

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

Northern Regional Land Office

Memorandum of Decision

LAS 36126

Ironman Directional Drilling, LTD

Application for Land Use Permit

AS 38.05.850

Requested Action

Ironman Directional Drilling, LTD has requested use of a developed material site, ADL 419451, as a staging and camping location for a period of 30-60 days between now and October 31, 2026. The proposed use would consist of up to 12 camping trailers, several boats, fiber laying equipment, and vehicles. No ground disturbing activities are anticipated. There will be no bulk fuel storage, and Ironman intends to service the camping trailers with a company owned hydrovac truck that would transport both black and grey water to an appropriate treatment facility.

Proposed Action

The Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), Northern Regional Land Office (NRO) proposes to authorize issuance of a permit as requested.

Scope of Decision

The scope of this decision is limited to determining if it is appropriate for DNR to issue an authorization for the proposed land use activities.

Statutory Authority

This permit is being adjudicated pursuant to AS 38.05.035 (powers and duties) and AS 38.05.850 (permits).

Administrative Record

The administrative record for the proposed action consists of the Constitution of the State of Alaska, the Alaska Land Act as amended, applicable statutes and regulations referenced herein, the 2014 Yukon Tanana Area Plan and other classification references described herein, and the casefile for the application serialized by DNR as LAS 36126.

Location Information

Geographic Location: The material site is located several miles west of Livengood, at MP 72 of the Elliott Highway.

Legal Description: Within Section 20, Township 8 North, Range 5 West, Fairbanks Meridian.

Other Land Information

Municipality: N/A

Regional Corporation: Doyon, LTD, although no corporation lands are involved.

Village Corporation: N/A

Title

The State of Alaska holds title to lands within the project area under Tentative Approval, issued on March 25, 1985 under GS 3501.

Planning & Classification

The proposed project area is classified Material Land and designated for the same. The unit, T-93, comprises a number of material sites within the Lower Tanana Region. The unit is to be retained in State ownership and managed for material resources. There are currently no active contracts at this site and the Department of Transportation and Public Facilities (DOT&PF) has no objection to the issuance of a permit at this site as requested.

Third Party Interests

There are no identified third-party interests at this site.

Background

Ironman Directional Drilling, LTD (Ironman), is installing fiber as part of the Alaska Fiber Optic Project bringing fiber to Fort Yukon, Beaver, Stevens Village, Rampart, and Tanana. In mid-June, Ironman was contacted in a designated material site across from the Olnes Pond access road. They were staging and camping in that site.

Ironman was unaware that DNR managed material sites on State land and an authorization from DNR would be required. DNR concurs that Ironman conducted reasonable outreach to secure all necessary authorizations and ensure they would not impact other State interests and users. Immediately upon being informed that a DNR authorization was required for staging/camping on DMLW managed lands, Ironman submitted an application. Given the short construction season and the substantial benefit of the overall project, NRO lands gave interim “at risk” authorization to continue their activities while a written authorization was considered. This decision is that consideration.

Agency Review & Public Notice Summary

Due to the de minimis anticipated impact of the proposed activities, Agency Review was not conducted except that DNR consulted with DOT&PF. DOT&PF had no objections to authorizing the activities in this site as requested.

Due to the de minimis anticipated impact of the proposed activities, notice of the application was not conducted. Rather, Notice of Decision issuance will be posted to the Public Notice Website for a period of 14 days.

Environmental Considerations

This decision considers 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 permit is minimal. Fuel, lubricants, and other hazardous materials will be restricted to those necessary and will be contained within vehicles. No fuel or 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

When adjudicating a Land Use Permit, DMLW seeks to facilitate development, conservation, and enhancement of state lands for present and future Alaskans while minimizing disturbance to vegetative, hydrologic, and topographic characteristics of the area which may impair water quality and soil stability

Ironman , is installing fiber as part of the Alaska Fiber Optic Project bringing fiber to Fort Yukon, Beaver, Stevens Village, Rampart, and Tanana. This application is in support of that project for staging equipment and employee housing in camping trailers. The proposed site is an existing developed material site; no modifications to the site will be necessary to accommodate the requested activity. While this is a developed material site, there are no active contracts from this site, and authorizing this use will not impact any other users. Ironman anticipates there may occasionally be other users wishing to camp overnight in the site and specifically intend to leave portions of this site available for other users. They intend to occupy this site for less than 60 days.

Because the application and stipulations contained in the resulting Land Use Permit address all state concerns, and the proposed activities present limited risks to state resources, no alternatives to the application were considered. The DMLW will authorize issuance of a permit for the activity as proposed through October 31 of 2026.

Performance Guaranty

Performance guarantees are means to assure performance and to provide ways to pay for corrective action if the permittee fails to comply with the requirements set forth in the permit document. They are also used to protect state land from damage and to make certain that improvements are removed and that the land is returned in a usable condition upon termination of the permit.

The applicant's activities are relatively low risk. There will be no bulk fuel storage, no structures installed, and no ground disturbing activities. The applicant's current camp is clean and well maintained. The equipment and camping trailers present onsite were all in good condition and represent valuable company assets. It is highly unlikely that they would be abandoned

Because of the low risk of the requested activities, NRO is not requiring a performance guaranty at this time. The right to require such performance guaranty will be reserved in the event the

Grantee's compliance is less than satisfactory. If required, such performance guaranty shall remain in effect for the remainder of this authorization and shall secure performance of the Grantee's obligations hereunder. The amount of the performance guaranty may be adjusted by the AO in the event of approved amendments to this authorization, changes in the development plan, or any change in the activities or operations conducted on the premises.

Insurance

Insurance is a means to protect the State from liabilities incurred through the use of state property, or from damage to state property as a result of accidental or catastrophic events. This type of protection is necessary in the event of an accident or negligence that was consequentially connected to activities conducted on state land, and/or if the State is named in a lawsuit as a result of an accident or negligence.

Consistent with to 11 AAC 96.065 the Grantee shall secure or purchase at its own expense, and maintain in force at all times during the term of this permit, liability coverage and limits consistent with what is professionally recommended as adequate to protect the Grantee (the insured) and Grantor (the State, its officers, agents and employees) from the liability exposures of ALL the insured's operations on state land. Certificates of Insurance must be furnished to the AO prior to the issuance of this permit and must provide for a notice of cancellation, nonrenewal, or material change of conditions in accordance with policy provisions. The Grantee must provide for a 60-day prior notice to the State before they cancel, not renew or make material changes to conditions to the policy. Failure to furnish satisfactory evidence of insurance, or lapse of the policy, are material breaches of this permit and shall be grounds, at the option of the State, for termination of the permit. All insurance policies shall comply with, and be issued by, insurers licensed to transact the business of insurance under Alaska Statute, Title 21. The policy shall be written on an "occurrence" form and shall not be written as a "claims-made" form unless specifically reviewed and agreed to by the Division of Risk Management, Department of Administration. The State must be named as an additional named insured on the policy with respect to the operations of the Grantee on or in conjunction with the permitted premises, referred to as LAS 36126.

Fees

The following fees are applicable to this request. These fees may be adjusted if regulation(s) or the Department Order pertaining to the fee(s) change during the term of the authorization.

Fee: \$800

Relevant Fee Regulation(s): 11 AAC 05.180(d)(2)(D)(i). While the base fee of \$800 is being assessed, because the structures that can be occupied are fully mobile camping trailers, we are not assessing a per square foot fee.

Term

Expiration Date: October 31, 2026

Manager's Decision

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 decision of this office to take the action as outlined above on the condition that all stipulations are followed as described in the attached authorization. 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. This decision may be rescinded by written notification if, after 60 days from the effective date of this decision, the applicant has not completed all requirements outlined in this decision for issuance of the permit. Additional time may be allotted to complete these requirements at the applicant's request and concurrence of the Authorized Officer, however this will not extend the total term of the authorizations issued under this decision.



7/13/2026

AJ Wait, Natural Resource Manager 2

Date

Attachments

Land Use Permit

Site Diagram

Appeals

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. 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>.