trails, RS2477 routes or segments of the INHTS within the unit boundaries. No ownership interest to underlying lands will be granted to the applicant.

- **Susitna Lowlands Region Unit U-20.** The Resource Allocation Table for Unit U-20<sup>21</sup> indicates that land is designated for habitat and water resources usage. According to Chapter 4 of the SMAP, the habitat designation converts to the classification “wildlife habitat land” as defined in 11 AAC 55.230. The water resources designation converts to the classification “water resources land” per 11AAC 55.222. The management intent for Unit U20 is to protect its habitat and hydrologic values, protect its trails, easements and RS2477 routes, including the INHTS, and retain lands in state ownership.

The proposed trail does not conflict with forestry values. An improved trail will increase accessibility to forest resources, which will potentially improve their value and expand the use of state resources. ADF&G and USACE were included on the DNR DMLW agency review notice for ADL 234426 (see the agency notice section of this decision document.) An ADF&G Habitat Permit was issued for work associated with ADL 234426 under permit number FH24-IV-0267. The route described in ADL 234426 will not conflict with the use of other documented trails, RS2477 routes or segments of the INHTS within the unit boundaries. No ownership interest to underlying lands will be granted to the applicant.

- **Susitna Lowlands Region Unit U-25.** The Resource Allocation Table for Unit U-25<sup>22</sup> indicates that the unit has been designated for settlement. According to Chapter 4 of the SMAP, the settlement designation converts to the classification Settlement Land as defined in 11 AAC 55.202. The unit has been extensively subdivided. See Alaska State Land Survey 81-177. The management intent is to retain un-conveyed tracts of land in state ownership, and protect riparian areas, trails, and RS2477 routes.

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<sup>20</sup> P. 2-13, Susitna Matanuska Area Plan for State Lands

<sup>21</sup> P. 3-74, Susitna Matanuska Area Plan for State Lands

<sup>22</sup> P. 3-86, Susitna Matanuska Area Plan for State Lands

The trail proposed in ADL 234426 does not cross any private properties or DNR-owned subdivision lots depicted on Alaska State Land Survey 81-177. ADF&G and USACE were included on the DNR DMLW agency review notice for ADL 234426 (see the agency notice section of this decision document). An ADF&G Habitat Permit was issued to applicants for work associated with ADL 234426 under permit number FH24-IV-026. No ownership interest to underlying lands will be granted to the applicant.

- **Legislatively Designated Areas Unit L-01.** The Resource Allocation Table for Unit L-01<sup>23</sup> indicates that the Unit will be managed consistently with the legislative purposes described for establishment of recreation rivers and recreation rivers at AS 41.23.500 and with the Susitna Basin Recreational Rivers Plan.

The trail proposed in ADL 234426 will cross the legislatively designated Alexander Creek State Recreation River within affected portions of Sections 18 and 19 of Township 17 North, Range 7 West, Seward Meridian and Sections 13 and 24 of Township 17 North, Range 8 West, Seward Meridian. It is subject to the relevant provisions of the Susitna Basin Recreation Rivers Management Plan as outlined below.

#### Susitna Basin Recreation Rivers Management Plan

The specific DNR Susitna Basin Recreation River Management Plan (Plan) for State Lands area-wide management guidelines concerning “General Access<sup>24</sup>” are as follows.

- **Consolidation of Access:** Joint use and consolidation of surface access routes will be encouraged wherever feasible and prudent. Surface access should be designed and sited to accommodate future development and avoid unnecessary duplication. The feasibility of using an existing road or trail should be evaluated before the use of a new transportation route is authorized.”<sup>25</sup>

Future road development projects currently under consideration by the Alaska Department of Transportation and Public Facilities, the Alaska Industrial and Economic Development Authority, private resource development interests, or other parties have not yet been presented to DMLW in application format. However, available maps for these routes indicate a probable correlation with segments of the trail described in ADL 234426. When such applications are received, additional review for potential impacts to the trail alignment through the Recreation Rivers Management Area will be required.

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<sup>23</sup> P. 3-121, Susitna Matanuska Area Plan for State Lands

<sup>24</sup> PP. 2-31 through 2-43, Susitna Basin Recreation Rivers Management Plan

<sup>25</sup> P. 2-40, Susitna Basin Recreation Rivers Management Plan

- **Large Vehicle Use in Winter:** The Department should promulgate a regulation requiring a permit for use of vehicles over 1,000 lbs. in winter. Travel should be restricted to periods when there is adequate snow or frost (the Recreational Rivers Management Plan then refers readers to the “ORV’s, Snow cover” section of the Plan document.). Permit stipulations shall be consistent with existing DNR requirements for use of large ground contact vehicles in winter. Permits will be reviewed in consultation with ADF&G. Winter roads for timber harvest or transport should be consistent with the Forest Resources and Practices Act and the Susitna Forestry Guidelines.”<sup>26</sup>

The trail proposed in ADL 234426 includes the use of large, tracked snowcat vehicles. Authorization for movement of this type of equipment across DMLW lands is frequently granted by means of an Equipment Movement Permit issued under AS 38.05.850. Equipment Movement Permits include stipulations concerning the required degree of snow cover, and these stipulations will be included in the Special Land Use Permit issued for ADL 234426. The combined public and agency notice for ADL 234426 was circulated to ADF&G, and a habitat permit for activities associated with ADL 234426 has been issued to applicants. Provisions pertaining to winter roads for timber harvest activities are not applicable to the subject proposal.

- **Access Intent.** Classification of roads and trails in and adjacent to recreation river corridors established in the plan include:
  - 1) Pedestrian Trails (not applicable to ADL 234426),
  - 2) Small Vehicular Trails (see discussion below),
  - 3) Large Vehicular Trails (see discussion below) and
  - 4) Roads (not applicable to ADL 234426.)

The class of “Small Vehicle Trails” established in the Plan includes those intended for use by vehicles “with a gross vehicle weight of 1,000 lbs. or under, pedestrians, travel by dogsled, animals, snowmachines, two and three wheeled vehicles, and small ORVs. The class of “Large Vehicular Trails” which are “designated to accommodate vehicles with a gross vehicle weight of over 1,000 lbs., pedestrians, travel by dogsled, animals, snowmachines, two-and-three-wheeled vehicles small or large ORVs, track vehicles or four-wheel-drive vehicles.”

The winter use trail described in ADL 234426 falls between the described categories for “Small Vehicular Trails” and “Large Vehicular Trails”<sup>27</sup> because allowable uses will include tracked vehicles over 1,000 lbs. when snow conditions are adequate, but the trail surface will not be sufficiently improved to support traffic by wheeled vehicles for off-season uses. Neither category is prohibited from approval in the Plan unit affected by ADL 234426.

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<sup>26</sup> P. 2-40, Susitna Basin Recreation Rivers Management Plan

<sup>27</sup> P. 2-40, Susitna Basin Recreation Rivers Management Plan

- **Protection Areas.** The proposal described in ADL 234426 does not conflict with other, applicable management guidelines listed in the “Upland Access” chapter of the Plan pertaining to “Protection of Hydrologic Systems” in “protection areas.” As explained in the Plan’s Glossary,<sup>28</sup> the term “protection area” is defined in the Riparian Management Areas section in Chapter 2, which indicates that they are wetlands and floodplains,<sup>29</sup> and that “Uses...may include bridges, roads and utilities that must cross rivers as long as they are constructed consistent with the Upland Access guidelines.”<sup>30</sup>

DMLW concludes that trail authorization in ADL 234426, accompanied by the ADF&G permit, which was issued to applicants for associated work, is among the uses that are allowed in the Plan’s “protection areas.”

The individual land management unit underlying the ADL 234426 trail alignment is listed below.

- **Alexander Creek Subunit 6a, Lower Alexander Creek under the Recreation Rivers Act (AS 41.23.500).** This subunit is classified to allow “Class II usages”<sup>31</sup> which provide “semi-primitive recreation opportunities.”<sup>32</sup> Class II areas allow for a “Moderate number and scale of transportation improvements” with “Few restrictions on seasonal motorized access except to protect public safety in congested areas.”<sup>33</sup> In addition, “Motorized access is allowed in these areas even when they are located along non-motorized river segments.”<sup>34</sup> The management intent is to “provide and enhance recreation, and fish and wildlife habitat while accommodating uses associated with private lands” and to “provide opportunities for both motorized and non-motorized recreation opportunities.”<sup>35</sup>

The trail proposed in ADL 234426 does not conflict with the management intent statements for this unit.

Upon review of the referenced land use classifications, management intent statements, and other guidance provided in DNR’s area and management plans, DMLW has determined that the issuance of a SLUP for ADL 234426 is consistent with the provisions of both the Susitna Basin Recreation Rivers Management Plan and the Susitna Matanuska Area Plan for State Lands.

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<sup>28</sup> P. A-5, Susitna Basin Recreation Rivers Management Plan

<sup>29</sup> P. 2-9, Susitna Basin Recreation Rivers Management Plan

<sup>30</sup> P. 2-9, Susitna Basin Recreation Rivers Management Plan

<sup>31</sup> P. 3-83, Susitna Basin Recreation Rivers Management Plan

<sup>32</sup> P. 2-2, Susitna Basin Recreation Rivers Management Plan

<sup>33</sup> P. 3-3, Susitna Basin Recreation Rivers Management Plan

<sup>34</sup> P.2-6, Susitna Basin Recreation Rivers Management Plan

<sup>35</sup> P. 3-84, Susitna Basin Recreation Rivers Management Plan

## **PUBLIC NOTICE AND AGENCY REVIEW**

### Public Notice Summary

Public notice of the application was circulated between October 7, 2024, and November 6, 2024. The notice was amended once on October 8, 2024, to indicate that the width of the proposed trail was 18 feet, rather than 16 feet as initially reported. The notice and amendment were posted to the online State of Alaska Public Notice website, sent to the US Post Offices in Houston, Skwentna and Willow and distributed directly to the following recipients with existing or potential interests in the vicinity of the proposed trail alignment:

- Cook Inlet Region, Incorporated
- Donlin Gold, LLC

### Public Notice Comment and DMLW Response

The public comments received during public notice comment period for ADL 234426 are reported in Attachment B.

### Agency Review Summary

Agency review of the application was conducted concurrently with the public notice period between October 7, 2024, and November 6, 2024. The notice was sent to the following recipients.

#### Federal Agencies

- US Army Corps of Engineers, Alaska Region Regulatory Division
- US Department of the Interior, Bureau of Land Management, Alaska State Office

#### State of Alaska Agencies

- Alaska Gasline Development Corporation
- Alaska Industrial Development and Economic Development Agency
- Department of Environmental Conservation, Drinking Water Program
- Department of Environmental Conservation, Solid Waste Program
- Department of Environmental Conservation, Contaminated Sites Program
- Department of Fish and Game, Wildlife Conservation Division, Access Defense Program
- Department of Fish and Game, Habitat Division Palmer Office,
- Department of Natural Resources, Mental Health Land Trust Office
- Department of Natural Resources, Soil and Water Conservation District, Palmer and Statewide Offices
- Department of Natural Resources, DPOR, Park Permitting Office
- Department of Natural Resources, DPOR, Office of History and Archaeology
- Department of Natural Resources, DOG, Permitting Program
- Department of Natural Resources, DOG, Statewide Pipeline Coordinator's Office
- Alaska Department of Transportation and Public Facilities, Statewide Right of Way Section

## Local Agencies

- Matanuska-Susitna Borough Planning Department
- City of Houston, City Clerk's Office

## Agency Review Comment and Response

Information and comments received from sections within DMLW prior to and during the agency review have been considered and included in the preparation of this decision. Comments submitted by agencies outside of DMLW are reported in Attachment B.

## **ENVIRONMENTAL CONSIDERATIONS**

The risk of environmental contamination associated with the proposed winter trail SLUP is minimal. Fuel, lubricants and other hazardous materials shall be restricted to those necessary and will be contained within tools and vehicles when equipment is necessary for clearing and grooming activities. No fuel or other hazardous materials are authorized to be stored on site.

Trail improvement and grooming activities which affect anadromous streams must be performed in compliance with the conditions listed in ADF&G Habitat Permit FH24-IV-0267 or any subsequently issued or renewed ADF&G permits required by that agency for activities associated with ADL 234426.

Water permits for establishment of seasonal ice-bridges must be obtained from DNR on an as-needed basis for activities associated with ADL 234426.

Travel within ADL 234426 shall be limited to periods of adequate snow coverage, when 6 inches of snow and 12 hours of ground frost exist. It is the responsibility of the Permittee to measure the snow and ice thickness to ensure that it is adequate for safe crossing.

There are no other known environmental considerations or constraints in this location.<sup>36</sup>

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

In accordance with AS 38.05.850, DMLW considers if the requested authorization will provide the greatest economic benefit to the State and development of its natural resources. Specifically, staff assess both direct and indirect economic benefits and whether the proposed authorization encourages the development of the State's resources.

The authorization considered herein will provide a direct economic benefit to the State in the form of land use fees. Additionally, the proposed SLUP will facilitate and promote conditions for economic development, providing an indirect benefit to the state. In consideration of these factors, and because there is currently no competing request for authorization pending for the project site, the issuance of this SLUP will provide the greatest economic benefit to the State.

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<sup>36</sup> ADEC Contaminated Sites Map

<https://www.arcgis.com/apps/mapviewer/index.html?webmap=315240bfbaf84aa0b8272ad1cef3cad3> on 9/18/2025.



### **PERFORMANCE GUARANTY**

In consideration of the low risk associated with the proposed authorization, the applicant will not be required to provide a performance guarantee at this time.

### **INSURANCE**

In consideration of the low risk associated with the proposed authorization, the applicant will not be required to provide proof of insurance at this time.

### **SURVEY**

A DMLW approved as-built survey is unnecessary for the creation of a SLUP, as the authorization is a revocable at-will permit. However, the applicant is required to share any survey or other location data that may be acquired with DMLW to provide DMLW with information about the location of improvements located on state land, including GPS coordinates noting the centerline of the constructed trail route.

### **FEES**

The following fees are applicable to this request and are subject to change if pertinent regulations or the department's fee schedule are amended during the term of the SLUP. All fees shall accrue from the effective date of the decision and are subject to non-sufficient funds and late-payment penalty fees.

- The applicants shall pay an annual land use fee of \$240.00 per 11 AAC 05.180(d)(2)(J).

### **ENTRY AUTHORIZATION OR SPECIAL LAND USE PERMIT**

An entry authorization is an interim authorization that is issued when a survey is necessary prior to the issuance of an authorization. Therefore, the requirement for an entry authorization is waived as the SLUP is a revokable-at-will permit. However, the SLUP will not be granted until the following deliverables have been provided to DMLW, as described or recommended above:

- First annual land use fee.

### **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 the recommendation of staff to issue a SLUP as described above, on the condition that all stipulations are followed as described in the attached authorization.

  
Cynthia Zuelow-Osborne, Natural Resource Specialist 3

9-26-25  
Date

## REGIONAL MANAGER'S DECISION

When adjudicating a SLUP 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 the public interest. In consideration of all events and criteria listed above, I hereby determine that the authorizations 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 of the 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 21<sup>st</sup> day after issuance.



Brent Reynolds, Natural Resource Manager 2

9/29/25

Date

## ATTACHMENTS

**Attachment A, Route Maps**

**Attachment B1, Public Comments and Responses**

**Attachment B2, Agency Comments and Responses**

## 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 AC 20.040. 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. 7<sup>th</sup> 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)(1)(F), which has been set at \$200.00 under the provisions of 11 AAC 05.160(a)-(b). A copy of 11 AAC 02 is available on the department's website at <https://dnr.alaska.gov/mlw/pdf/DNR-11-AAC-02.pdf>.

Attachments Follow

# ADL 234426 Attachment A – Route Maps Sheet 1





Winter trail proposed for widening and expanded winter use, per ADL 234426

G.S. 103 LAND MIN 50-16-0319

MUNI ENT ADL 221778 EXCH APPROVED

PUR ACCESS ADL 222930 ISSUED

MUNI ENT ADL 321778 EXCH APPROVED

MISC LAS 29667 EXPIRED

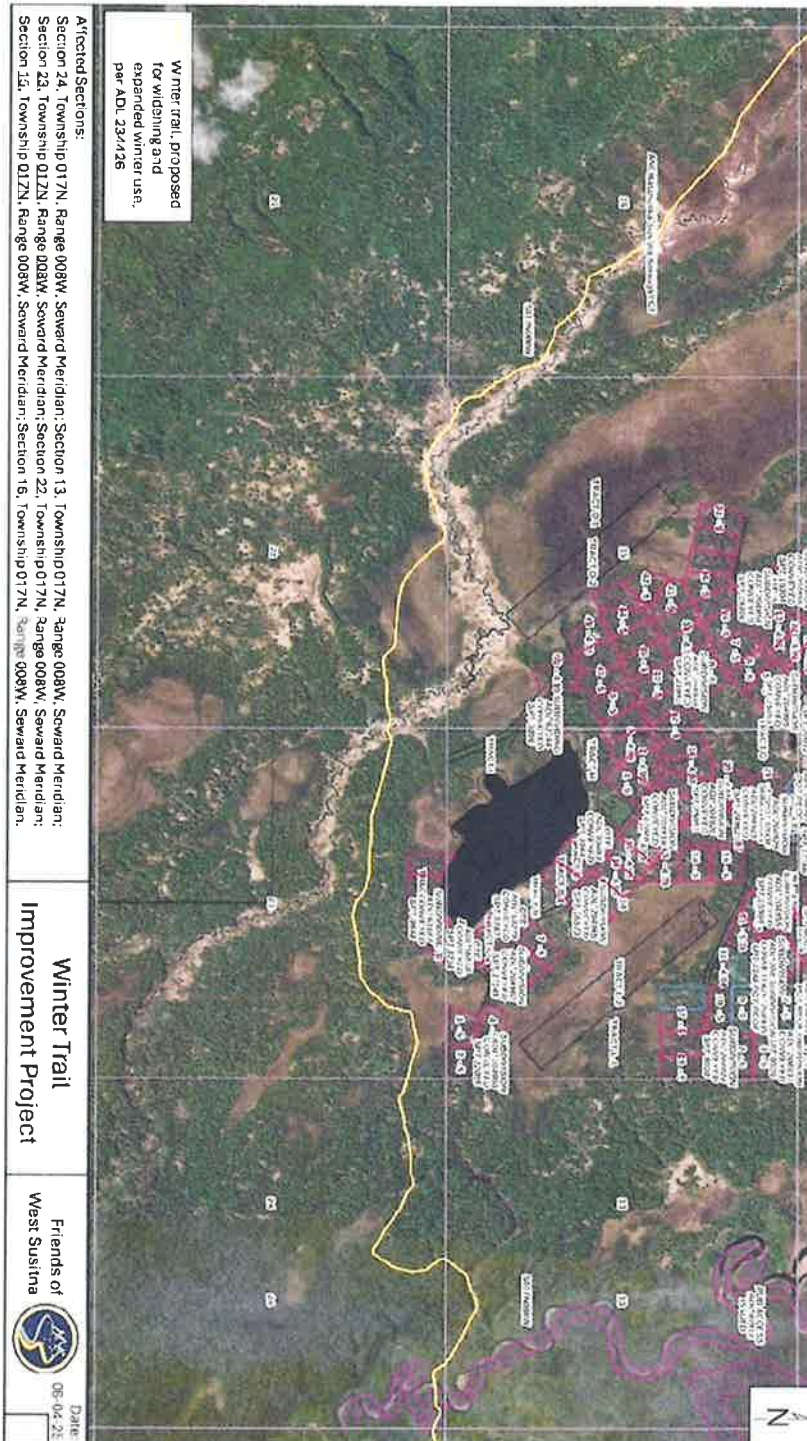
OTHER USE ADL 411297 ISSUED

MUNI ENT ADL 32590 APPROVED

Winter Trail Improvement Project

09-01-25

# ADL 234426 Attachment A – Route Maps Sheet 3

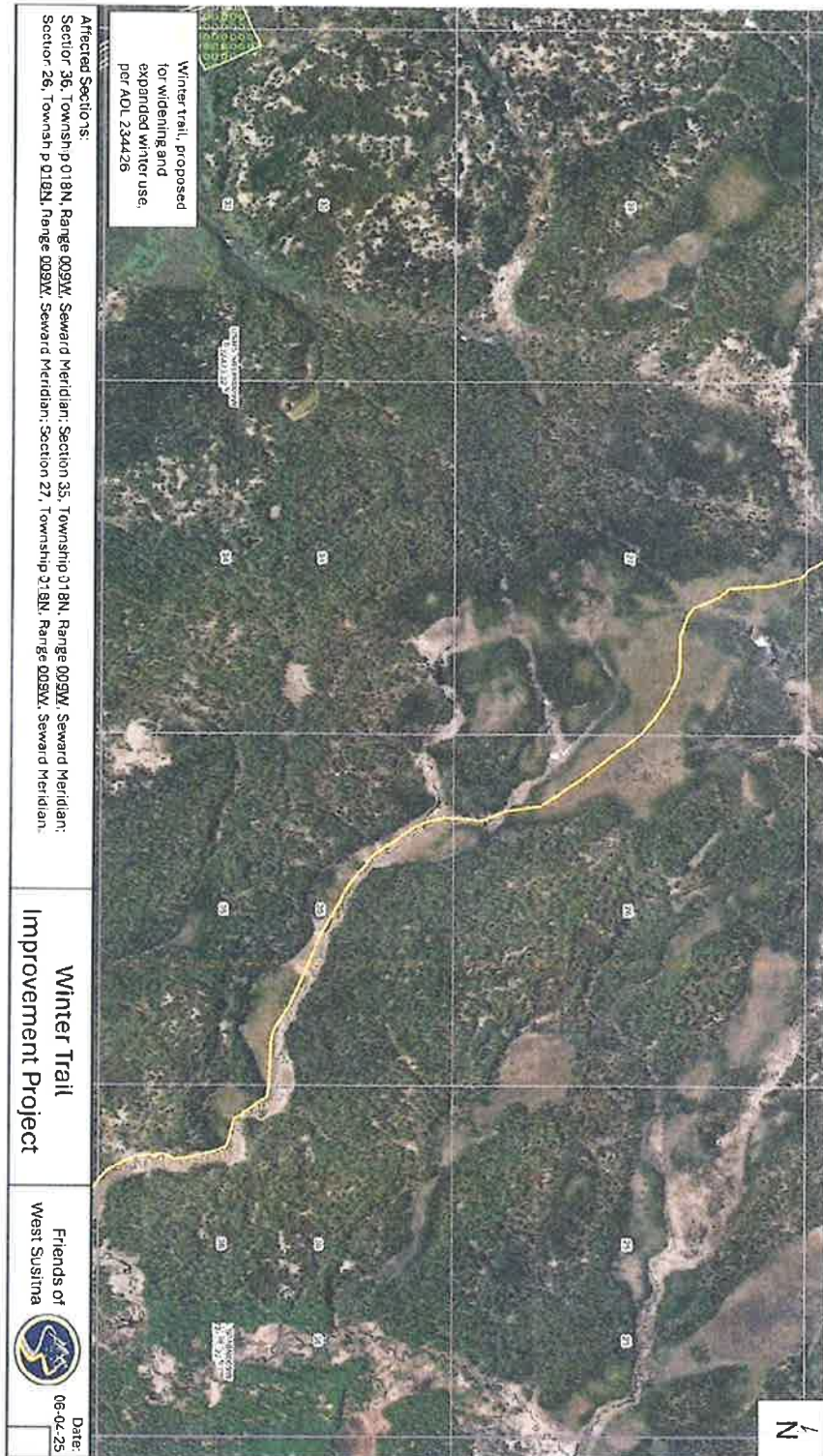




# ADL 234426 Attachment A – Route Maps Sheet 4



# ADL 234426 Attachment A – Route Maps Sheet 5





Winter trail, proposed for widening and expanded winter use, per ADL 234426

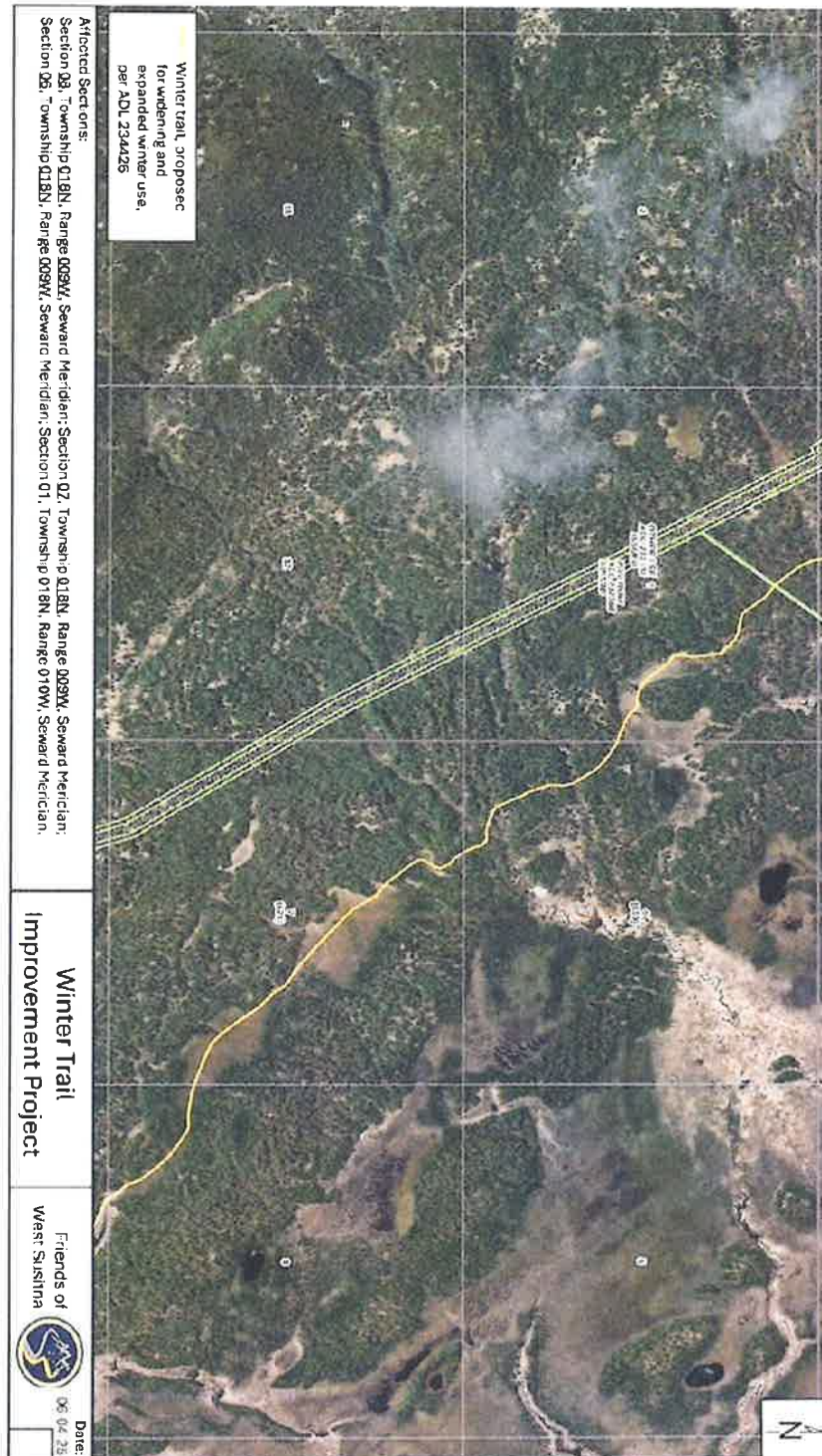
Winter Trail

Friends of West Susitna

Date: 06.04.25



# ADL 234426 Attachment A – Route Maps Sheet 7



Winter trail, proposed for widening and expanded winter use, per ADL 234426

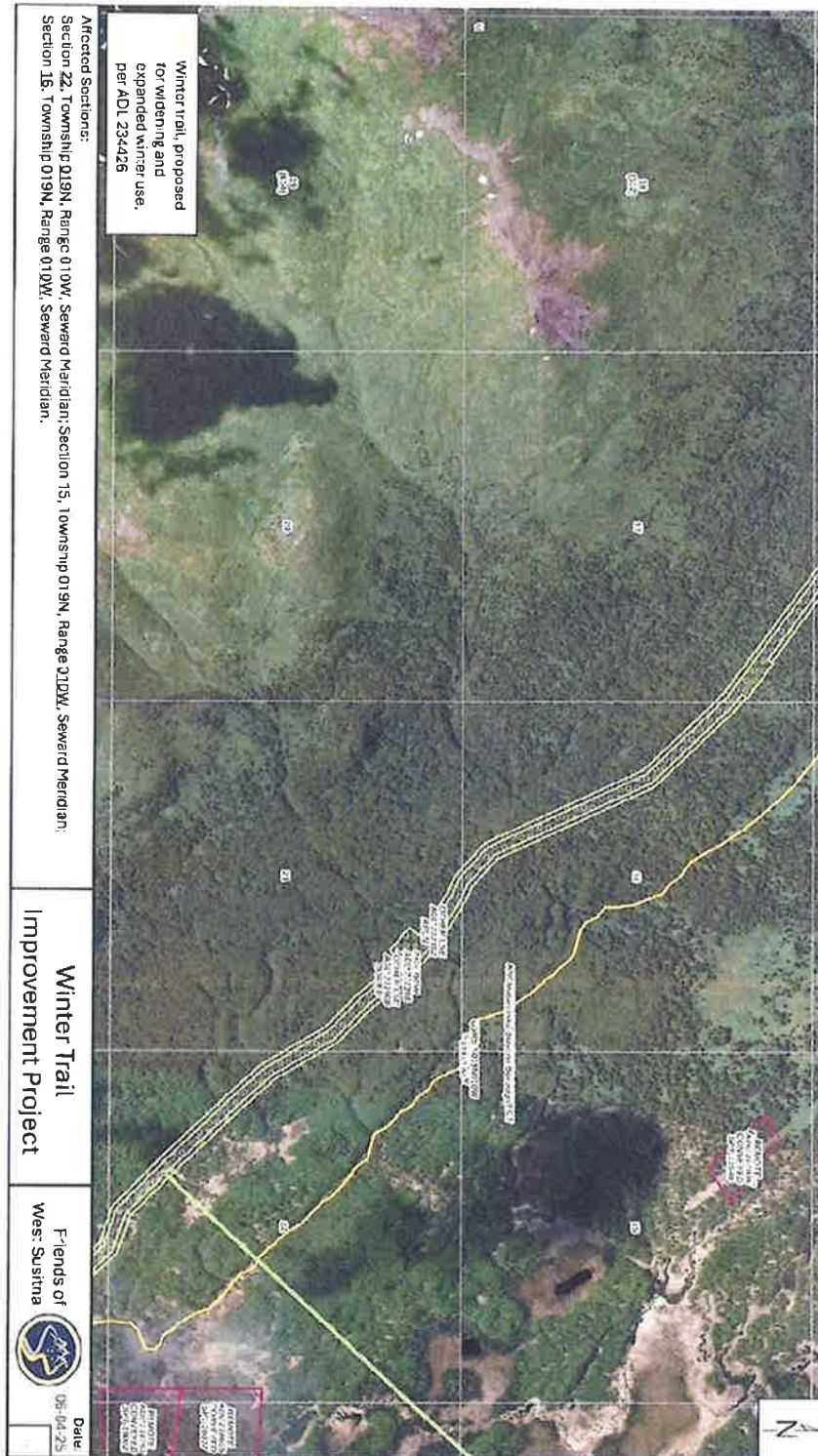
Winter Trail Improvement Project

Friends of West Susitna

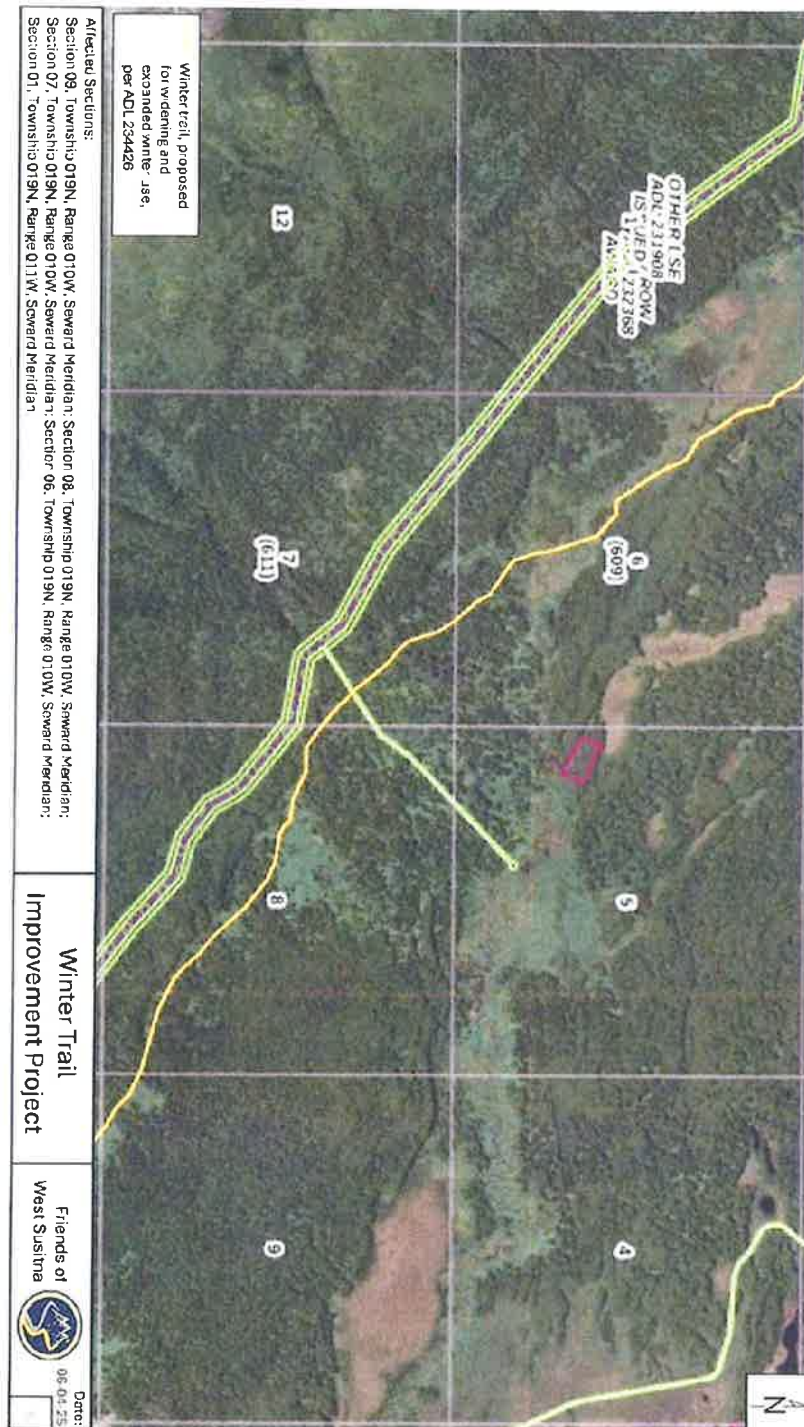
Date: 06-04-25



# ADL 234426 Attachment A – Route Maps Sheet 9

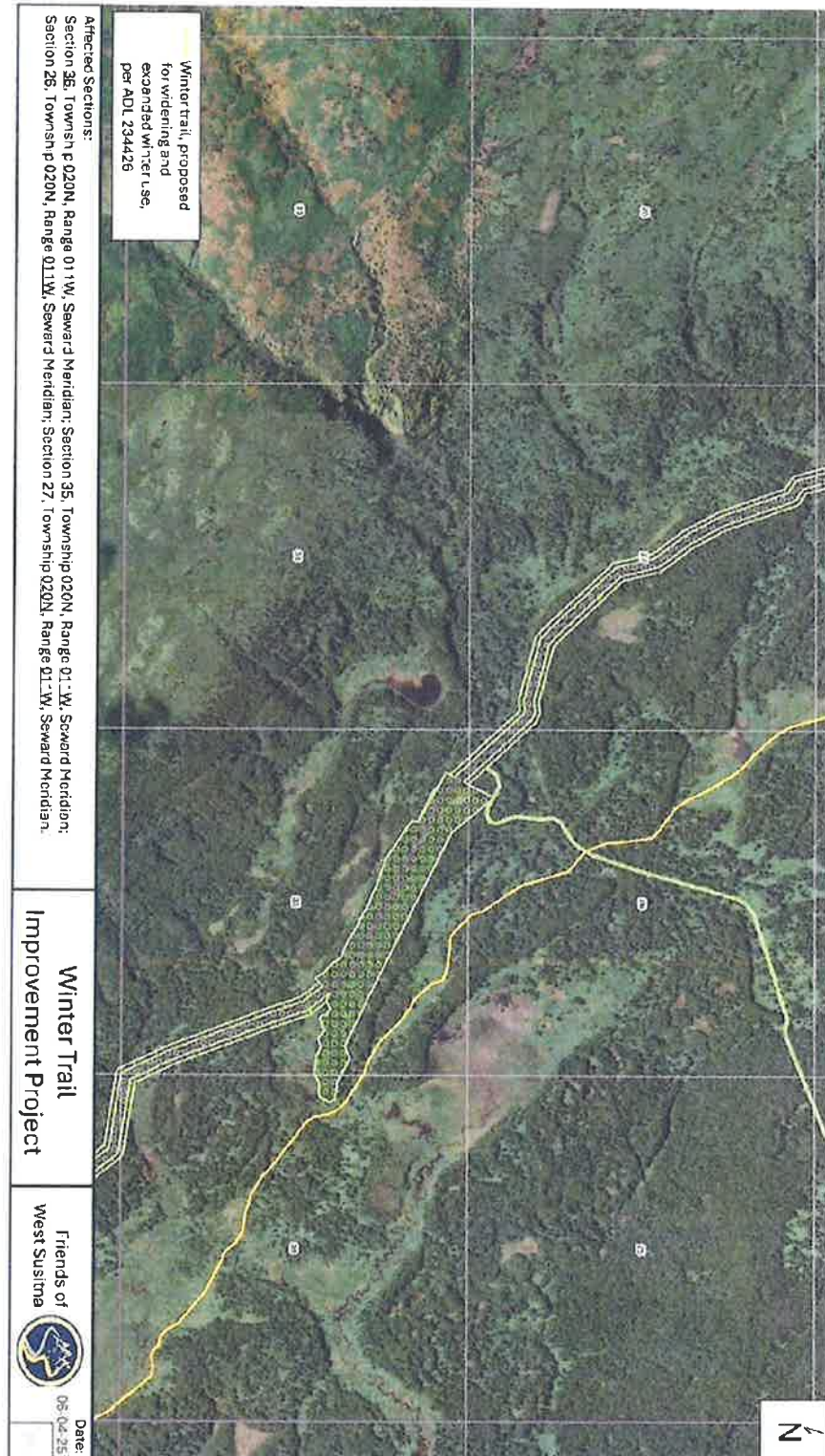


# ADL 234426 Attachment A – Route Maps Sheet 10

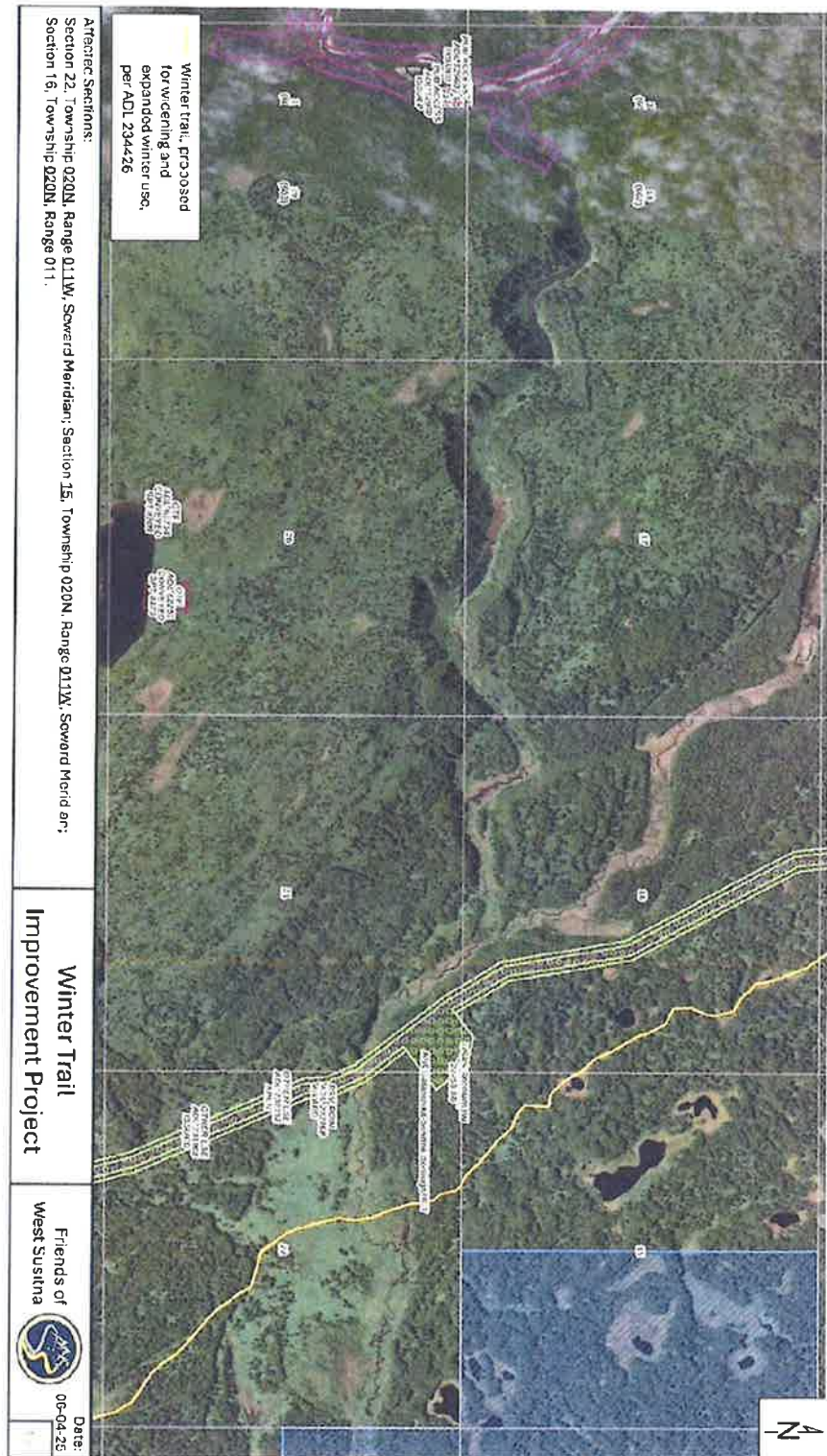




# ADL 234426 Attachment A – Route Maps Sheet 11

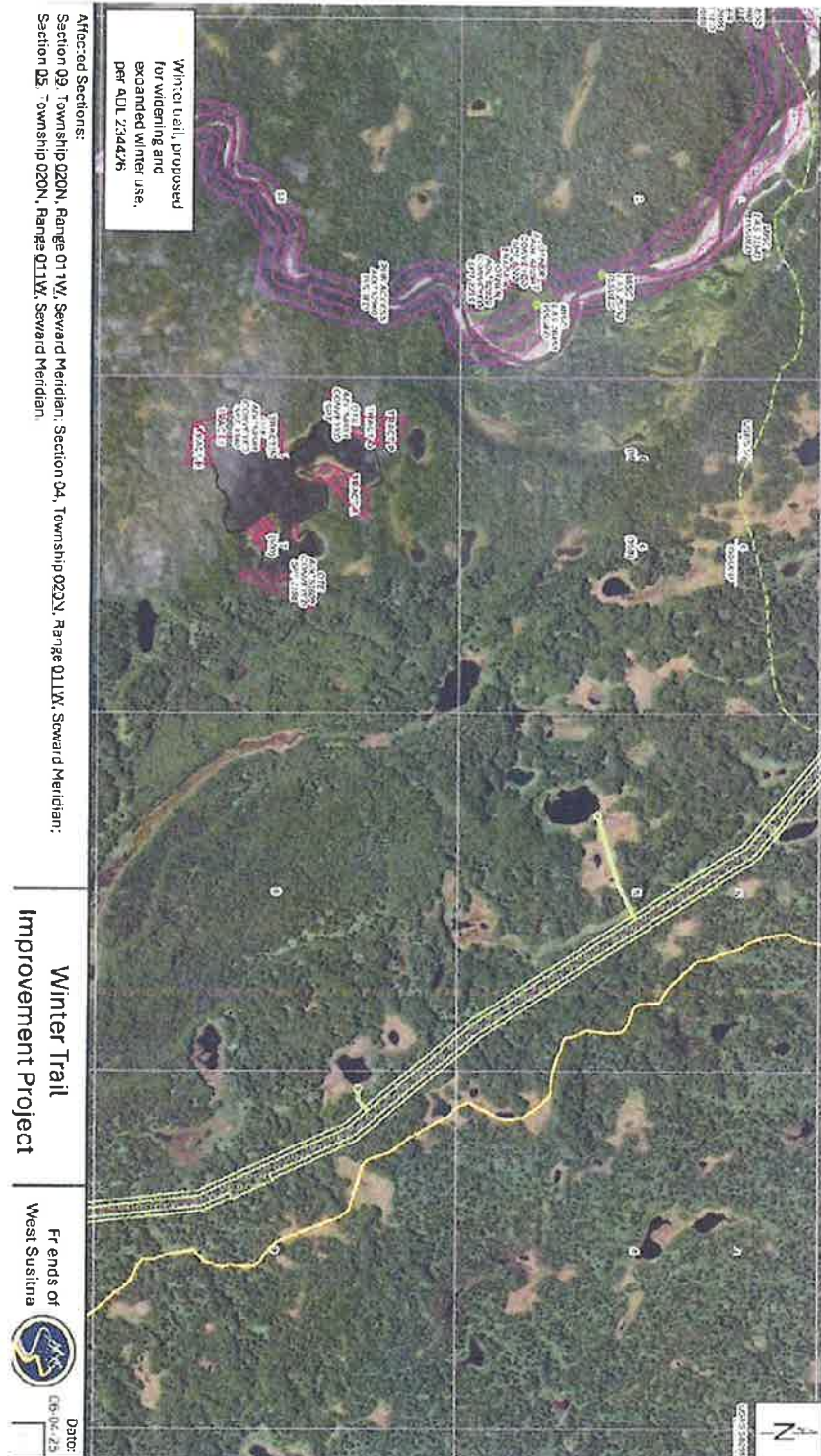


# ADL 234426 Attachment A – Route Maps Sheet 12

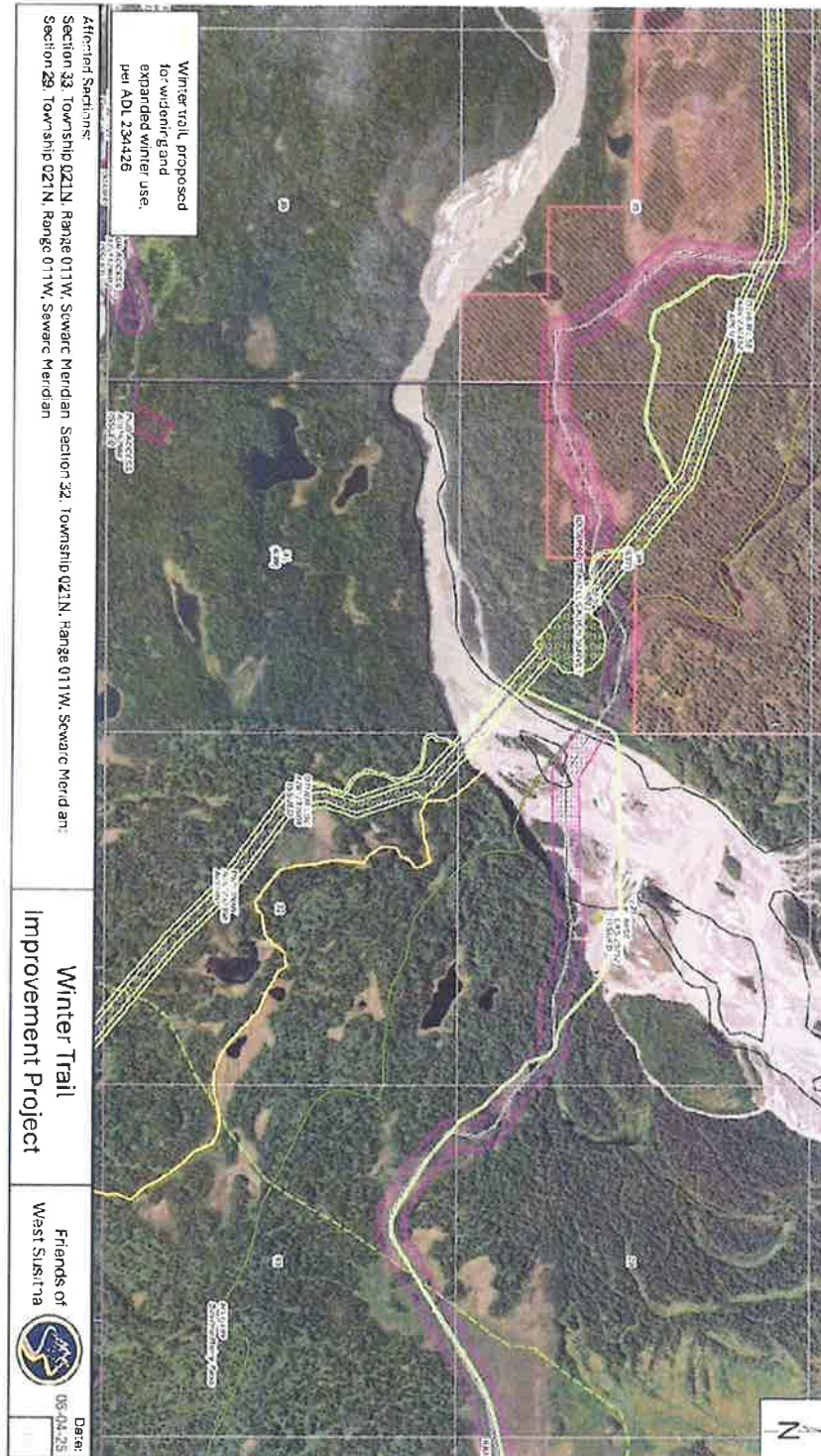




# ADL 234426 Attachment A – Route Maps Sheet 13



# ADL 234426 Attachment A – Route Maps Sheet 14





**ADL 234426 Attachment B1**  
**Public Comments and Responses**

Comment: On October 14, 2024, John C. Lamborn submitted the following.

I would like to express my support for the winter trail from the Big Su to Skwentna. This will benefit the entire community.

DMLW Response: Comment acknowledged.

Comment: On October 23, 2024, Donlin Gold LLC submitted the following.

Donlin Gold appreciates the opportunity to comment on ADL 234426 Public Notice for the improvement of an existing winter trail between the Susitna River and the Skwentna River. The Alaska Department of Natural Resources issued to Donlin Gold two Right-of-way (ROW) leases for construction and operation of a natural gas pipeline (ADL 231908) and fiber optic cable (ADL 232368). Attached is a map showing the location of ROWs issued to Donlin Gold and the approximate location of the winter trail. Notice that the winter trail overlies at least two water extraction site access routes leased to Donlin Gold under ADL 231908. We recommend that a copy of the attached map be provided to the applicant. Donlin Gold has no objection to DNR's issuance of ADL 234426, provided that such grant does not unreasonably interfere with our rights under ADL 231908 and ADL 232368. Currently Donlin Gold has no plans to conduct field operations within this area in 2025, but possibly 2026.

DMLW Response: Comment acknowledged. Applicants were advised to contact Donlin Gold, LLC for additional coordination, if required.

Comment: On October 23, 2024, Nova Minerals submitted the following.

Nova Minerals would like to express our support for the winter trail improvements proposed by FoWS (ADL 234426). Widening and maintaining this winter trail would be in the public access and would increase diversity of uses, would accommodate larger cargo loads to be hauled safely in winter, and would provide elements of safety and reliable winter transportation across state land. It would be used by the public for snow machining, snow cat, and other winter travel. It provides a needed direct route between the Susitna and Skwentna Rivers for residents in the area and those working nearby. If developed, Nova Minerals would consider using this winter trail for hauling supplies on tracked vehicles and may hire people that could use it to more easily reach the Estelle camp and job site.

DMLW Response: Comment acknowledged.

Comment: On November 1, 2024, Monica Jenicek Lyall submitted the following.

I do not support "Friends" of West Susitna's efforts to expand a public trail in the West Susitna drainage.

This proposal appears to be yet another rebrand of a private project with primarily commercial interests—a 100+ mile industrial corridor through a currently roadless swath of the Susitna drainage to access minerals for capital development. The ADL234426 application for expanded trail width is not a stand alone project and should not be presented to the public as such.

Even as a stand alone item, the additional environmental pressure on the west side of Cook Inlet from an expanded “trail” so close to Anchorage’s major population base would be significant. Greater environmental study and protection, more fiscal accountability, and explicit identification of the positions of all public stakeholders, is required.

AIEDA’s fingerprints all over this alleged “Friends of Susitna” project. AIDEA’s track record in successfully completing Alaska projects is abysmal and recent management recalcitrance at providing financial and planning transparency is troubling. Mineral development in West Susitna is no less controversial than the Ambler Road, and this current piecemeal attempt to permit the camel to insert his nose under the tent should not be allowed without a robust public process.

Specifically, the ADL 234426 proposal seeks to expand a local trail from six to eighteen feet over 42 miles, authorizing large and heavy loads along sensitive wilderness corridors. This threatens critical habitats and is at odds with the current recreational nature of the land. Indeed, the project appears designed to fast-track industrial access through unusual funding and corporate relationships (Flatland Energy coal development) bypassing more stringent public review.

The language in ADL 234426 allows for undefined “transportation activities,” implying an intent to support heavy industrial equipment and other commercial transport, which far exceeds typical trail maintenance. This industrial capacity appears incompatible with the proposed public trail use.

The proposal indicates no formal engagement with local tribes, including Chickaloon, Tyonek, Knik, and Eklutna. Given the presence of culturally significant landmarks, proper tribal consultation is essential to protect these heritage sites and ensure decisions reflect local voices.

The project’s design mirrors Flatlands Energy’s coal and energy plans, raising concerns that the so-called “trail improvements” are instead a preliminary phase of a long-term industrial access road. The recent federal FAST-41 designation, aimed at expediting development projects, for the Flatlands coal project suggests a roadmap to circumvent community and environmental safeguards.

The proposed 18-foot width, while modest by industrial standards, risks heavy vehicular traffic. With this design, there is insufficient clarity on use restrictions, creating potential for high-impact, industrial-scale traffic unsuited to a traditional public trail.

The project may be billed as “trail” improvements. But my reckoning, it’s a road-- to commercial development, not recreational access.”

DMLW Response. Comment acknowledged. ADL 234426 concerns a revocable permit for a winter trail. Proposals for the development of permanent roads in the region will require additional applications, reviews, and authorizations that are beyond the scope of this project.

DMLW has not yet received applications or finalized legal descriptions from any agency, business or other party for new road construction projects in the area. Any potential co-location, intersection, or re-routing of the trail addressed in ADL 234426 will be addressed as needed after review of relevant information when it is available.

Permit and easement authorizations issued by DMLW pursuant to AS 38.05.850 are not subject to the notice requirements outlined in AS 38.05.945. Provision of public comment periods for AS 38.05.850 projects are performed on a discretionary basis and frequently combined with a simultaneous agency review and comment period, as was done for ADL 234426. Public meetings are not a usual component of AS 38.05.850 approvals for projects that do not convey a possessory interest in the underlying State land. The statutory provisions for public hearings outlined in AS 38.05.946 do not apply. The notice released for ADL 234426 was posted on-line for a period of 30 days between October 7 and November 6, 2024. It identified the project as one considered for approval under AS 38.05.850. No extension of the review period was undertaken.

Copies of the application package for ADL 234426 were provided to all parties who requested them per the instructions provided in the notice document.

Comments concerning the environmental impacts of the project described in ADL 234426 were provided by the Alaska Department of Fish and Game and the US Army Corps of Engineers. See the Agency Comments section of this decision document for more information.

DMLW permits and easements issued under AS 38.05.85 require compliance with AS 41.35.200, the Alaska Historic Preservation Act, including the one proposed for ADL 234426.

Standard DMLW stipulations regarding necessary snow-cover for movement of “snowcat” tracked heavy equipment will apply to ADL 234426.

Federal procedures and requirements including NEPA, Section 106, FAST-41 and others are not required for the DNR DMLW authorization proposed in ADL 234426. Consideration of potential federal procedures and requirements for other projects is beyond the scope of this decision.

The 18 foot trail width described in ADL 234426 is less than those for standard DMLW pedestrian easements (25 feet), utility easements (30 feet), neighborhood service roads (60 feet) and arterial

roads (100 feet;)<sup>37</sup> as well as less than the recommended minimum width specified in the Matanuska Susitna Area Plan for motorized public access trails (40 feet.)<sup>38</sup> No specific trail widths are recommended in the Susitna Basin Recreation Rivers Management Plan.

Other comments are beyond the scope of ADL 234426.

Comment: On October 14, 2024, Gabe Kitter submitted the following.

To whom it may concern,

I am writing to provide my comments regarding ADL 234426. I recommend that no further action be taken on this project until the following conditions have been fulfilled:

1. Public meetings should be conducted to convey the project's intent to the community.
2. Plans must be established for maintenance and upkeep, alongside clarification of the funding sources.
3. Detailed plans for potential extensions to the trail should be provided.
4. A period for public comment should be extended following the dissemination of the above information.

The primary purpose of this trail is to facilitate access. During the winter months, a variety of transportation methods, including large snowcats and pedestrian access, are utilized within this area. This region has historically been a focal point for debate among the public, local authorities, development firms, and the mining industry. Given these complexities, it is imperative that the ADL 234426 project is approached with care, ensuring that a thorough public engagement process is both implemented and respected.

It is noteworthy that the original trail was constructed without the necessary permits, resulting in a lack of accountability. Allowing the applicant to advance the development of this trail without addressing the previous unpermitted actions and incorporating public input would undermine the integrity of the process.

I urge you to take these comments into serious consideration before proceeding further.

Thank you for your attention to this matter.

DMLW Response: Comment acknowledged. Permit and easement authorizations issued by DMLW pursuant to AS 38.05.850 are not subject to the notice requirements outlined in AS 38.05.945. Provision of public comment periods for such projects are performed on a discretionary basis and frequently combined with a simultaneous agency review and comment period, as was done for ADL 234426. Public meetings are not a usual component of AS 38.05.850 approvals for

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<sup>37</sup> 11 AAC 51.015, Standards for Public Easements

<sup>38</sup> Page 2-54, Matanuska Susitna Area Plan for State Lands

projects that do not convey a possessory interest in the underlying State lands. The statutory provisions for public hearings outlined in AS 38.05.946 do not apply. The notice released for ADL 234426 was posted online for a 30-day period between October 7 and November 6, 2024. It identified the project as one considered for approval under AS 38.05.850. No extension of the review period or public meeting effort was undertaken.

DMLW has not yet received applications or finalized legal descriptions from any agency, business or other party for new road construction projects in the area. Any potential co-location, intersection, or re-routing of the trail addressed in ADL 234426 will be addressed as needed after review of relevant information when it is available.

According to their Plan of Development, the applicants for ADL 234426 plan to “groom and maintain the widened trail...year after year, as funding and need allows. Applicant[s] will maintain and trim back brush or overgrowth, mark hazards, remove fallen trees or other obstacles from the trail, and thicken ice on larger river crossings in certain years as needed and in accordance with required permits. Applicant[s] will use different social media platforms and other electronic communications to provide updates on trail conditions.”

Comments concerning the environmental impacts of the project described in ADL 234426 were provided by the Alaska Department of Fish and Game and the US Army Corps of Engineers. See the Agency Comments section of this decision document.

Other comments are beyond the scope of ADL 234426.

Comment: On November 2, 2024, Blythe Marston submitted the following.

The “Friends” of West Susitna’s efforts to expand a public trail in the West Susitna drainage is disingenuous. Further, the State has not provided the appropriate public notice and outreach, and most importantly, on its merits the project cannot be justified. Please ensure that the following comments are made part of the public record on the proposed West Susitna ADL 23446 project.

This project appears to be another rebrand of a private project with primarily commercial interests—a 100+ mile industrial corridor through a currently roadless swath of the Susitna drainage to access private minerals interests. The State knows very well that ADL234426 application for expanded trail width is not a stand alone “trail” improvement and should not be presented to the public as such. Even if it were a stand alone item, the additional environmental pressure and impacts on the west side of Cook Inlet from an expanded “trail” would be significant. Greater environmental and historical study and protection as well as more fiscal accountability, especially in the realms of safety and maintenance costs should be required. Explicit identification of the positions of all public stakeholders should be required.

The project, however, is not stand alone and appears designed to fast-track industrial access through unusual funding and corporate relationships (Flatland Energy coal development among others) to bypass more stringent public review. It appears that the State has made no effort to

address the impact of a "trail" enlargement to 18 feet wide that is for far more than a modest public trail improvement. The project's design mirrors Flatlands Energy's coal and energy plans, raising concerns that the so-called "trail improvements" are instead a preliminary phase of a long-term industrial access road. The recent federal FAST-41 designation, aimed at expediting development projects, for the Flatlands coal project suggests a roadmap to circumvent community and environmental safeguards.

AIEDA's proposals for funding improvements and subsidizing commercial projects in the West Susitna are a part of, if not, behind this "Friends of Susitna" project. AIDEA's track record on Alaska projects is abysmal and recent management recalcitrance at providing financial and planning transparency is troubling. AIDEA has failed to analyze or publicly reveal [sic] whether mineral development in West Susitna without State subsidy would bring a return to the State and yet, it supports spending State funds to promote private commercial mining efforts. This "trail" project should be considered as a part of a State subsidy of private mining activity.

The State should publicly address at the highest levels whether subsidizing commercial mining efforts is the best use of its resources given the minor royalty return the State will receive and the costs that it will entail for the State. The State has yet to do so and this project should be put on hold until that analysis is complete. The subsidy by the State of building access to uneconomic mineral development should not continue without a robust public process on whether State subsidy of uneconomic mining interests truly benefit Alaska and Alaskans in general and, in this case, specifically. This question is not unlike the proposed Ambler development which is stalled for exactly these reasons. Clearly, the State and AIDEA have been down this path before and not yet learned how to do the appropriate transparent analysis before pushing private agendas and making decisions that do not clearly benefit Alaska and Alaskans.

Specifically, the ADL 234426 proposal seeks to expand a local trail from six to eighteen feet over 42 miles, authorizing large and heavy loads along sensitive wilderness and wetland corridors. This threatens critical habitats and is at odds with the current recreational nature of the area it crosses. The language in ADL 234426 allows for undefined "transportation activities." Once one has full knowledge of the project application's context, this phrase implies that the trail improvement is actually an intent to support heavy industrial equipment and other commercial transport far exceeding typical trail use or maintenance. This industrial capacity appears incompatible with proposed public trail use both on the grounds of safety and the State cost of maintenance, neither of which appear to have been analyzed. Development of uneconomic mining interests should not be encouraged by enlarging "trails" at State expense.

Of concern is that the proposal also indicates no formal engagement with local tribes, including Chickaloon, Tyonek, Knik, and Eklutna. Given the presence of culturally significant landmarks, proper tribal consultation is essential to protect heritage sites and ensure decisions reflect local voices.

Further, the "trail improvement" will cross wetlands, creeks and rivers threatening critical habitats and undermining the wilderness character of the West Susitna, a characteristic which has its own economic value that has not been carefully considered by the State.

The State should not be reviewing this project as a "trail Improvement" nor in isolation. It is a first step toward an industrial road. Should the State nonetheless do so, it will be making a grave error. By this letter, I request that the State of Alaska add to the decision record on this project not only these comments but also all public comments that have been filed on the various other portions and efforts that to create an industrial, private road across the West Susitna area. This is only one more effort of the same vision, unfortunately in the guise of a "trail improvement" by an organization that bills itself as "friends" of West Susitna.

No true trail needs to be 18 feet wide unless it is being used for something other than a true trail. The State should be candid and seek public comment for this project. This is not a recreational improvement. Thank you for considering these comments.”

DMLW Response: Comment acknowledged. Land use authorizations issued by DMLW pursuant to AS 38.05.850 are not subject to the notice requirements outlined in AS 38.05.945. Provision of public comment periods for AS 38.05.850 projects are performed on a discretionary basis and most frequently combined with a simultaneous agency review and comment period, as was done for ADL 234426. The notice released for ADL 234426 was posted online for a period of 30 days between October 7 and November 6, 2024. It identified the project as one considered for approval under AS 38.05.850. No extension of the review period was undertaken.

ADL 234426 concerns a revocable permit for a winter trail. Proposals for the development of permanent roads in the region will require additional applications, reviews, and authorizations that are beyond the scope of this project.

DMLW has not yet received applications or finalized legal descriptions from any agency, business or other party for new road construction projects in the area. Any potential co-location, intersection, or re-routing of the trail addressed in ADL 234426 will be addressed as needed after review of relevant information when it is available.

The 18 foot trail width described in ADL 234426 is less than those for standard DMLW pedestrian easements (25 feet), utility easements (30 feet), neighborhood service roads (60 feet) and arterial roads (100 feet);<sup>39</sup> as well as less than the recommended minimum width specified in the Matanuska Susitna Area Plan for motorized public access trails (40 feet.)<sup>40</sup> No specific trail widths are recommended in the Susitna Basin Recreation Rivers Management Plan.

Federal procedures and requirements including NEPA, Section 106, FAST-41 and others are not required for the DMLW authorization proposed in ADL 234426. Consideration of potential federal procedures and requirements for other projects is beyond the scope of this decision.

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<sup>39</sup> 11 AAC 51.015, Standards for Public Easements

<sup>40</sup> Page 2-54, Matanuska Susitna Area Plan for State Lands

The permit proposed for authorization of ADL 224426 will include standard DMLW stipulations for snow cover to address use by tracked “snowcat” vehicles.

Other comments are beyond the scope of ADL 234426.

Comment: On November 4, 2024, Richard Bell submitted the following.

I just wanted to send a email to say I am in support of the winter trail systems. I live in remote Skwentna full time and the extra trails/road would be a huge help out here. Thank you for your time.

DMLW Response: Comment acknowledged. ADL 234426 concerns a revocable permit for a winter trail. Proposals for the development of permanent roads in the region will require additional applications, reviews, and authorizations that are beyond the scope of this project.

Comment: On November 4, 2024, Calvin Flanigan submitted the following.

I am in complete support of a new winter Road/Trail. The more access we have the better and it sounds like it will be a cool new route to travel.

DMLW Response: Comment acknowledged. ADL 234426 concerns a revocable permit for a winter trail. Proposals for the development of permanent roads in the region will require additional applications, reviews, and authorizations that are beyond the scope of this project.

Comment: November 4, 2024, Becky Long submitted the following.

DMLW should deny this ADL application. Application inaccuracies, vague maps, lack of environmental, socio-economic, cultural impact and cumulative impact consideration, and a too short public comment period for what is at stake are the reasons. If there is not an outright permit denial, then an extension of the public comment period needs to occur. A public meeting in Willow with zoom capabilities should occur. A lot of significant concerns and unanswered questions need to be dealt with by the state. For instance, the public has requested the permit materials, but many could only get the information if they came into the office because of the large file size. What is up with that in this day and age?

DMLW would not be doing due diligence under Alaska’s Constitution and statutes if this permit is granted without concerns and questions answered so that the public can make informed comments.

The applicant, Friends of West Susitna, publicly support and lobby for a year-round West Susitna Industrial Access Road to benefit the coal and mining proposals and exploration. This trail Right of Way permit would become a segment of that 100 mile plus year-round road proposal. This application is merely the preliminary phase of a long term industrial wide road for mining trucks and the infrastructure needed. This is being done in the guise of winter travel for the locals.



This permit is, in all reality, a permit for this proposed road. This is the real motivation for the application.

For example, the Flatlands Energy Company proposes to build a coal mine/power plant in the Canyon Creek area which is within a few miles of the application route. This ROW route would be used by them. In a 7/15/24 Matanuska Electric Association Board of Directors meeting, Flatlands CEO Robert Power attended and spoke. We heard him say, "It would be pretty easy to get a Right of Way from DNR" to transport the company's equipment and supplies. This bears out my comments.

A ROW would be created from the Susitna Station area of the Susitna River without any real impact assessment including cumulative impacts. This is a way for corporate interests to fast track the process of their proposals.

1. This winter trail proposal is destined to become a year-round trail albeit unofficial. When clearing is done for winter access anywhere in Alaska, people will want to drive in the non-winter months with their ATVs. Bringing hordes of people year-round to use the trail is a public safety issue. Search and rescue costs need to be considered. The route will become rutted with many go-around trails to avoid the messed-up parts that get created.
2. No real public demand exists for this ADL. This route is not good for cargo hauling and heavy equipment. It is hilly, through thick forests with wind-fall spruce bark beetle killed trees all over the area. There are many stream crossings and wetland expanses.
3. The application is inaccurate when it says that the trail already exists and had significant snowmachine use in 2023-2024. A one-time snow machine race to Skwentna in 2024 does not mean the trail really exists and sees significant use. Good try by the applicants to recreate reality. Thus, this permit is not for trail improvements and widening, it is to create the trail. Did the applicants get a DMLW permit for the snowmachine race?
4. Why would DMLW grant a trail easement before there is a survey? Is that not putting the cart before the horse, to use a phrase? What is the legality of creating a 30-year ROW without a survey?
5. How much does this trail route include the route from the Alaska Department of Transportation and Public Facility? Their proposed STIP 2024-2027 Statewide Transportation Improvement Plan has identifier Project 34206 Parent and Final Construction West Susitna Access Road. Project 34206 includes a route from the Susitna River to Alexander Creek. A NEPA Environmental Assessment is in process for that route now. The public needs to know if this is the same route. If not, why two different routes? If the same route, is this not a subversion of the public process by this mere ROW permit?
6. The application maps do not have map keys, so one is not exactly sure what they are seeing. For example, there is no key for figure 2. Land Ownership Map. So that is useless. Other maps from USGS maps do not show very good where the route is. These maps show a lot of wetlands.
7. This trail parallels the Iditarod National Historic Trail. Is the applicant consulting with Iditarod land manager about this permit? Land use conflicts could occur and need to be discussed.
8. Significant Public Concerns of negative impacts to fish and wildlife and their habitats:

This route goes through Game Management Subunit 16B.

At a June 2024 Mat Su Borough Fish and Wildlife Commission Special Meeting, the Alaska Department of Fish and Game was asked how the proposed ADOT/AIDEA West Susitna Road will impact wildlife management. Their reply was the agency would probably have to change from a moose harvest ticket to a moose draw which represents more hunting restrictions. This is an important moose hunting region. Moose populations in Game Management subunit 16B have been depressed in recent years. These moose declines have been the focus of Intensive Management (IM). More stresses on the wildlife are not needed.

The route goes through the Sucker Creek and Wolverine Creek areas. These are critical winter moose habitat areas with heavy snow. A trail through there will stress the moose out even more.

All the streams along the route have not been surveyed for fish distribution and analysis. How many of those streams are in the Anadromous Waters Catalog? Where exactly are the salmon spawning grounds? Where will the applicants get their water for the ice bridges they will need for a winter trail? Will that affect the natural flows of Alexander Creek area? These questions need to be answered.

9. Impacts to Cultural Resources could be significant with this trail route use.

A full NEPA and Section 106 cultural resource survey under the National Historic Preservation Act needs to be done. This has not happened to the best of my knowledge.

Susitna Station is the likely prospect shown on maps where the ADOT STIP-funded Susitna River bridge would be built. This is probably why the applicants choose the starting point of the route opposite Susitna station. This area along with Alexander, Anderson and Fish Creeks and Flathorn Lake are one of the richest cultural and archaeological areas in the state. The following is from Shem Pete's Alaska, The Territory of the Upper Cook Inlet Dena'ina the revised second edition copyright 2016.

The Susitna River, Ts'iti, was known as The Major River. The Wrangell Map of 1839 showed strong evidence of the extensive role the Dena'ina had in the trading of that period.

Susitna Station was called Tsat'ukegh which means "Beneath the Big Boulder". At various times, Susitna Station was the main year-round village. The main salmon fishing sites and the main fish caches were kept there. Subsistence goods were always brought back to this main year-round village. At one time, Susitna Station was the nearest settlement to the Alaska Range on the Susitna River side. It was the only port of entry and departure between the Susitna River and the Tanana River. After 1895, Susitna Station grew for 2 decades as the Iditarod Trail supply route. From 1910-1916, it was a jumping off place with the miners going to Cache Creek or Iditarod.

There was a regular summer trail along the riverbank across from Susitna Station. A graveyard was located across from it. Flathorn Lake was an important site for salmon fishing with many nichil, multifamily dwellings.

There is much more information than this about the significance of the general area through which this route would traverse. There is no indication that the cultural resources have been surveyed and studied adequate [sic] by a state agency. Not enough to prevent negative impacts to the area's cultural significance.

If this ROW is granted and the trail is put in and widened, it is a good bet that "culturally modified trees and other historical trail landmarks will be lost.

Have the applicants consulted with the Chickaloon, Knik, Eklutna and Tyonek tribes about this route? Do the applicants know how to protect the cultural resources?

#### Conclusion

This permit should be denied. If not denied, then the comment period should be extended with a public meeting to be held in Willow, both in-person and virtual. Accurate maps should be shown.

DMLW Response: Comment acknowledged. Applications submitted to DMLW constitute initial requests for use of state lands, not final approvals. Additional information and modifications to the project details are frequently required to determine if an authorization can be approved, as was the case for ADL 234426.

Land use authorizations issued by DMLW pursuant to AS 38.05.850 are not subject to the notice requirements outlined in AS 38.05.945. Provision of public comment periods for AS 38.05.850 projects are performed on a discretionary basis and most frequently combined with a simultaneous agency review and comment period, as was done for ADL 234426. The notice released for ADL 234426 was posted online for a period of 30 days between October 7 and November 6, 2024. It identified the project as one considered for approval under AS 38.05.850. No extension of the review period was undertaken.

Copies of the application package for ADL 234426 were provided to all parties who requested them per the instructions provided in the notice document. Parties with limited email server capacities unable to accept the graphic-heavy application package were provided with paper copies by mail or direct pick-up from DMLW in Anchorage, or another file transfer method accessible by the requestor.

DMLW has not yet received applications, finalized route maps, or legal descriptions from any agency, business or other party for new road construction projects in the area. Any potential co-location, intersection, or re-routing of the trail addressed in ADL 234426 will be addressed as needed after review of relevant information when it is available.

The original 5-foot-wide race trail established on State lands by Friends of West Susitna in 2023-2024 was reportedly installed under the provisions of 11 AAC 96.020 concerning the Generally Allowed Uses of state land.

DMLW has determined that the trail expansion project proposed in ADL 234426 will be proposed for approval under the terms of a revocable Special Land Use Permit rather than a easement or right of way reservation.

A survey is not required for approval of a Special Land Use Permit. However, applicants will be requested to share any survey data for ADL 234426 with DMLW if it is obtained. When a survey is required for approval of public access alignments approved by DMLW, it is typically performed on a post-construction (“as built”) basis to ensure the accuracy of location information.

Federal procedures and requirements including NEPA, Section 106, FAST- 41 and etc. are not required for the DMLW authorization proposed in ADL 234426. Consideration of potential federal procedures and requirements for other projects is beyond the scope of this decision.

Comments concerning the environmental impacts of the project described in ADL 234426 were provided by the Alaska Department of Fish and Game and the US Army Corps of Engineers. See the Agency Review section of this decision document for more information.

DMLW permits and easements issued under AS 38.05.850 require compliance with AS 41.35.200, the Alaska Historic Preservation Act, including the one proposed for ADL 234426.

See the map set provided in Attachment A of this decision document.

Other questions and comments are beyond the scope of ADL 234426.

Comment: On November 4, 2024, Michael W. Williams submitted the following.  
I offer the following public comments to ADL 234426.

My name is Michael W. Williams and I along with my family own/operate EagleSong Family Peony Farm. We are physically located at the north base of Mt. Susitna and Little Mt. Susitna directly adjacent to the proposed project area. My family has lived here fulltime for the past 31 years. Having lived here for over 3 decades and having been recognized by the State of Alaska in 2001 for our trail work on the Iditarod National Historic Trail (Governor’s TRAAK Award for Excellence, 2001) I think I am qualified to speak on the subject of trails in the area.

First off, the applicant “Friends of West Susitna” appears to be nothing more than a proxy for mining interests lobbying for the development of the West Susitna Access Road. This is a not-so-subtle attempt to create a public trail that will add justification to development of the West Susitna Access Road. It is an attempt to circumvent the public process by getting the State of Alaska to recognize a trail that does not currently exist.

Let me be clear, there is no existing trail. The ADL 234426 public announcement says it is for “trail improvements”. Yet it also identifies a “proposed easement or trail”. There is no easement

or trail at that location that is currently recognized by the State of Alaska. Why? Because it does not exist. That alone should be justification to reject ADL 234426.

The application submitted states “The existing 5’ wide trail had significant public snowmachine use in the winter of 2023-2024”. This statement is misleading. The reality is a trail was established for the one day 2024 Skwentna 200 XC Snowmachine Rally. The race is sponsored in part by the Skwentna Roadhouse which is owned by Ms. Cindi Herman who is coincidentally on the Board of Directors, Friends of West Susitna (applicant). I believe this portion of the race trail (non-existent prior to March 2024) was created solely for the purpose of justifying the basis for ADL 234426. Did the Skwentna 200 XC organization even get the proper approval and permits to run a snowmachine race over this portion of State land?

The application states it will initiate a formal survey once trail work is complete. The State is being asked to authorize trail work on a trail that does not exist and its location will be defined after the fact?

The proposed trail improvements to a trail that does not exist crosses critical habitat and dozens of streams and wetlands. No environmental impact statement has been offered by the applicant. The proposal crosses critical wintering grounds of moose in GMU 16B. This is an area that for the second time in 20 years is experiencing a significant decline in its population. The area in the vicinity of Sucker and Wolverine Creeks is a critical wintering area in a region that often experiences over 16 feet of snow annually. The trail will cut through this critical habitat with the potential for devastating results to wintering moose that are already struggling to survive. It is also the spawning grounds for the last of what was once a large run of sockeye salmon. What will the impact be when water is pumped from various streams to create ice bridges that may divert the natural flow of waters from the Alexander Creek drainage? This project can quickly and easily produce significant environmental damage.

There is no demand by the general public for this trail. As a farmer of this region I haul large amounts of freight ranging from thousands of pounds of cement, fertilizer and lime to tractors and heavy equipment each winter. The general route proposed is hilly, timbered with countless stream and wetland crossings. It is not a route most locals would use to haul freight. The area west of the Susitna River, south of the Yentna River and east of the Skwentna River has fewer than 35 residents according to the 2020 census. Anyone that hauls freight knows this is not desirable terrain for freight hauling. It should also be noted that the loosely proposed route runs along the Iditarod National Historic Trail coming off the Susitna River and parallels the Iditarod all the way to the Skwentna River. Why build a non-existent trail when a marked and surveyed trail already exists? If Friends of West Susitna was actually serious about improving freighting capabilities in the region, they would be advocating for upgrades to the Iditarod National Historic Trail. The Iditarod Trail has served this region well (including Skwentna) for over 100 years. Upgrades like those being sought by the National Forest Foundation and Chugach National Forest (Waterfall to Ptarmigan Trail) seem more appropriate. Why build a trail that parallels an existing trail? The

Iditarod was originally created to accommodate freight and is in the best location for that purpose. I believe the State of Alaska as the land manager for the Iditarod National Historic Trail in the proposed project area has an obligation to address any overlapping trail work with the other Iditarod land managers and seek their concurrence.

Nova Minerals has been making statements that they may soon have access to a “pioneer trail” .... oddly enough along the same route as this proposal. I submit the only need for a freight route, snowcat accessible is for mining operators such as Nova Minerals. Nova Minerals and the other mining operators in the west Susitna Valley already have a winter snowcat trail that appears to meet their needs. Again, the only logical conclusion for this activity is to subvert the public process in the pursuit of the West Susitna Access Road. It is doubtful ADL 234426 can withstand legal scrutiny should it be challenged in court.

This is a slight of hand attempt to get the State to approve an upgrade of a trail that does not exist for mining companies that want an industrial road. It is not difficult to connect the dots and see the motivation for ADL 234426.

It is my opinion as a local resident and business owner ADL 234426 should be rejected by the Department of Natural Resources.

Finally, as an administrative matter I found it difficult to gain access to the actual ADL 234426 application. I contacted DNR and asked to view the full application as directed in the DNR public notice. I was told the application file was too large to be sent to me via email by DNR. I asked if a link was available to view the documents online? I was told DNR could not give me a link to the file because parts of the packet were redacted. My only option was to have it mailed to me. Living remote as we do along the project route I then had to arrange to have it flown to me. I found 2 items were redacted. One was the email address of the applicant and the other was the alternate phone number of the applicant. One would think DNR could simply remove those 2 items from the document resulting in more expeditious access of the application to the public. The process was not/is not currently designed to easily support public input. The process does not seem to be as accommodating to the public as it could be.

DMLW Response: Comment acknowledged. The proposed route of ADL 234426 runs approximately 3 miles south of the nearest EagleSong property boundary.

The application concerns a revocable permit for a winter trail. Proposals for the development of permanent roads in the region will require additional applications, reviews, and authorizations that are beyond the scope of this project.

DMLW has not yet received applications or finalized legal descriptions from any agency, business or other party for new road construction projects in the area. Any potential co-location,

intersection, or re-routing of the trail addressed in ADL 234426 will be addressed as needed after review of relevant information when it is available.

The original 5-foot-wide race trail established by Friends of West Susitna in 2023-2024 was reportedly installed in an alignment based on the conditions of underlying terrain. It is not co-located with and does not intersect any other DMLW authorized access routes once it leaves the public access easement for the Iditarod Trail (ADL 222930) across Matanuska Susitna Borough lands.

Other, unspecified area trails or trail segments referred to in the comment may have been established under Revised Statute 2477 (RST 199, the Susitna-Rainy Pass Trail) or may have been developed and used on the basis of the Generally Allowed Uses under 11 AAC 96.020 because they do not have formal approval from DMLW.

A survey is not required for approval of a trail authorized under the terms of a Special Land Use Permit, which is a revocable authorization. However, applicants will be requested to share any survey data for ADL 234426 with DNR if it is obtained. When a survey or record of survey is required for approval of public access alignments approved by DMLW, it is typically performed on a post-construction (“as built”) basis to ensure accuracy of location information.

Comments concerning the environmental impacts of the project described in ADL 234426 were provided by the Alaska Department of Fish and Game and the US Army Corps of Engineers. See the Agency Review Section of this decision document for more information.

Federal procedures and requirements including NEPA, Section 106, FAST-41 and others are not required for the DMLW authorization proposed in ADL 234426. Consideration of potential federal procedures and requirements for other projects are beyond the scope of this decision.

Land use authorizations issued by DMLW pursuant to AS 38.05.850 are not subject to the notice requirements outlined in AS 38.05.945. Provision of public comment periods for AS 38.05.850 projects are performed on a discretionary basis and most frequently combined with a simultaneous agency review and comment period, as was done for ADL 234426. The notice released for ADL 234426 was posted online for a period of 30 days between October 7 and November 6, 2024. It identified the project as one considered for approval under AS 38.05.850. No extension of the review period was undertaken.

Copies of the application package for ADL 234426 were provided to all parties who requested them per the instructions provided in the notice document. Parties with limited email server capacities unable to accept the graphic-heavy application package were provided with paper copies by mail, direct-pick up from DMLW in Anchorage, or other file transfer methods accessible by the requestor.

Other comments are outside the scope of ADL 234426.

Comment: On November 5, 2024, Alaska Outdoor Council submitted the following.

The Alaska Outdoor Council (AOC) is a conservation organization representing 42 Outdoor Clubs and thousands of individual members who hunt, trap, fish, gather wild edible foods, and recreate on public lands/waters in Alaska. AOC has participated in the public regulatory process supporting public access to public resources in Alaska since before statehood. AOC supports the Friends of the West Susitna application (ADL 234426) to the Denali Commission to improve winter trail conditions from the Susitna River north to numerous remote communities along the Skwentna [sic] River. The Denali Commission was established as an independent federal agency to help provide support for numerous remote communities in Alaska. Improving winter access to the town of Skwentna and many homesites in the Yentna River drainage will greatly reduce their cost of living and increase their access to emergency services. The economic advantage to residents of the area participating in the tourism industry will be tremendous. Alaska authorities wisely chose lands in the Susitna/Yentna River drainages in the early 1970s for their potential of providing mineral resources for development of energy to keep Alaskans warm and safe during long winters. Also efforts by the state and its citizens to increase ground transportation west of the Susitna River will improve the quality of life for Alaskans who choose to hunt, trap, fish, gather wild edible foods, and recreate on state public lands.

The Alaska Outdoor Council is committed to working with state agencies to ensure sustainable use by the public of public resources; fish, game, timber, wild edible foods (consistent with Article 8, Natural Resources of the Alaska State Constitution) on lands west of the Susitna River. AOC has reviewed ADNRC reports on land use west of the Susitna River on state lands since the Roads to Resources reports became public back during the Sean Parnell administration in 2009-2014.

DMLW Response: Comment acknowledged. Applicant FoWS advised DMLW that they are the recipient of trail grants from the Denali Commission, although not for the proposed alignment described in ADL 234426.

Comment: On November 5, 2024, Tim Kelley submitted the following.

This is my comment on the proposed widening of a winter trail from Susitna to Skwentna by the 'Friends of West Susitna'.

I am against this proposal. The 'Friends of West Susitna' is a disingenuously named organization that is an activist group for building a proposed 100 mile industrial road from Knik to mining sites near Broad Pass. These pro-road activists are not 'friends' of people in the Western Susitna Valley. They are just using this trail to try and scam justification for a mining road that most people don't want on this route.

A widening of this trail, of which some was illegally cut last winter, is not needed. Local cabin owners, like at Otter, Yensus and Trail Lakes and Alexander Creek, are already able to haul freight to their properties by existing trails. No new or wider trails are needed.

There is already a groomed winter trail from Susitna to Skwentna thanks to Big Lake Trails and



the Lower Susitna Drainage Area trail organizations. So there is no need for a new trail from Susitna to Skwentna [sic]. This groomed winter highways on the Big Susitna, Yentna and Swkentna [sic] Rivers allows for “heavy” hauling. So the ‘Friends of the West Susitna’ claim that widening of an overland trail is needed for ‘heavy’ hauling is not true. It is just one of their many lies.

With regards to industrial hauling over winter trails in the Susitna Valley, a snowcat trail has been made from Willow to mining prospects near Braod [sic] Pass each year for the past 20 years. Massive loads are hauled over this snowcat track. And local property users make use of this snowcat road for hauling and recreation. Again, there is no need for widened trails for ‘heavy’ hauling.

In summary, please don’t be fooled and fall for the deception of ‘Friends of the West Susitna’. Do not allow them to cut and widen trails between Susitna and Skwentna. It is work that is linked to their corrupt road-building advocacy. There is no justified need for this work. Thank you

DMLW Response: Comment acknowledged. ADL 234426 concerns a revocable permit for a winter trail. Proposals for the development of permanent roads in the region will require additional applications, reviews, and authorizations that are beyond the scope of this project.

DMLW has not yet received applications or finalized legal descriptions from any agency, business or other party for new road construction projects in the area. Any potential co-location, intersection, or re-routing of the trail addressed in ADL 234426 will be addressed as needed after review of relevant information when it is available.

The route described in ADL 234426 does not overlap or intersect with any other DMLW authorized access routes once it leaves the public access easement for the Iditarod Trail (ADL 222930) across Matanuska Susitna Borough lands.

Other, unspecified area trails or segments of trails referred to in the comment may have been established under Revised Statute 2477 (RST 199, the Susitna-Rainy Pass Trail), Equipment Movement Permit LAS 33086, or may themselves have been developed and used on the basis of the Generally allowed uses under 11AAC 96.020 because they also do not have formal approval from DMLW.

Other comments are beyond the scope of ADL 234426.

Comment: On November 5, 2024, Michael L. Mason submitted the following.

To whom it may concern, as a resident of Alexander Creek I was very surprised to learn of the new trail built from Alexander Creek to Skwentna by the Friends Of the Susitna. This trail was built without any permits and a race was illegally held on it in the spring. I was more surprised when I notified DNR and nothing came of the illegal activities conducted by Friends of the Susitna. With no notice to residents it was without a question a ruse conducted to set the wheels to spinning for

the real reason this trail is being built. Yes, Dunleavy and the state have once again shown their total disdain towards their Constituents.

Since these projects have been introduced by Dunleavy [sic], the State of Alaska, the Mat-Su Borough, and the Friends of the Susitna have demonstrated they will use every underhanded and non-transparent means possible to get what they want. As residents of the area all of us are against these proposals and demand some kind of Transparency instead of the outright illegal actions that these entities have practiced so far.

Once again, us taxpayers have to spend our quality time fighting for what our elected officials refuse to do, THE RIGHT THING.

DMLW Response. Comment acknowledged. Any formal reports of illegal activities concerning the 2023-2024 race trail may have been submitted to DMLW prior to receipt of the application for ADL 234426. None have been located or made available for consideration in the current decision process.

Proposals for the development of permanent roads in the region will require additional applications, reviews, and authorizations that are beyond the scope of this project.

Other comments are beyond the scope of ADL 234426.

Comment: On November 5, 2024, Sam Newbury submitted the following.  
With regard to AL 234426:

I am against this proposal being passed due to several concerning factors. The expansion of a trail to 18 ft seems as though it is unnecessary to support activities other than public use. If this change is being proposed to support resource development, it needs to be accomplished through the correct and transparent pathways in place. All governmental, public and tribal entities should have a place at the table to discuss the pros and cons of this proposed change. If this is indeed a move to facilitate development of natural resources, it should be done with appropriate oversight and due process so as to have integrity and transparency and also not be subject to litigation.

Thank you for your work and consideration of these comments.

DMLW Response: Comment acknowledged. The 18 foot trail width described in ADL 234426 is less than those for standard DMLW pedestrian easements (25 feet), utility easements (30 feet), neighborhood service roads (60 feet) and arterial roads (100 feet);<sup>41</sup> as well as less than the recommended minimum width specified in the Matanuska Susitna Area Plan for motorized public

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<sup>41</sup> 11 AAC 51.015, Standards for Public Easements

access trails (40 feet.)<sup>42</sup> No specific trail widths are recommended in the Susitna Basin Recreation Rivers Management Plan.

ADL 234426 concerns a revocable permit for a winter trail. Proposals for the development of permanent roads in the region will require additional applications, reviews, and authorizations that are beyond the scope of this project.

DMLW has not yet received applications or finalized legal descriptions from any agency, business or other party for new road construction projects in the area. Any potential co-location, intersection, or re-routing of the trail addressed in ADL 234426 will be addressed as needed after review of relevant information when it is available.

Land use authorizations issued by DMLW pursuant to AS 38.05.850 are not subject to the notice requirements outlined in AS 38.05.945. Provision of public comment periods for AS 38.05.850 projects are performed on a discretionary basis and most frequently combined with a simultaneous agency review and comment period, as was done for ADL 234426. The notice released for ADL 234426 was posted online for a period of 30 days between October 7 and November 6, 2024. It identified the project as one considered for approval under AS 38.05.850. No extension of the review period was undertaken.

Comment: On November 6, 2024, Chickaloon Village Traditional Council submitted the following.

Chickaloon Native Village (CNV) is a federally-recognized Ahtna Dene Tribal government in southcentral Alaska, governed by the Chickaloon Village Traditional Council (CVTC). CNV's ancestral territory includes much of southcentral Alaska including upper Cook Inlet, and our traditional area of influence overlaps neighboring Dena'ina Dene and Ahtna Dene Tribal governments. Actions that occur within CNV's traditional ancestral territory and customary area of use may impact our environment, our cultural resources, and the health of our Tribal citizens and community members.

We request that you deny the application to widen the winter trail between the Susitna River and Skwentna River.

This project would clear a winter snowmachine trail to 18-feet wide to facilitate the movement of wide loads, heavy loads, and snowcat travel. The group that submitted the application, Friends of the West Su, have also advocated for the West Su Industrial Access Road (WSAR), a controversial 100-mile long project to an industrial, extractive mining district. They have also advocated for the construction of the first 22 miles of the WSAR as proposed by the Alaska Department of Transportation (DOT) Statewide Transportation Improvement Program (STIP) that would include a bridge over the Susitna River at a cultural area and the former village of Susitna Station. DOT's

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<sup>42</sup> Page 2-54, Matanuska Susitna Area Plan for State Lands

22-mile road is proposed to join up with the proposed mining road promoted by the Alaska Industrial Development and Export Authority (AIDEA). The DOT and AIDEA projects together are the WSAR and should be considered together as a single project.

This winter trail project should not be considered a stand-alone project. A full Environmental Impact Statement (EIS) should be conducted that assesses the impacts of the WSAR, which in reality includes the 22-mile long road segment and bridges DOT proposes to construct and this Susitna to Skwentna “winter trail”. An EIS would consider multiple alternative routes between the Parks Highway and the Whiskey Bravo airstrip, of which this trail may be included in full or in part.

This area has thousands of years of history of Ahtna and Dena’ina Dene use, including trails, caches, and home sites. The proposed winter trail expansion would pass adjacent to the important village of Susitna Station. This is a very culturally significant area, including all the features of a village such as homes, caches, cemeteries, and trail systems. An important ancestral and traditional method of communicating vital travel knowledge was through modifying trees. The Chickaloon Native Village (CNV) Culture and Historic Preservation Department has developed guidelines for identifying and recording these Culturally Modified Trees. Trail projects should have a cultural survey conducted prior to any tree or brush clearing in order to identify cultural markers that may lead to discovery of cultural and historic features. To forego a survey is to risk destruction of historical context and features that have been obfuscated by rapid and forced colonization. Unfortunately, cultural resource surveys cannot be conducted in frozen soil, therefore this trail clearing project should be delayed until after a thorough cultural survey is performed with Tribal archaeologists and observers.

A wide trail will attract off-road vehicles year-round, not just during winter. This inevitably results in a proliferation of trails off the main trail and destruction of tundra, alpine, boreal upland, stream, and wetland habitats. The areas around wetlands and stream crossings frequently become mud pits that get increasingly wider as machines attempt to get through them.

Additionally, the winter trail widening project proposal needs to be included as part of a thorough WSAR full Environmental Impact Statement (EIS). The project poses risks to fish, including salmon, from ORV’s crossing streams and to wildlife that may be chased by snowmachines, targeted by poachers, or harassed by ORV’s. Will all streams have bridges across them to accommodate summer ORV’s? How will this affect the cost of constructing the trail? A wide winter trail will certainly attract moose during periods of deep snow, particularly given that the area is winter moose habitat. This will exacerbate conflicts between trail users and moose.

According to residents, this project seems to be about *creating* a new trail rather than working on an existing, well-used trail. Please provide information on the extent of existing trail use of this route.

We request that you deny this winter trail widening application.

We request that you reach out to all of the upper Cook Inlet Tribal Governments for consultation, including Section 106 consultation.

We request that you invite Cook Inlet Tribal Governments to participate in planning and implementing cultural surveys prior to any tree or brush clearing.

We request that this winter trail project be postponed until it can be included in a full WSAR environmental assessment or, better, an EIS.

To schedule a consultation with Chickaloon Native Village, please contact [contact information provided.]

DMLW Response: Comment acknowledged. ADL 234426 concerns a revocable permit for a winter trail. Proposals for the development of permanent roads in the region will require additional applications, reviews, and authorizations that are beyond the scope of this project.

DMLW has not yet received applications or finalized legal descriptions from any agency, business or other party for new road construction projects in the area. Any potential co-location, intersection, or re-routing of the trail addressed in ADL 234426 will be addressed as needed after review of relevant information when it is available.

DMLW permits and easements issued under AS 38.05.850 require compliance with AS 41.35.200, the Alaska Historic Preservation Act, including the one proposed for ADL 234426.

Federal procedures and requirements including NEPA, Section 106, FAST-41 and etc. are not required for the DNR DMLW authorization proposed in ADL 234426. Consideration of potential federal procedures and requirements for other projects are beyond the scope of this decision.

Land use authorizations issued by DMLW pursuant to AS 38.05.850 are not subject to the notice requirements outlined in AS 38.05.945. Provision of public comment periods for such projects are performed on a discretionary basis and frequently combined with a simultaneous agency review and comment period, as was done for ADL 234426. Public Meetings are not a usual component of AS 38.05.850 approvals for projects that do not convey a possessory interest in the underlying State lands. The statutory provisions for public hearings outlined in AS 38.05.850 do not apply. The notice released for ADL 234426 was posted on-line for a period of 30 days between October 7 and November 6, 2024. It identified the project as one considered for approval under AS 38.05.850. No extension of the review period was undertaken.

Other comments are beyond the scope of ADL 234426.

Comment: On November 6, 2024, Susitna River Coalition submitted the following.

On behalf of the Susitna River Coalition (SRC) and our 14,000 members and supporters, we respectfully request that the ADL 234426 proposal be denied. This proposal is not for a public trail project but appears to serve as a means to bypass public engagement for a highly controversial industrial road. Friends of West Susitna, established in 2023, explicitly states on their website that their mission is to advocate year-round road access to state-owned lands and natural resources west of the Susitna River, highlighting its alignment with industrial development rather than public recreation and personal freight for members of the public.

If the application is not denied, we strongly request an extension of the public comment period to allow for thorough community engagement and scrutiny. Accessing the application has proven difficult; it is only available for in-person viewing, and residents in the project area outside Anchorage have also reported being unable to review it. Until this application is made available online for all affected stakeholders, we urge that it either be denied or that the comment period be extended to ensure meaningful public participation.

The proposal's 30-year lease for a substantial easement—alongside the broad and undefined terms within the application—raises considerable questions about the project's intent, its historical and environmental context, and its long-term impacts on the region. Shorter permit terms, such as five years, seem far more typical for comparable projects in this region. The extended term raises significant questions, especially considering the community's sensitivity to trail use as a potential freight corridor for mining and industrial traffic.

While we oppose this proposal, we fully support the creation and maintenance of well-marked, groomed winter recreation trails, aligned with the budget and process typical of the state's SnowTRAC program. Such trails are essential for public recreation and winter safety and should be developed transparently with community input. We also ask whether the Snowmachine Trails Advisory Council (SnowTRAC) Working Group, reestablished under Title 44 of the Alaska Statutes in August 2024, has been consulted on this project. Given SnowTRAC's mission to ensure safe and reliable snowmachine trail access, its consultation would align well with community interests in responsible trail development and maintenance.

#### Scope and Intent of Proposal ADL 234426

SRC is concerned that proposal ADL234426 is part of a broader strategy to incrementally establish a controversial 100-mile road through the West Susitna region, disguised as a trail improvement project. FoWSu has secured substantial Denali Commission funding for this initiative, despite lacking a track record in large-scale projects and not having a definitive legal trail or easement for execution. This proposal involves widening a trail they primarily built last year, possibly without proper permits or authorizations. According to Section 11 AAC 96.020, brushing or cutting a trail less than five feet wide using only handheld tools such as a chainsaw does not create a property right or interest in the trail. If this trail was not already well-documented and approved, it is unclear how this application justifies its widening. Many commonly used trails in Alaska lack legal status,

and filing for an easement so soon after constructing a trail for a one-day snowmachine race the previous season is particularly egregious, especially in such a politically sensitive area. The ADL234426 proposal aligns with broader private development goals and could set a dangerous precedent, potentially paving the way for a 100-mile road through the West Susitna region. Furthermore, awarding this substantial construction project to an organization that receives exclusive updates on the West Susitna Access Project from the Alaska Industrial Development and Export Authority (AIDEA) raises serious concerns about transparency and the integrity of the process.

While we support improvements for public safety and travel access, the proposed 42-mile easement—up to 18 feet wide—exceeds the specifications of a basic trail and more closely resembles a pioneer road. This scale of infrastructure could easily serve as a freight corridor for private development by regional resource companies like Flatlands Coal and Nova Minerals, much like the similar winter trail from Willow to Skwenta [sic]. Before approving such a substantial project, more groundwork is essential. Establishing a trail committee, modeled after the Willow Area Community Organization (WACO), would help ensure the trail meets the actual needs of remote regional users. Unlike a standard snowmachine trail, this project should reflect the broader needs of the regional community, rather than simply following snowmobile race pathways.

#### Environmental Impacts and Lack of Agency Consultation

The Susitna River Coalition (SRC) is concerned that this permit could allow construction activities to proceed without mandatory input from agencies with fish and wildlife expertise, despite the project's route intersecting critical anadromous habitats that support Chinook and Coho salmon—species identified by the Mat-Su Borough Fish and Wildlife Commission as having yields of concern. Although the applicant may pursue a Title 16 fish habitat permit, this alone may not sufficiently address the project's broader environmental impact. Specifically, the proposed winter water withdrawals for trail stabilization could have unintended consequences on these sensitive habitats, affecting fish and aquatic ecosystems beyond the typical scope of a temporary water use permit.

Temporary water use permits are limited in their capacity to fully assess cumulative impacts, especially given the reliance on streams and rivers as sources of water for bed stabilization. These withdrawals, though temporary, can disrupt natural water flow and sediment processes that are crucial for fish habitat health. Additionally, with Alaska's Water Reservation system under review, it remains unclear if this project should await regulatory updates or require a more robust analysis to ensure long-term compliance. The Borough's investments in fish-friendly infrastructure, like culverts designed to protect aquatic connectivity, further underscore the importance of careful planning for all waterway crossings, ideally incorporating fish-safe practices and year-round habitat protections.

We question how this project aligns with the Susitna Basin Recreation Rivers Management Plan, which governs several recreational waterways along the proposed route and is critical for

maintaining environmental standards in sensitive riverine areas. This plan includes guidelines to minimize bank disturbance, consolidate access points, and protect vital spawning and rearing areas, emphasizing that roads intended for mineral extraction should ideally be situated outside these sensitive corridors especially when other reasonable access options exist from Willow.

The proposed easement's alignment along and across water sources adds to the need for careful oversight, especially given the limited resources within the easement department. Without focused attention and agency input, this proposal risks inadequate environmental review.

#### Alignment with Private Development Goals

The connection between the proposed trail upgrades and private coal development is concerning. At a July 2024 Matanuska Electric Association meeting, Flatlands Energy CEO Robert Power publicly referenced the utility of securing a right-of-way to support coal development efforts, aligning closely with this project's proposed route. Mr. Power mentioned utilizing LIDAR data to map a road through the same corridor, signaling potential private interest alignment that undermines public assurances about the trail's limited scope.

The Flatlands coal project, tied to the proposed improvements in ADL 234426, holds FAST-41 designation, a federal status for infrastructure projects prioritized for expedited permitting and review. This designation introduces additional concerns, as projects under FAST-41 often move forward on compressed timelines, potentially bypassing adequate community engagement and environmental safeguards. With this federal prioritization, it becomes even more essential for public processes at the state level to comprehensively address environmental, cultural, and social impacts associated with ADL 234426, ensuring that public concerns are not set aside in favor of private development goals.

Additionally, maps and planning tools indicate that the proposed route under ADL 234426 appears to mirror the Alaska Industrial Development and Export Authority (AIDEA)'s proposed path, including the same start and end points. This alignment reinforces public concerns that the project is designed to establish a foundational route for a larger industrial corridor, likely benefiting private coal and energy interests under the pretense of "trail improvements."

#### Documented Public Opposition

Public feedback has consistently shown a lack of support for the West Susitna Access Road project. According to the Matanuska-Susitna Borough's 2022 public engagement report, 1,033 comments received in their first online survey, only 144 expressed support, while 659 voiced opposition, and 197 were conditionally supportive if the road would allow public access. In their public meeting, just 7 attendees were unconditionally supportive, while 33 opposed the project outright, and 11 expressed conditional support. Similarly, in Online Survey 2 responses, a majority (250 of 493) opposed the project, with area residents overwhelmingly preferring the preservation of the region's wilderness character. As recently as January 2024 the Alaska Department of Transportation and Public Facilities received 398 were related to West Susitna during its public comment period for



its Statewide Transportation Improvement Plan. Of those, 54 supported the project and 344 opposed it. That resulted in 13% in favor and 87% opposed to the creation of a West Su Access Road and projects aligned with that goal.

The main concerns voiced in public opposition include:

- Environmental degradation and loss of wilderness
- Negative impacts from increased access, including crime and urban sprawl
- Financial concerns about project costs versus benefits
- Lack of transparency in decision-making, with indications that private interests are prioritized over public welfare

#### Conclusion

While SRC strongly supports access and safe winter travel, the ambiguous language in ADL 234426, absence of tribal consultation, and alignment with private development objectives raise serious concerns regarding the project's true intent. We respectfully request that the DNR deny this application. If it is not denied, we believe extending the comment period to ensure the public can review the full application as submitted, mandate tribal and agency consultations, and incorporate transparent, detailed usage restrictions to ensure this project is aligned with public interest.

Thank you for considering these concerns.

**DMLW Response:** Comment acknowledged. ADL 234426 concerns a revocable permit for a winter trail. Proposals for the development of permanent roads in the region will require additional applications, reviews, and authorizations that are beyond the scope of this project.

DMLW has not yet received applications or finalized legal descriptions from any agency, business or other party for new road construction projects in the area. Any potential co-location, intersection, or re-routing of the trail addressed in ADL 234426 will be addressed as needed after review of relevant information when it is available. Consideration of any construction contracts that may be associated with future road developments are similarly beyond the scope of this project.

Land use authorizations issued by DMLW pursuant to AS 38.05.850 are not subject to the notice requirements outlined in AS 38.05.945. Provision of public comment periods for AS 38.05.850 projects are performed on a discretionary basis and frequently combined with a simultaneous agency review and comment period, as was done for ADL 234426. Public meetings are not a usual component of AS 38.05.850 approvals for projects that do not convey a possessory interest in the underlying State lands. The statutory provisions for public hearings outlined in AS 38.05.946 do not apply. The notice released for ADL 234426 was posted on-line for a period of 30 days between

October 7 and November 6, 2024. It identified the project as one considered for approval under AS 38.05.850. No extension of the review period was undertaken.

Copies of the application package for ADL 234426 were provided to all parties who requested them per the instructions provided in the notice document. Parties with limited email server capacities unable to accept the graphic-heavy application package were provided with paper copies by mail, direct-pick up from DMLW in Anchorage, or other file transfer methods accessible by the requestor. SnowTRAC consultation is not required in advance of DNR DMLW authorization of the requested usage.

The original 5-foot-wide race trail established on State lands by Friends of West Susitna in 2023-2024 was reportedly installed along a route that was selected based on underlying terrain. No property right was associated with the original race trail, and no property right will attach to the SLUP proposed for authorization of ADL 234426, in spite of the requested 30-year term.

The 18 foot trail width described in ADL 234426 is less than those for standard DMLW pedestrian easements (25 feet), utility easements (30 feet), neighborhood service roads (60 feet) and arterial roads (100 feet);<sup>43</sup> as well as less than the recommended minimum width specified in the Matanuska Susitna Area Plan for motorized public access trails (40 feet.)<sup>44</sup> No specific trail widths are recommended in the Susitna Basin Recreation Rivers Management Plan.

Comments concerning the environmental impacts of the project described in ADL 234426 were provided by the Alaska Department of Fish and Game and the US Army Corps of Engineers. See the Agency Review section of this decision document for more information

Federal procedures and requirements including NEPA, Section 106, FAST-41 and others are not required for the DMLW authorization proposed in ADL 234426. Consideration of potential federal procedures and requirements for other projects are beyond the scope of this decision.

Regarding riverbank protection and related items, please see the Planning and Classifications section of this decision document for discussion of the Matanuska Susitna Area Plan for State Lands and the Susitna Basin Recreational Rivers Management Plan. In addition, the Alaska Department of Fish and Game has issued a Fish Habitat Permit to the applicants for work associated with ADL 234426. The US Army Corps of Engineers was notified and did not require a permit. See the Agency Comment section of this document.

Other comments are beyond the scope of ADL 234426.

Comment: On November 6, 2024: Nancy Conklin submitted the following.

I am writing to register my lack of approval for the Friends of the West Susitna winter trail ADL 234426 Public Access Easement.

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<sup>43</sup> 11 AAC 51.015, Standards for Public Easements

<sup>44</sup> Page 2-54, Matanuska Susitna Area Plan for State Lands

I am requesting that no action be taken on this trail until there has been a reasonable public comment period.

I have lived at Alexander Creek for 36 years. Neither I nor any of my neighbors was informed or consulted about the trail last winter, even those who live less than 1/2 mile from it. When we discovered it and contacted DNR about it we learned that they were not aware of it either because no one had gotten a permit for it although they were running a major snowmachine race on the newly built trail.

I am not against winter trails. We have existing routes that we maintain ourselves and use for hauling our yearly supplies and fuel. But we do not want or need a major new trail to our area. Our unit is already over hunted during the winter Tier 2 moose season. We don't need increased pressure on the population that has already been hard hit by the recent extra snowy winters. Local cabin owners are also worried about vandalism with increased non local traffic.

This proposed lease presents multiple negative issues to our remote community and we deserve to at least be notified and consulted about it which has not happened. No one I have spoken to is in favor of this trail. Please do not approve the ADL 234426 Public Access Easement.

DMLW Response. Comment acknowledged. Land use authorizations issued by DMLW pursuant to AS 38.05.850 are not subject to the notice requirements outlined in AS 38.05.945. Provision of public comment periods for AS 38.05.850 projects are performed on a discretionary basis and frequently combined with a simultaneous agency review and comment period, as was done for ADL 234426. Public meetings are not a usual component of AS 38.05.850 approvals for projects that do not convey a possessory interest in the underlying State lands. The statutory provisions for public hearings outlined in AS 38.05.946 do not apply. The notice released for ADL 234426 was posted on-line for a period of 30 days between October 7 and November 6, 2024. The notice identified the project as one considered for approval under AS 38.05.850. No extension of the review period was undertaken.

Copies of the application package for ADL 234426 were provided to all parties who requested them per the instructions provided in the notice document. Parties with limited email server capacities unable to accept the graphic-heavy application package were provided with paper copies by mail or direct pick-up from DMLW in Anchorage, or other file transfer method accessible by the requestor.

The original 5-foot-wide race trail established on State lands by Friends of West Susitna in 2023-2024 was reportedly installed under the provisions of 11 AAC 96.020 concerning the Generally Allowed Uses of state land along a route selected based on underlying terrain.

The route described in ADL 234426 does not overlap or intersect with any other DMLW authorized access routes once it leaves the public access easement for the Iditarod Trail (ADL 222930) across Matanuska Susitna Borough lands.

Other, unspecified area trails referred to in the comment may have been established under Revised Statute 2477 (RST 199, the Susitna-Rainy Pass Trail) or developed and used on the basis of the Generally Allowed Uses under 11AAC 96.020, because they also do not have formal authorization from DMLW.

ADL 234426 pertains to a revocable permit for a winter trail, not to a lease or an easement.

Comment: On November 6, 2024, Lee McKnight submitted the following.

I request that this ROW application be denied, and if not denied, should be scrutinized further before any action be taken. I will list a summation of my reasons for such below:

The public does not know the true intent of this project. That is mainly due to what you will find if you look a little deeper into the project. The applicant "Friends of West Susitna" is a lobbyist and outspoken supporter for the 100-mile West Susitna Access Road project. That project is highly controversial. This application follows a near identical route for that currently scrutinized project. It is a safe assumption that there are connections there that may be intended to be hidden. It appears that this could be a stepping stone for their agenda for the road to the mining district. As a stepping stone it needs to be divulged if there are intentions of any further extensions, improvements beyond this scope, costs that may be incumbent upon the state, etc.

If the average person could assume the two projects are linked in any way, which I believe to be true, the public needs more time for input, more information, and applicable impact studies need to be completed and conveyed to the public.

This ROW on this particular route is a way for corporations to move their equipment without having to do impact assessments, essentially bypassing the protections put in place by the state. This is a disservice to the users of the area.

I see it as unconstitutional to move forward with this project without informing the people of the state through public meetings in all areas that could potentially be affected by it.

The original trail that was put in last winter along this route was done so without proper permitting, for that reason alone I would deny this permit being issued. The trail should be closed due to the fact that it was technically illegally installed. There are numerous other trails in the area currently utilized, there is a snowcat trail out of Willow that already services the end point. This is unnecessary, especially without due process being completed.

I request these comments be seriously considered.



DMLW Response. Comment acknowledged. ADL 234426 concerns a revocable permit for a winter trail. Proposals for the development of permanent roads in the region will require additional applications, reviews, and authorizations that are beyond the scope of this project.

DMLW has not yet received applications or finalized legal descriptions from any agency, business or other party for new road construction projects in the area. Any potential co-location, intersection, or re-routing of the trail addressed in ADL 234426 will be addressed as needed after review of relevant information when it is available.

Land use authorizations issued by DMLW pursuant to AS 38.05.850 are not subject to the notice requirements outlined in AS 38.05.945. Provision of public comment periods for AS 38.05.850 projects are performed on a discretionary basis and frequently combined with a simultaneous agency review and comment period, as was done for ADL 234426. Public meetings are not a usual component of AS 38.05.850 approvals for projects that do not convey a possessory interest in the underlying State lands. The statutory provisions for public hearings outlined in AS 38.05.946 do not apply. The notice released for ADL 234426 was posted on-line for a period of 30 days between October 7 and November 6, 2024. It identified the project as one considered for approval under AS 38.05.850. No extension of the review period was undertaken.

The route described in ADL 234426 does not overlap or intersect with any other DMLW authorized access routes once it leaves the public access easement for the Iditarod Trail (ADL 222930) across Matanuska Susitna Borough lands.

Other, unspecified area trails referred to in the comment may have been established under Revised Statute 2477 (RST 199, the Susitna-Rainy Pass Trail), LAS 33086 (Permit issued to Alaska Snowcat Services), or developed and used on the basis of the Generally Allowed Uses under 11AAC 96.020, because they do not have formal authorization from DMLW.

Comment: On November 6, 2024, the Iditarod Historic Trail Alliance submitted the following. The Iditarod National Historic Trail (INHT) spans 2,400 miles of winter and summer routes between Seward and Nome, Alaska. The Iditarod Historic Trail Alliance (Alliance), a.k.a. Iditarod National Historic Trail, Inc., is a statewide nonprofit organization chartered to advance the knowledge, appreciation, and enjoyment of the historic Iditarod Trail.

The application for ADL 234426 states that this 30 year easement is being applied for to widen an existing 5' wide winter trail to 18' in width "for safe bulk freight haul, wide loads, and snowcat travel between Susitna and Skwentna Rivers". That this is being done for recreational use and local personal use (hauling in cabin kits, etc.).

While we welcome trail use in the region, the Alliance has also been contacted by ADOT&PF through Section 106 consultation for CHFWY01209 West Susitna Access Road. Presentations by ADOT&PF have indicated that this proposed trail easement will be the access route for large equipment during the environmental study phase for the road. Additionally, the website for the

applicant of ADL 234426 states that they are a non-profit whose mission is to advocate for the State of Alaska to provide year-round road access to state-owned lands and natural resources west of the Susitna River. Given this, it does raise the question of whether this application is really for winter trail improvements for recreation and not actually associated with a future road project. It is odd that DNR is saying one thing (this easement would be for recreational uses) and ADOT&PF is presenting something else for the same trail (it's the route needed to complete their environmental studies). If this is being widened to facilitate the equipment needed for the environmental study phase for the road, please call it that.

How is the crossing of the INHT easement near Susitna being addressed? While we are not against a direct 90 degree crossing of the trail, we would like to see some plan as to what is happening at this crossing to ensure the safety of all recreational users.

The maps show this proposed easement ending at the Skwentna River directly across from the Iditarod National Historic Trail easement (ADL 222930). As there isn't a community directly at this location or other development at this crossing that would support a trail ending, wouldn't the traffic continue down the Iditarod National Historic Trail? An 18' wide trail is typically reserved for routes that have large heavy vehicles and/or large tracked equipment. Is all this equipment really turning around? The Alliance does not see how there will not be negative impacts to the historic Iditarod Trail once the Skwentna River is crossed by the users of the proposed easement. How is a route for large equipment being designed and maintained for the users of ADL 222930 in mind, which includes skiers, snowmachines, dog sleds, bikes and even pedestrian use? We have significant concerns not only of the integrity of the historic Iditarod Trail, but the safety of all the current users of the trail when the large equipment described to be in use on this proposed easement ends at the Skwentna River crossing of the Iditarod National Historic Trail.

DMLW Response: Comment acknowledged. ADL 234426 concerns a revocable permit for a winter trail. Proposals for the development of permanent roads in the region will require additional applications, reviews, and authorizations that are beyond the scope of this project.

DMLW has not yet received applications or finalized legal descriptions from any agency, business or other party for new road construction projects in the area. Any potential co-location, intersection, or re-routing of the trail addressed in ADL 234426 will be addressed as needed after review of relevant information when it is available.

The original application for ADL 234426 included a trail segment that crossed lands now managed by the Matanuska-Susitna Borough beginning at the Susitna River and running east through portions of Sections 17, 20, 21 and 22 of Township 17 North, Range 7 West, Seward Meridian. This segment included the location of the referenced 90-degree angle mentioned in the comment. DMLW cannot issue trail authorizations across Borough lands. This segment of the trail was deleted from the pending approval of ADL 234426 in favor of applicants' use of the existing public access easement for the Iditarod Trail that was issued to ADOT&PF in 1986 under file number ADL 222930.

The 18 foot trail width described in ADL 234426 is less than those for standard DMLW pedestrian easements (25 feet), utility easements (30 feet), neighborhood service roads (60 feet) and arterial roads (100 feet;)<sup>45</sup> as well as less than the recommended minimum width specified in the Matanuska Susitna Area Plan for motorized public access trails (40 feet.)<sup>46</sup> No specific trail widths are recommended in the Susitna Basin Recreation Rivers Management Plan. The public access easement for the Iditarod Trail route reserved under ADL 222930 is reserved at varying widths between 100 and 400 feet, depending on location, and is not otherwise restricted for weight or seasonal use.

The trail usages proposed for approval in ADL 234424 include tracked snowcat vehicles during periods of adequate snow depth. The applicants do not plan to improve the trail surface to a degree that will support use by wheeled or tracked vehicles. The surface will not be improved to a degree that will support use by wheeled vehicles or other heavy equipment.

The trail proposed in ADL 234424 will not prevent access by other users of ADL 222930 within its 400-ft. width on the north side of the Skwentna River.

Other comments are beyond the scope of ADL 234426.

Comment: On November 6, 2024, Jessica Dryden Winnestaffer submitted the following:

I am writing in opposition to the proposal of winter trail, widening and clearing between Susitna River and Skwentna.

Before tree and brush clearing are allowed a thorough cultural resource survey (with Tribal Government representatives) must be conducted to identify and protect cultural resources. Many of Alaska's currently used trails follow ancestral trail alignments that may be thousands of years old and are high probability areas for cultural resources.

Before tree clearing and trail widening environmental review (EA or EIS) should occur to evaluate environmental impacts of the proposal. Additionally, if the project is part of a larger project (like the West Su Access Road, in this case) the environmental review must be thorough (EIS) and it must include the Full project plan, not small pieces that are segments of the whole. As part of a thorough EIS for the proposed west Su Access Road, a Health Impact Assessment (HIA) should be conducted to research and evaluate the likely project effects on social determinants of health for residents in the immediate area and in the region.

DMLW Response:

DMLW permits and easements issued under AS 38.05.850 require compliance with AS 41.35.200, the Alaska Historic Preservation Act, including the one proposed for ADL 234426.

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<sup>45</sup> 11 AAC 51.015, Standards for Public Easements

<sup>46</sup> Page 2-54, Matanuska Susitna Area Plan for State Lands

Federal procedures and requirements including NEPA, Section 106, FAST-41 and etc. are not required for the DMLW authorization proposed in ADL 234426. Consideration of potential federal procedures and requirements for other projects are beyond the scope of this decision.

ADL 234426 concerns a revocable permit for a winter trail. Proposals for the development of permanent roads in the region will require additional applications, reviews, and authorizations that are beyond the scope of this project.

DMLW has not yet received applications or finalized legal descriptions from any agency, business or other party for new road construction projects in the area. Any potential co-location, intersection, or re-routing of the trail addressed in ADL 234426 will be addressed as needed after review of relevant information when it is available.

Comment: On November 7, 2024, Cook Inlet Keeper submitted the following:

I am briefly writing on Cook Inletkeeper's behalf to request an extension for the public comment period regarding the proposed ADL 234426 Public Access Trail Improvements - Susitna to Skwentna. Cook Inletkeeper is a community-based organization with more than 8,000 members and supporters throughout the Cook Inlet watershed. Our members and supporters live, work, and play throughout the watershed including in the Susitna Valley, a treasured place for recreation, hunting and fishing, and farming.

As the national elections captured Alaskans attention over the last month, this small, yet impactful project was too easily overlooked. We request that an extension of 30 days in added [sic] to ensure a transparent public process that provides adequate time for the public to assess the complex impacts of this long term easement in a controversial corridor.

It was recently brought to our attention that the original trail did not receive the required fish habitat permits associated with its anadromous streams crossings. We request that no further permits be given to this project without these habitat 16 permits in place to demonstrate that protection for anadromous fish has been accounted for.

DMLW Response: Comment acknowledged. Land use authorizations issued by DMLW pursuant to AS 38.05.850 are not subject to the notice requirements outlined in AS 38.05.945. Provision of public comment periods for AS 38.05.850 projects are performed on a discretionary basis and frequently combined with a simultaneous agency review and comment period, as was done for ADL 234426. The notice released for ADL 234426 identified the project as one considered for approval under AS 38.05.850. No extension of the review period was undertaken.

An ADF&G Habitat Permit for work associated with ADL 234426 was issued to applicants on October 16, 2024.

Other comments are beyond the scope of ADL 234426.

Comment: On November 7, 2024: Mark Miller submitted the following.

This trail is for a winter road which leaves the least environmental damage to this area and requires no bridges or permanent structures. I am all for it, but to base this easement for a permanent road I am not. There has been ice roads in this area for years with little environmental problems.

DMLW Response: Comment acknowledged. ADL 234426 concerns a revocable permit for a winter trail. Proposals for the development of permanent roads in the region will require additional applications, reviews, and authorizations that are beyond the scope of this project.

No other public comments were received in response to the public notice and comment period for ADL 234426

Agency comments follow.



**ADL 234426 Attachment B2**  
**Agency Comments and Responses**

Comment: On October 7, 2024, the Alaska Department of Environmental Conservation Contaminated Sites Program submitted the following:

Based on the information provided, the Alaska Department of Environmental Conservation (DEC), Contaminated Sites Program (CSP) has no comments related to this information request. If the scope of the project changes, update your research and contact CSP as needed. Please note that residual contamination may remain at cleanup completed sites, and those sites should also be evaluated.

Spills or releases to soil and water are also managed by the DEC Prevention Preparedness and Response Program (PPRP) and are not captured in the CSP database or map. Information about spills can be found in the PPRP SPILLS database at <https://dec.alaska.gov/Applications/SPAR/PublicMVC/PERP/SpillSearch>.

For more information about spill responses contact the appropriate regional response team office <https://dec.alaska.gov/spar/ppr/spill-information/reporting/>.

DMLW Response:

Comment acknowledged. Applicants have been so advised.

Comment: On October 10, 2024, the US Army Corps of Engineers submitted the following:

The Corps of Engineers (Corps) does not have any specific comments regarding the proposal by Friends of West Susitna to widen and improve an existing winter trail between the Susitna and Skwentna Rivers however, if the route will be graded with heavy equipment resulting in the placement of fill material into waters of the U.S., including wetlands then a Department of Army authorization is required.

A copy of the DA permit application can be found online at [www.poa.usace.army.mil/Missions/Regulatory](http://www.poa.usace.army.mil/Missions/Regulatory). Sample drawings can also be found on our website at [www.poa.usace.army.mil/Portals/34/docs/regulatory/guidetodrawings2012.pdf](http://www.poa.usace.army.mil/Portals/34/docs/regulatory/guidetodrawings2012.pdf).

Section 404 of the Clean Water Act requires that a DA permit be obtained for the placement or discharge of dredged and/or fill material into waters of the U.S., including jurisdictional wetlands (33 U.S.C. 1344). The Corps defines wetlands as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Friends of West Susitna are welcome to submit a preapplication meeting request or a permit application directly to our general mailbox ([regpagemaster@usace.army.mil](mailto:regpagemaster@usace.army.mil)) and will be assigned a project manager. Please feel free to contact our main line if you have any questions or concerns at 907-753-2712.

DMLW Response: Comment acknowledged. Applicants have been so advised.

Comment: On October 30, 2024, the Alaska Department of Fish and Game submitted the following.

Alaska Department of Fish and Game (ADF&G) has reviewed the attached application from Friends of West Susitna who seek to improve and widen an existing winter trail to enhance safety for winter transportation and recreational activities between the Susitna and Skwentna Rivers in the Matanuska-Susitna Borough (see the legal descriptions of the location in the review materials). The proposed upgrade across state lands will be approximately 222,816 feet (42.14 miles) long, with a maximum width of 18 feet, authorized under either an easement or special permit (SLUP), pending DNR's decision. The applicant is looking to upgrade the existing 5-foot-wide trail without pursuing a full "road" easement, which would involve more extensive surveys and requirements. DNR is considering the SLUP option as a suitable alternative. Construction will utilize equipment like snowcats, snowmachines, sleds, and chainsaws, stump grinders, and brush cutting tools scheduled for winters 2024–2026. Winter maintenance will occur throughout the life of the authorization. In some years, the applicant may withdraw water to thicken ice at select river crossings to accommodate heavier loads (under required permits including ADF&G Fish Habitat Permits). Wood and brush that are collected will be stacked along the trail for local firewood use. The term requested is 30 years.

ADF&G has no objection to this authorization as proposed; however, we have the following comments and recommendations:

1. The ADF&G Habitat Office has received an application and is in the process of preparing a fish habitat permit for stream crossings and vegetation removal for the project.
2. 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. For further details, contact the Southern Alaska Fish & Wildlife Field Office at 907-271-2888 (phone) or 907-271-2786 (fax).
3. If trail improvements occur outside of the proposed winter months, note that birds are highly vulnerable during their breeding and nesting phases, and activities like trail widening and improvements 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.
4. While improving and widening the trail would not likely have a population-level impact on wildlife, an increase in user activity may reduce habitat use of area species. Construction activities may temporarily reduce habitat available to moose and

other species in the area; however, the proposed timing is favorable for minimizing disturbances to moose calves and nests of various bird species.

5. Please ensure the applicant is aware that this authorization does not confer any proprietary rights. The applicant should not obstruct public access to the trail or attempt to deter public use through signage or communication. This activity should not interfere with the use of overlapping trails (e.g., ADL 40914, an old ADF&G trail authorization, ADL 222930 Iditarod Trail, and unnamed winter trails).

Thank you for the opportunity to review and comment. Additionally, we request a copy of the decision document upon issuance.

DMLW Response: Comment acknowledged. ADF&G Habitat Permit FH24-IV-0267 was issued to applicant for trail improvements associated with ADL 234426 on October 16, 2024. Additional information has been provided to the applicants.

Comment: On November 5, 2024, Alaska Gasline Development Corporation submitted the following.

Thank you for the opportunity for the Alaska Gasline Development Corporation (AGDC) to provide comments on the proposed Public Access Easement or Trail (ADL 234426) for the Friends of West Susitna overland between the Susitna and Skwentna Rivers in the Matanuska-Susitna Borough.

The application materials indicate the Friends of West Susitna plan to improve and widen an existing winter trail to enhance the safety of transportation activities involving wide and heavy loads and snowcat travel.

We have reviewed the proposed permit area and determined it overlaps with the Alaska LNG Project (ADL 421297) right-of-way (ROW) lease held by AGDC. The overlap is depicted on the attached map, created from the legal description in the application since shapefiles were not posted.

As a state corporation, AGDC supports multiple uses of state land where possible and has determined the potential overlap of the trail widening and improvements and AGDC leases is manageable. To avoid potential conflicts, AGDC requests that the Alaska Department of Natural Resources (ADNR) include stipulations in the proposed Friends of West Susitna permit noting the trail widening area overlaps with an existing lease and requiring they:

- Contact AGDC's Environmental, Regulatory, and Lands manager [contact information] to provide permit area shapefiles;
- Contact AGDC's at least one month prior to start of trail work to determine whether AGDC has any expectations for field activities at that time;
- If AGDC plans to have field activities underway, work with AGDC to modify trail activities to avoid conflicts; and

- Over the 30 years of this permit's authorization, remain in contact with and work with AGDC to monitor status, overlap changes, access changes, etc to avoid conflicts.

Please do not hesitate to contact [information provided] with any questions.

DMLW Response: Comment acknowledged. AGCD's map indicated that the area of overlap between their pipeline authorization and the original trail alignment proposed in ADL 234426 occurred in Section 22 of Township 17 North, Range 7 West, Seward Meridian. These lands have been removed from the route proposed for authorization by DMLW because they are managed by the Matanuska-Susitna Borough.

Instead, applicant will move their activities into the existing Public Access Easement for ADL 222930 (labeled "DNR Easement" on AGDC's map.) Therefore, no stipulations concerning AGDC's pipeline alignment will be included in the Special Land Use Permit proposed herein.

Please note that an intersection between AGDC's ROW lease ADL 421297 (issued in 2021) and the public access easement for the Iditarod Trail 222930 (issued in 1986) still occurs on lands managed by the Matanuska Susitna Borough in Section 21.

Comment: On November 6, 2024, the Alaska DNR Division of Oil and Gas, State Pipeline Coordinator's Section submitted the following.

The State Pipeline Coordinator's Section (SPCS) reviewed the Friends of West Susitna public access easement or trail improvement and widening of an existing winter trail to 18' for safety of transportation activities involving wide and heavy loads and snowcat travel.

The following AS 38.35 pipeline rights-of-way are in the vicinity of the proposed action. The SPCS requests that the Friends of West Susitna coordinate with the lessees listed below to determine if the proposed activities enter or cross the AS 38.35 pipeline rights-of-way, or if proposed activities could affect the AS 38.35 pipeline related activities.

**Donlin Pipeline (ADL 231908)** [contact information provided]

**Potentially affected sections:**

Seward Meridian, Township 18N, Range 10W, Section 1

Seward Meridian, Township 19N, Range 10W, Sections 7, 8, 22, 27, 36

Seward Meridian, Township 20N, Range 11W, Sections 4, 5, 9, 26, 35, 36

Seward Meridian, Township 21N, Range 11W, Sections 29, 32, 33

**Alaska LNG – Mainline Pipeline (ADL 421297)** [contact information provided]

**Potentially affected sections:**

Seward Meridian, Township 17N, Range 7W, Section 22

Thank you for the opportunity to comment.

DMLW Response: Comment acknowledged. See the Third Party Interests and Public Comment sections of this decision document, and the maps provided in Attachment A.

The area of overlap between AGDC's pipeline right of way lease ADL 421297 and the trail alignment originally proposed in ADL 234426 within Sections 22 of Township 17 North, Range 7 West, Seward Meridian has been removed by DMLW because underlying lands are managed by Matanuska-Susitna Borough. Instead, applicants will move their trail use activities into the existing Public Access Easement for ADL 222930. Please note that an intersection between ADLs 421297 (issued in 2021) and 222930 (issued in 1986) still occurs on Borough lands within Section 21, Township 17 North, Range 7 West, Seward Meridian.

Comment: On November 6, 2024, the US Bureau of Land Management, Anchorage Field Office submitted the following.

BLM has no interests or concerns in this project since it is wholly contained on state patented lands.

DMLW Response: Comment acknowledged.

No other comments were received from agencies outside of DMLW.