



**STATE OF ALASKA**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Mining, Land and Water**

**Administrative Decision**

ADL 203942

Alaska Department of Fish & Game  
Interagency Land Management Assignment

AS 38.05.020

**Requested Action**

On March 27, 1980, the Department of Natural Resources (DNR), Division of Mining, Land, and Water (DMLW), received an application for Interagency Land Management Assignment (ILMA) from the Alaska Department of Fish & Game (ADF&G; the applicant) on state-owned, DMLW-managed lands near Sterling, Alaska. The original authorization was issued on November 28, 1980, for a period of 40 years. On June 27, 2025, ADF&G submitted a new application request to reissue the ILMA, which is approximately 570 feet in length, 200 feet in width, and 2.6 acres in size, more or less. The purpose of the proposed ILMA is for continued use of a pre-existing research site to allow for fisheries research, as well as the proposed leveling and re-graveling the access road and lot and the addition of a small shed for fuel and gear storage.

**Recommended Action**

DMLW has reviewed the application and found it to be consistent with the prior granted ILMA and therefore recommends that the ILMA be reissued with no change.

- Length: Approximately 570 feet
- Width: Approximately 200 feet
- Acreage: Approximately 2.6
- Term: 40 years
- Grantee: ADF&G

**Scope of Decision**

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

**Statutory Authority**

This ILMA application is being adjudicated pursuant to AS 38.05.020.

## **Administrative Record**

The administrative record for the proposed action consists of the Constitution of the State of Alaska, the Alaska Land Act as amended, applicable statutes and regulations referenced here-in, and the casefile for the application serialized by DNR as ADL 203942

## **Location Information**

### **Geographic Location**

The applicant has requested that DMLW authorize an ILMA in Sterling, AK.

### **Township Range**

The applicant has applied to use state-owned, DMLW-managed uplands lands within Lot 11 in Block 2, NW1/4 of Section 36, Township 5 North, Range 8 West, Seward Meridian.

### **Other Land Information**

Municipality: Kenai Peninsula Borough

Regional Corporation: Cook Inlet Region Inc. (CIRI)

Federally Recognized Tribe: Village of Salamatoff

## **Title**

DNR holds title to applicable portions of lands within Section 36 of Township 5 North, Range 8 West, Seward Meridian, Alaska per the Confirmation of Title dated February 3, 1993 and recorded as Book 396, Page 353 in the Kenai Recording district. The associated DNR casefile is serialized as SCH 13.

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

The State of Alaska holds title to lands beneath tidally influenced and navigable waterways within its jurisdiction, including lands underlying the Kenai River in the section referenced above, on the basis of the Equal Footing Doctrine, the Submerged Lands Act of 1953, and AS 38.04.062 (Identification of State Submerged Lands).

## **Third Party Interests**

The applicant has requested an ILMA that does not intersect with other third-party interests.

## **Planning & Classification**

The area described for the proposed ILMA renewal has been classified under the 2001 Kenai Area Plan as Unit Number 416 within Region 5, a parcel along with Upper Kenai River designated as Habitat and Public Recreation and Tourism – dispersed use which converts to classifications of Wildlife Habitat Land and Public Recreation Land, respectively. The parcel is adjacent to the Kenai National Wildlife Refuge and its location on the anadromous Kenai River means it is important to bear feeding. SCRO finds the issuance of an authorization for the infrastructure to be

consistent with the regulation as it aligns with the management intent, land classification, and resource summary.

### **Access**

Functional legal access to the state land discussed herein exists via Eagle Circle.

## **AGENCY REVIEW & PUBLIC NOTICE**

### **Agency Review Summary**

Agency Review of the application was conducted from January 20, 2026, to February 19, 2026, and February 24, 2026, to March 26, 2026. The notice was sent to the following recipients:

#### **State Agencies**

- DNR Division of Oil and Gas, State Pipeline Coordinator Section
- DNR Division of Parks and Outdoor Recreation (DPOR); Permitting
- DNR DPOR Office of History and Archaeology
- DNR AK Mental Health Trust Land Office
- Department of Transportation & Public Facilities; Statewide ROW
- Department of Commerce, Community, and Economic Development, Division of Community and Regional Affairs
- Department of Environment Conservation (DEC), Division of Environmental Health, Drinking Water Program
- DEC, Division of Water - Alaska Pollutant Discharge Elimination System Program
- DEC, Division of Environmental Health, Solid Waste Program
- DEC, Division of Spill Prevention and Response; Contaminated Sites Program (CSP)
- DEC, Division of Air Quality; Permitting
- DEC, Division of Air Quality; Air Non-Point and Mobile Sources
- Division of Forestry & Fire Protection
- Alaska Soil and Water Conservation District, Kenai
- ADF&G Sport Fish

#### **Federal Agencies**

- US Army Corp of Engineers
- Village of Salamatoff

#### **Local Agencies**

- Kenai River Center
- Kenai Peninsula Borough
- City of Kenai

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

Two comments were received during the agency review period.

**Comment:** On February 24, 2026, DEC CSP stated that they have found no sites within 1500 feet of the proposed project and does not have any comments. They remind the applicant to notify DEC if contamination is encountered.

**Response:** SCRO acknowledges the comment made by DEC CSP.

**Comment:** On March 24, 2026, DOT&PF stated that they have no comment at this time.

**Response:** SCRO acknowledges the comment made by DOT&PF.

### **Public Notice Summary**

Public Notice of the application was conducted from January 20 to February 19, 2026, and re-noticed from February 24 to March 26, 2026, with updated application information. The notice was posted to the State of Alaska Online Public Notice System and mailed to both nearby post offices and private landowners.

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

One comment was received during the public notice period.

**Comment:** On January 20, 2026, the Kenai River Center stated that they have no objection to the authorization of the easement.

**Response:** SCRO acknowledges the comment made by the Kenai River Center.

### **Environmental Consideration**

This decision considers the environmental factors directly related to the authorization for use of state lands, specifically whether the approval of the authorization is in the State's interest. The purpose of this consideration is to identify any associated mitigation measures or other requirements necessary to protect the public interest, while informing the overall decision of whether or not to approve the authorization.

Environmental contamination risk associated with this proposed ILMA is minimal. Fuel, lubricants, and other hazardous materials will be restricted to those necessary and will be contained within vehicles and vegetation clearing equipment when such equipment is necessary for right-of-way maintenance. Additional fuel, totaling between 5 and 20 gallons, used for boats may be stored in trucks or the shed, once built. No other hazardous materials will be stored on site. There are no other known environmental considerations or constraints in this location. The applicant is ultimately responsible for determination of site suitability.

### **Discussion**

The applicant has requested a 2.6 acre ILMA for a term of 40 years; SCRO concurs this is an appropriate term authorization length as the need for the ILMA can be expected to exist as long as ADF&G intends to continue its studies of salmonoid and native fin fish species.

### **Survey**

A DMLW approved as-built survey is unnecessary for the creation of an ILMA, as the legal description may be tied to the adjoining survey(s) by a metes and bounds description. New improvements shall follow AS 38.95.160, and those totaling more than \$100,000 shall be supervised by a professional registered to practice under AS 08.48.

### **Fees**

Per 11 AAC 05.020(b), SCRO recommends that interim and one-time issuance fee(s) for this authorization are waived as the request is in the public interest. Staff further recommend that the

ILMA document be sent to the Recorder “State Business - No Charge” as the applicant is a state agency. Fees for the ILMA are waived per 11 AAC 05.160 (D).

**Term**

Following termination, whether by abandonment, revocation, or any other means, the applicant shall rehabilitate the site(s) to a condition that is acceptable to DMLW. The term of this ILMA will be 40 years, which will provide operational assurance to the applicant and facilitate long term research activities.

**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 an ILMA as described above, on the condition that all stipulations are followed as described in the attached authorization.



\_\_\_\_\_  
Channing Buckmaster, Natural Resource Specialist 2  
DMLW, Southcentral Regional Land Office

6/09/2026

\_\_\_\_\_  
Date

**Manager’s Decision**

Based on information provided by the applicant, agency and public review, and review of relevant planning documents, statutes, and regulations related to this application, it is the decision of the DMLW to issue an ILMA to ADF&G as recommended above. During the term of the ILMA, periodic inspections may be conducted, at the discretion of DMLW, to ensure compliance. DMLW reserves the right to issue other compatible uses within this same area.

This decision takes effect immediately. If no appeal is filed by the appeal deadline, this decision becomes a final administrative order and decision of the department on the 31st calendar day after issuance.



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Brent Reynolds, Natural Resource Manager 2  
DMLW, Southcentral Regional Land Office

6/9/2026

\_\_\_\_\_  
Date

**Attachments**

Attachment A: General Location Map

**Appeal**

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

Appeals may be mailed or hand-delivered to the DNR Commissioner's Office, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska, 99501; or faxed to (907)-269-8918; or sent by electronic mail to [dnr.appeals@alaska.gov](mailto:dnr.appeals@alaska.gov). Appeals must be accompanied by the fee established in 11 AAC 05.160(d)(1)(F), which has been set at \$200 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>.

**Attachment A**  
General location map

